

**AGENDA
VILLAGE OF FLAT ROCK COUNCIL MEETING
VILLAGE HALL ASSEMBLY ROOM
110 VILLAGE CENTER DRIVE
JANUARY 9, 2025
9:30 AM**

Call to Order

Moment of Silence

Pledge of Allegiance

Public Comments

Public Hearing Continuation - Ordinance No. 85 - Flood Damage Prevention Ordinance Amendments

Agenda Approval/Changes

Consent Agenda

1.
 - December 2, 2024 – Agenda Workshop Minutes
 - December 12, 2024 – Council Meeting Minutes
 - Land of Sky Contracts

Special Reports

2. Administration – Village Administrator Christie
3. Park Update – Council Member Carpenter
4. Foundation Update – Vice Mayor Toner
5. Transportation Update – Council Member Whitmire
6. Tax Report – Council Member Stuller

Old Business

7. Oversight Responsibilities – Mayor Coletta

New Business

Other Business

8. Mayor-Council Reports

Public Comments

Adjournment

VILLAGE OF FLAT ROCK COUNCIL MEETING MINUTES
VILLAGE HALL – ASSEMBLY ROOM
110 VILLAGE CENTER DRIVE
JANUARY 9, 2025
9:30 A.M.

Mayor Coletta presided over the January 9, 2025, council meeting at 9:30 a.m. Those present in addition to Mayor Coletta were Vice Mayor Toner, Council Members Carpenter, Gregory, Jeter, Stuller, and Whitmire, Village Clerk Parker and Village Administrator Christie.

MOMENT OF SILENCE /PLEDGE OF ALLEGIANCE

Mayor Coletta led the group in a moment of silence. She then led the group in the Pledge of Allegiance.

Public Comments— Polly Angelakis, Superintendent of Carl Sandburg National Historic Home, will be retiring at the end of January 2025. She reported the park partially re-opened December 23rd and will continue with a slow re-opening. The park will be closing today at 5:00 p.m., due to the predicted snowstorm.

Public Hearing Continuation – Ordinance No. 85 – Flood Damage Prevention Ordinance Amendments

Council Member Carpenter made a motion to go into public hearing, seconded by Council Member Jeter. The motion was carried by unanimous vote. Mayor Coletta asked for any comments from the public, and no comments were received. Council Member Carpenter made a motion to go out of public hearing, seconded by Council Member Jeter. The motion was carried by unanimous vote.

Kaitland Finkle, Land of Sky Regional Council consultant, presented a document of the existing Flood Damage Prevention Ordinance showing proposed amendments due to Hurricane Helene. Text highlighted in yellow indicates language where the Village Ordinance differs from the State’s Model Ordinance. Red underlined text is language that is not currently included in the Village Ordinance and has been added to align with NC General Statute and the State’s Model Flood Damage Prevention Ordinance. Also, the Village’s exemption language for development within Special Flood Hazard areas is highlighted in blue.

There were questions about Article 2, Definition of Substantial Damage. Kaitland mentioned she and Village Administrator Christie performed assessments of approximately 35 – 40 structures located within the 100-year floodplain after Helene and found none to have fifty percent or higher threshold of damage. If the ten-year cap is twenty-five percent, residents would not be able to rebuild, and she suggests removing this language. Village Attorney Sharon Alexander reviewed the proposed ordinance amendments and suggested changing “uses” to “as permitted.” After discussions, Council Member Gregory made a motion to accept Ordinance No. 85 as in final draft as recommended, seconded by Council Member Stuller. The motion was carried by unanimous vote.

Agenda Approval/Changes

Under *Old Business – Item #7, Oversight Responsibilities* was added to the agenda. Under *New Business, Item #8, Appointment to FRTAC* was removed. Council Member Gregory made a motion to approve the agenda as amended, seconded by Council Member Jeter. The motion was carried by unanimous vote.

Consent Agenda

1. The Consent Agenda consisted of the following:
 - December 2, 2024 - Agenda Workshop Minutes
 - December 12, 2024 – Council Meeting Minutes
 - Land of Sky Contracts

Council Member Jeter moved to approve the Consent Agenda, seconded by Council Member Gregory. The motion was carried by unanimous vote.

Special Reports

2. Administration – Village Administrator Christie

Village Administrator Christie reviewed the December 2024 zoning report dated January 7, 2025, and the Village Administrator report dated January 2, 2025 (see attached reports).

3. Park Update – Council Member Carpenter

Council Member Carpenter gave the following update:

Arbor Day – Arbor Day celebration is Saturday, May 3, 2025.

Bridges – Suggestion of holding the bridge dedication ceremony with the Park's 10th Anniversary Celebration. The Park Foundation will discuss.

Park Closing – The Park at Flat Rock will be closing Tuesday, January 10th due to the predicted snowstorm.

4. Foundation Update – Council Member Toner

Vice Mayor Toner reported that The Park Foundation did not meet in January, but will meet in February.

At the February meeting, the Foundation will review Park Director Dage's proposed list of items for reimbursement. Due to Hurricane Helene and impacts there was no third quarter review. This review will incorporate the third and fourth quarters of expenditures.

If any candidates come to mind for the Park Foundation President, please pass them to Vice Mayor Toner and he will keep Council apprised of the effort.

The end of the year fundraising was a success, with over over \$30,000 raised. Park Foundation will meet February 10, 2025, 5:00 p.m., in the Assembly Room of the Village Hall.

5. Transportation Update – Mayor Coletta

Mayor Coletta reported the following:

- As of January 3, NCDOT was still waiting for pricing to come from the contractor for repair work from Hurricane Helene on the King Creek culvert at the dam. That repair work cannot begin until authorized by NCDOT.
- Council Member Whitmire will be taking over council oversight responsibility for transportation.

6. Tax Report – Council Member Stuller

Council Member Stuller reported that, as of January 9, 2025, the current fiscal year tax collections are at \$1,594,717. (94 percent) total collected (see attached report). The Village has received the 2023 tax payment from Zach King of \$130.60.

Old Business

7. Oversight Responsibilities – Mayor Coletta

Mayor Coletta handed out the oversight responsibility lists to council members to review for any changes. She will be taking over the Village Record Newsletter and hoping to publish a newsletter in February.

New Business – None

Other Business

8. Mayor – Council Reports

Council Member Whitmire reported she will attend the Transportation meeting next Wednesday.

Council Member Carpenter mentioned residents are using N. Highland Lake Road, going around the barricades.

Council Member Jeter mentioned the Land of Sky meeting in December was an award ceremony. The Christmas Luncheon was a success.

Vice Mayor Toner reported the budget is in very good shape, Audit Services expense account is high. Next month the budget process for fiscal year 2025/2026 will start. In Public Health there has been a significant spike in respiratory indicators in December.

Council Member Gregory apologized for not attending the agenda meeting as she had been sick for three weeks. The Board of Adjustment has an open position, looking for a candidate. She will contact the company to set a date for the Thursday Shred Day, looking at either the first or third Thursday in May. Council Member Gregory is the liaison for Kudzu Committee, with the help of David Dethero.

Council Member Stuller needs to reach out about when the next Water & Sewer meeting is. She asked Polly Angelakis to notify her when there is a superintendent replacement for Carl Sandburg National Historic Home.

Mayor Coletta outlined that she will be responsible for communication, including the village website and social media accounts, the village newsletter, and any press releases. She plans to send out a newsletter by mid-February and will be asking various council members for newsletter articles.

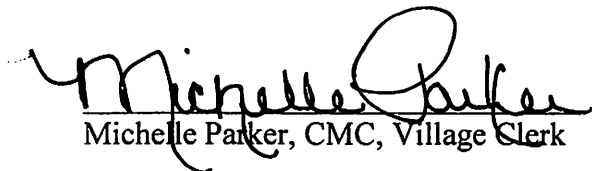
Mayor Coletta and Vice Mayor Toner will not be attending the February 3, 2025, agenda meeting.

Park Director Dages met with the family members of the fatality on N. Highland Lake Road.

Public Comments – Chief Will Sheehan mentioned Blue Ridge Fire Department has been very busy and have had difficulties with accessing areas due to Hurricane Helene damages.

Adjournment

At 10:55 a.m., Council Member Gregory made a motion to adjourn the meeting, seconded by Council Member Jeter. The motion was carried by unanimous vote.


Michelle Parker, CMC, Village Clerk


Anne G. Coletta, Mayor





To: Mayor and Council
 Planning Board Members

From: Zoning Administrator

Date: January 7, 2025

Ordinances Activity Report for December 2024

Ordinance Activities	This Month	2024 YTD	2023 YTD
Compliance Certificates Approved for SFD's	0	10	15
Temporary Compliance Certificates Approved	0	0	0
All Other Compliance Certificates Approved	1	20	27
Certificates of Occupancy/Compliance Approved	1	33	42
Variance Applications	0	0	0
Special Exception Application	0	0	0
Special Use Permit Applications	0	0	1
Appeal Applications	0	0	0
Special Use Permit Amendment Applications	0	0	0
Rezoning/Text Amendment Applications	0	0	0
Subdivision Application	0	0	1
Floodplain Development Application	0	0	0
Sign Permits	0	0	1
Historic Landmark Status Application	0	0	0
Ordinance Fees Received	\$75.00	\$3,075.00	\$5,000.00

December 2024 Ordinances Activity Report

Certificates of Zoning Compliance applications approved:

1 – Deck - (Kenmure/Brookwood Village)

Highland Lake PMUD: Letters of credit for Unit 4 have expired. Unit 1 Block 1, now called Park Residences @ Highland Lake Village, came before Council and was approved. They have finalized figures for the bank, and for the completion assurance agreement. According to the developer, they closed on financing on September 13th. They have secured the bond which was reviewed by the Village Attorney and deemed acceptable. The permit and completion assurance agreement were issued on January 3rd, 2025.

Misc. zoning and other ordinance issues:

- Minor subdivision at Trenholm and Little River Rd approved (Captain Smyth's Preserve). Infrastructure has been installed. Plat was signed and has been recorded. Need proof of covenants being recorded at the register of deeds and the homeowner's association still needs to be established through the secretary of state before any lots can be sold. We have been informed that the owner's trustee has all the needed information to complete these tasks. Status: No change.
- The audit of our Land Development Ordinance (LDO) is ongoing. The consultant has reviewed the existing LDO for compliance with 160D and after receiving feedback from Council, is now in the process of reviewing possible policy changes with the Planning Board. Once the Planning Board makes a recommendation and all the language is agreed upon by Council and approved by our attorney, it will need to be adopted at a public hearing. Status: Paused to work on the Flood Damage Prevention Ordinance, but restarted at the January planning board meeting.
- Ravenswood: Property on Meminger Dr. went up for sale. Specifically, it is a lot with an existing SFD that is located right on Little River Road and is zoned C-1. Have spoken to neighbors and the HOA president. Looked at old zoning maps dating back to 1998, and it appears that the property has been zoned commercial since that time. Met with someone representing a developer and found out that same day that the property is now under contract with someone else. Status: Per HC GIS, property now owned by Namaste Flat Rock LLC.
- Met with a gentleman and his son who purchased property above Dunroy from Joe Crowell. We discussed the requirements for a variance application in order to build an SFD. Received a call from Hunter Marks on the owner's behalf. No application has been received.
- Reviewing a recombination plat for lots on Highland Lake Drive. Last email to surveyor was August 2nd. The property owner contacted me for status, and I informed him of the August 2nd email to his surveyor. Status: No updated plat received.
- Researching an informal request (no application received) to subdivide lots on Rhett Dr and the Southlake cabins into individual lots. Received a phone call from owner's representative. They are now looking at the possibility of dividing lots on Rhett Drive under an exemption per 160D-802 (a) (4). May be possible if they divide no more than two acres into no more than three lots. Still looking at Southlake cabins that may be part of the PMUD. There is no application filed, and we discussed that the applicant needs to provide all the proper documentation for this to be considered. Status: Approved a recombination plat for the Rhett Drive property.
- Working on a recombination plat for an existing lot in the Southlake subdivision in Highland Lake adjacent to Lake Cove Road. Have contacted the village attorney to advise.
- Received a complaint about an overgrown lot on Robert E. Lee Drive.
- Signed off on 1 construction forms not requiring a certificate of zoning compliance (CZC).

SCO, TPO, FDPO, HLO:

- In April of 2021, we received a request from a property owner's engineer to sign off on a FEMA application for a Conditional Letter of Map Revision for fill (CLOMR-F) for two lots in Statonwoods subdivision on Mockingbird Dr. In September of 2022, the property owner came into the office requesting a certificate of zoning compliance application to build a SFD. He had paperwork with him from FEMA dated June of 2021 which was FEMA's conditional concurrence of the (CLOMR-F) request. He still needed a floodplain permit and a CZC permit to bring in fill and build the house when he inquired about permits. On October 6th, 2023, both applications were dropped off at the office with no plans or documentation attached. Multiple communications with all parties led us to the determination that the owner wants to bring in fill and then cut into the fill to create a crawl space. He was working with our local consultant and a state official from the North Carolina Division of Emergency Management as this change could affect the CLOMR-F previously issued by FEMA. On May 9th, I received, via email, a foundation/elevation drawing which I sent to our consultant for review. Our consultant reviewed the CLOMR-F from last year again and noted that it was for the lots, not the structure and that we still need a drawing that shows the requested openings in the crawl space as required by our flood plain ordinance. He again suggested to the property owner that they submit a CLOMR-F for the building itself and sent a new CLOMR-F application to the property owner. The applicant then requested a conference call with our consultant and the state NFIP coordinator. After that call, our consultant directed me to issue the flood plain permit. I pointed out that the last elevation certificate did not match what they discussed during their conference call and that the VOFR ordinance requirements still haven't been met (plot plan and foundation plan with flood openings). After meeting with the state NFIP representatives, it was determined that the Village needs to review its Flood ordinance as it compares to the state's model ordinance due to the restrictive language in the Village's ordinance.
- After my meeting with the state NFIP representatives, Council approved a contract with Land of Sky for the ordinance update as well as technical assistance with the administration of the ordinance moving forward. Kaitland Finkle, a regional planner with Land of Sky, led a discussion of the comparison of our current ordinance language with the model ordinance from the state at the September, October and November Council meetings. The public hearing set for December 12th, 2024, was continued to January 9th, 2025.
- The Historic Landmark Commission last held a meeting in April 2022. The situation at Beaumont (fire) may necessitate the involvement of the commission soon. According to HFR, the current owner intends to sell the property to someone who wants to restore it. Recently I had a discussion with a local general contractor who is interested in buying and restoring the house. Urged him to also contact Historic Flat Rock, Inc. as a resource.

Planning Board and Board of Adjustment Meetings:

- The Board of Adjustment did not meet in December. They are still planning on looking at their bylaws at a future meeting. An organizational meeting is recommended.
- The Planning Board met on December 3rd to continue their review of the Flood Damage Ordinance and make a recommendation to Council. They also met on January 7th to discuss the flood ordinance and restart the discussion of the LDO. The next meeting scheduled is February 4th, 2025.

**Village Administrator Report
January 2, 2025**

Flat Rock Crime Reports:

Information obtained from the Citizen Connect incident map link on Henderson County Sheriff's Dept. website shows a map with icons indicating an incident, but with no street names (or dates) to confirm location. The map icon locations are historically inaccurate and need to be verified as being within Village boundaries. Therefore, they are not included.

Reporting period of December 1, 2024 – December 31, 2024:

The call for service history provided by the Sheriff's department to the Village reveals 95 total calls, with 59 under the law category, 12 under fire, and 24 under EMS. Out of the 59 calls under "law", 3 were listed for animal enforcement, and 3 listed as animal enforcement phone call.

Website/Facebook Report/EV Charging Station Stats:

Reporting period of December 1, 2024 – December 31, 2024:

- There were 6600 - page views on the home page of the website, a decrease of 986 from the previous month.
- The calendar did not have more views than the default home page this month with a total of 4587 views.
- Following the default home page views, the following 12 sections were viewed most, in descending order: Calendar, Media Archives, Mayor and Council, Contact Us, About Us, Park Facility Reservations, Meeting Room Reservations, Village Property Tax Information, How Do I ..., Park FAQ, Park Facilities Reservation Calendar, Shopping and Dining.
- Items added or updated: Park facilities reservation calendar information, calendar, updates of scheduled meetings of council, boards and committees, approved council meeting minutes, council meeting agenda including the public hearing notice, links to community events, road construction updates and closures, and information about the Dye Creek Project including the construction of the pedestrian bridges, and Hurricane Helene related info.
- Facebook stats for December 2024:
 - Followers: 2,049
 - Post Engagement: 351
 - Post Reach: 797
 - New Followers: 10
- Electric Vehicle Charging Station Uses:
 - December 2024: 20- Utility cost for last 30 days=\$43.00 for 289 kWh based on \$0.15 per kWh. Session Fees are the amount ChargePoint collects and remits to the Village. For December 2024 it was \$97.54.

Village Hall Office, Grounds, Park, Misc. and Communications:

- For the upcoming month, notices emailed regarding the Village monthly meetings and events. Updated online meeting calendar for 2025. Updated website as needed.
- Park related issues and staff support: Worked with Council Member Carpenter, Council Member Toner, Michael Dages, and Tracey Daniels. The Park Commission meeting was not held in December 2024. The next meeting scheduled is January 23rd, 2025.
- November's Park updates include Dye Creek project, foundation events, and a pollinator garden kaleidoscope. Review of Ordinance No. 91, which is the Park Rules.
- The Park Foundation meeting was held on December 9th, 2024. Discussed 10th anniversary mailing and end of year fundraising. The January meeting was cancelled.
- The Park Foundation approved a reimbursement request of \$53,567.33 to the Village.
- Attended the Park Foundation Board Workshop last August. Several ideas were discussed for the area of the park along North Highland Lake Road. Also discussed the 10-year anniversary of the park and celebrations the Foundation may be considering that will take place throughout the year.
- Dye Creek- The Park Foundation received one grant of \$20,000 for signage, and another grant through the Community Foundation for \$10,000. They also provided the village with the resources to apply for a grant from the North Carolina Division of Water Resources which was fully funded at \$190,580.00. Fundraising for the Dye Creek project has exceeded expectations.
- Michael has submitted three reimbursement requests to NCDEQ. All have been received.
- Dye Creek Project Management Contract- The amended contract was approved and signed. It looks like we may have an overage for the construction support (bridges) contract moving forward.
- Council awarded the Dye Creek project to Baker Grading and Landscaping. They have completed all the work except for final plantings.
- Council awarded the bridges contract to Enterprise G. Work was interrupted during the flooding associated with Hurricane Helene but is now complete. We have been invoiced for the work with one change order. The invoice has been paid.
- Land of Sky ARP - Staff and Council continue to work with Mary Roderick as needed. She submitted our annual report April 25th, 2024. We will need to report again next year. She has received the FY24 annual reports for the VOFR Community Assistance Program from all recipients.
- The Flat Rock Transportation Advisory Committee previously met on December 10th, 2024. Radar speed signs for Little River Road have been received. Hannah Bagli, Regional Transportation Planner with Land of Sky attended. The next scheduled meeting is
- Have confirmed estimates for budget purposes to repaint the ceiling in the Highlander Room and the exterior of Village Hall.
- Attended the South Mountains Risk Assessment and Mitigation Strategy meeting. Documentation of our process for doing Substantial Damage Estimates following a flooding event has been requested.

- Due to Helene, we lost the internet for several days. Was able to “borrow” a Starlink system from Henderson County to get phones and internet back.
- Attended multiple FEMA public assistance related meetings in person and via zoom and/or teams due to Hurricane Helene.
- Met with our Land of Sky consultants, FEMA liaison, and FEMA/NCEM representatives.
- FEMA Public Assistance update: have had our exploratory and recovery scoping meetings (November 7th, and 14th). Next step will be a site inspection of the park by FEMA.
- Michael has been working with the Land of Sky consultants to complete the damage inventory report on the FEMA grants portal.
- Laserfiche has been transferred to the cloud.
- Edmunds migrated to the cloud-based system on December 10th, 2024. This will enable the park director, the budget officer and finance officer to have access.
- New computers have arrived and are in the process of being installed.
- Our IT contractor discussed with me that he thinks he might be able to connect the park to our server here at Village Hall, however he discovered that the new phone system and alarm configuration used the remaining open ports on the AT&T gateway. We will look into getting another gateway that has more ports. As a result of the reconfiguration done by Henderson County IT for our Starlink access, a port has opened up. Will discuss again in the new year.

Community Meetings, Networking, Agency Contacts:

Hendersonville Lightning

HC Permits and Inspections

Hendersonville Development Assistance Dept

Blue Ridge Fire Dept

Town of Mills River Manager, Clerk, and Park Director

City of Hendersonville Manager, Public Works Director, Planning Manager

Town of Fletcher Manager, Park Director, and Planning Director

Town of Laurel Park Manager

Henderson County Planning Director, and Planning Staff

Henderson County Director of Site Development

Henderson County Emergency Operations

Attended a Helene Manager’s update hosted by Henderson County on December 12th, 2024.

Attended the Western North Carolina Manager’s Association (WNCMA) luncheon on December 13th, 2024.

Met with Jimmy Brissie, Director of Henderson County Emergency Services and Kevin Waldrup, Fire Marshal, with Mayor Coletta on December 19th, 2024.

Report prepared by:
Patricia Christie, CZO
Village Administrator

Thursday, January 9, 2025

VILLAGE OF FLAT ROCK
Property Tax

Description	Fiscal 2024/25	Penalty	Total
Carry forward from 23/24	120.90	9.70	130.60
Billing	1,682,809.86	-	1,682,809.86
Utilities Billing	-	-	13,741.76
Deductions	-	-	-
Payments	-	(1,594,707.30)	(1,594,717.00)
Reversals	-	-	-
Adjustments	-	-	-
Totals	101,965.22	-	101,965.22

94.00% COLLECTED