

AGENDA
VILLAGE OF FLAT ROCK COUNCIL MEETING
VILLAGE HALL ASSEMBLY ROOM – VIA ZOOM
110 VILLAGE CENTER DRIVE
JANUARY 14, 2021
9:30 AM

Call to Order

Moment of Silent Meditation

Pledge of Allegiance

Agenda Approval/Changes

Consent Agenda

1.
 - November 30, 2020 – Agenda Workshop Minutes
 - December 10, 2020 – Council Meeting Minutes

Special Reports

2. Administration – Village Administrator Christie
3. Park Update – Council Member Carpenter
4. Foundation Update – Council Member Gooch
5. Transportation Update – Vice Mayor Coletta
6. Tax Report – Mayor Weedman

Old Business

7. Board term limits – Vice Mayor Coletta

New Business

8. Appointments to Park Commission – Council Member Carpenter
9. Appointments to Board of Adjustment – Council Member Gregory
10. Short-term rentals

Other Business

11. Mayor – Council Reports

Public Comments

Adjournment

MINUTES
VILLAGE OF FLAT ROCK COUNCIL MEETING
ASSEMBLY ROOM – VIA ZOOM
JANUARY 14, 2021
9:30 A.M.

Mayor Weedman presided over the January 14, 2021, council meeting at 9:30 a.m. Those present in addition to Mayor Weedman were Vice Mayor Coletta, Council Members Carpenter, Dethero, Gooch, Gregory, Tiles, Village Clerk Parker and Village Administrator Christie.

MOMENT OF SILENT MEDITATION/PLEDGE OF ALLEGIANCE

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

Public Comments – None

Agenda Approval/Changes

Under *New Business* – #10 - *Short term rentals* was added to the agenda. Council Member Tiles made a motion to accept the agenda as amended, seconded by Council Member Carpenter. The vote carried unanimously.

Consent Agenda

1. The Consent Agenda consisted of the following:
 - November 30, 2020 – Agenda Workshop Minutes
 - December 10, 2020 – Council Meeting Minutes

With no changes, the Consent Agenda was approved.

Special Reports

2. Administration – Village Administrator Christie

Administrator Christie reviewed the December 2020 zoning report dated January 7, 2021, and the Village Administrator report dated January 7, 2021 (see attached reports).

3. Park Update – Council Member Carpenter

Council Member Carpenter reported the Park Commission did not meet in December.

Trace and Company has fixed the trail damage caused by the storm in October.

The Park Commission is finalizing the fee waiver policy and is asking for guidance from Council on who will have the authority to waive fees.

4. Foundation Update – Council Member Gooch

Mr. Dennis Flanagan gave a six-month financial report of the Flat Rock Park & Recreation Foundation (see attached report).

In raising money for the Park, the Foundation Board voted unanimously at the January 11, 2021, meeting by resolution to move forward and create an endowment with conditions (see attached resolution).

After discussions, Mayor Weedman expressed concerns with the endowment. He will meet with Myra Grant to discuss his concerns.

Mr. Flanagan is requesting for Village Council to increase the Foundation's budget an additional \$3,500.00 for Myra Grant to undertake the first step in researching any available grants for stream restoration. Mayor Weedman recommends the Village contract with Myra Grant directly since this is a village park expense.

Mr. Flanagan stated the Foundation wishes to move forward with capital campaigns relative to new amenities within the Park, such as the Courtyard, which is on the master plan. The second possible new amenity is an amphitheater, which is not on the master plan. He stated a design of the Courtyard needs to be done as well as an understanding of costs so that the Foundation can raise the funds. In the capital campaign, the Foundation is willing to cover any short fall of funds with no additional expense to the Village. Mayor Weedman suggested that the Village Council have a joint meeting with the Foundation to discuss and decide whether to move forward with these two new amenities, but no date was set.

5. Transportation Update – Vice Mayor Coletta

- There was no TAC or MPO meeting in December. Both groups will meet this month.
- Pat Christie, Council Member Carpenter, Park Commission Chair Matt Toner, Park Ranger Wilkerson and Vice Mayor Coletta met online to discuss upcoming changes in the Park in light of the road project.
- Vice Mayor Coletta is working with NCDOT on the Village's right-of-way compensation. The Village is waiting on resolution of a potential drainage issue that would impact the Village's compensation request. Vice Mayor Coletta is working on setting up a meeting between WGLA Engineering Firm, NCDOT, Vaughn & Melton, and the Village Council so the drainage issue can be worked through by all parties.
- Mayor Weedman and Vice Mayor Coletta have received an email from Wesley Jamison with NCDOT about a municipal agreement dealing with greenways/paths connected to the road project. Vice Mayor Coletta is waiting to hear from Mayor Weedman until she calls Mr. Jamison to discuss the agreement.

6. Tax Report – Mayor Weedman

Mayor Weedman reported that, as of January 13, 2021, the current fiscal year tax collections are at 96 percent with \$1,206,686.80 total collected (see attached report).

Old Business

7. Board term limits – Vice Mayor Coletta

Vice Mayor Coletta made the following motion;

The use of term limits would apply to:

- Board of Adjustment
- Historic Landmarks Commission
- Park Commission
- Planning Board
- Any future board or commission that directly affects Village policy

Appointees to the above listed commissions or boards are eligible to serve two consecutive three-year terms. Being appointed to fill an unexpired term of less than one year shall not be considered as one of the terms. A time-limited board member may only be re-appointed to the board or commission after a one-year hiatus.

Board members currently serving at the time this amendment/motion is adopted shall be subject to this requirement. If a current member's term is a second term or longer, at the expiration of the member's current term, the member must wait the requisite one year before becoming eligible to serve again.

Council Member Carpenter seconded the motion. Mayor Weedman expressed he is opposed to term limits. Barbara Platz, Planning Board Chair, expressed concerns with staggering of terms. With no further discussions, the motion carried with a 5-yes, 1-nay vote.

New Business

8. Appointments to Park Commission – Council Member Carpenter

Council Member Carpenter made a motion to appoint Matt Toner as Chair for a one-year term expiring January 31, 2022. The motion was seconded by Council Member Gregory and carried by unanimous vote.

Council Member Carpenter made a motion to appoint Bay Chamberlain for a three-year term expiring January 31, 2024. The motion was seconded by Vice Mayor Coletta and carried by unanimous vote.

9. Appointments to Board of Adjustment – Council Member Gregory

Council Member Gregory made a motion to appoint Richard Ehlers as an alternate member to the Board of Adjustment, seconded by Council Member Carpenter. The motion carried by unanimous vote.

10. Short-term rentals

Mr. Dennis Maloy mentioned that last year, the previous council asked the Planning Board to do some research on short-term rentals in Flat Rock. A sub-committee of the Planning Board did research to find out what concerns existed and what regulations other local governments in the state had put in place. The sub-committee wanted to get input with a questionnaire from stakeholders, homeowner associations, providers, and consumers of short-term rentals. The Planning Board is asking for direction from the current Council to see if there is still an interest in pursuing short-term rental regulations for the Village of Flat Rock. After discussions, by consensus Council agreed for the Planning Board to stop pursuing the consideration of regulating short-term rentals at this time.

Other Business

11. Mayor – Council Reports

Council Member Tiles gave a public health update reporting that on Tuesday, January 12, 2021, Governor Cooper stated in his COVID-19 update that the CDC has recommended citizens 65+ years of age are now eligible to get vaccinated. North Carolina is currently vaccinating citizens 75+ years of age and will take under consideration including citizens 65+. Henderson County's dashboard on COVID-19 has currently been suspended as the Henderson County Public Health Department is concentrating on administering vaccines. All vaccination appointments are available to be scheduled by phone, but currently all appointments are booked. The Public Health Department is out of vaccines for the rest of this week and plans to continue vaccinations next week. Henderson County has given 2,384 fist doses, and 417 of both doses.

Council Member Tiles contacted Lisa Bryant, Flat Rock Playhouse Director, to introduce herself as the new council member liaison.

Vice Mayor Coletta mentioned the COVID-19 vaccine information is on the Village of Flat Rock's Facebook page.

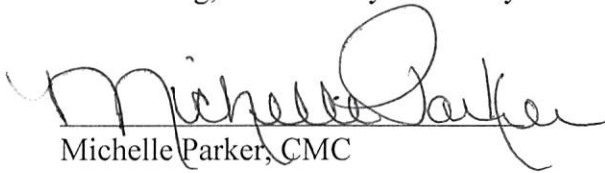
Council Member Gregory mentioned she has attended her first Planning Board meeting and is looking forward to attending her first Board of Adjustment meeting.

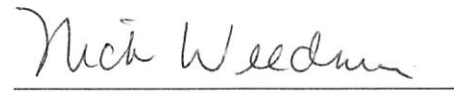
Council Member Dethero mentioned the City of Hendersonville Water & Sewer Department is continuing to work on the Halfway Tree Mobile Home Park sewer system project.

Public Comments – No public comments were emailed to Village Clerk Parker.

Adjournment

With no further discussions, at 11:18 a.m., Council Member Gooch made the motion to adjourn the meeting, seconded by Vice Mayor Coletta.


Michelle Parker, CMC
Village Clerk


Nick Weedman
Mayor



The Village of Flat Rock
North Carolina

Incorporated in 1995

To: Mayor and Council
Planning Board Members

From: Zoning Administrator

Date: January 7, 2021

Ordinances Activity Report for December 2020

Ordinance Activities	This Month	2020 YTD	2019 YTD
Compliance Certificates Approved for SFD's	1	23	15
Temporary Compliance Certificates Approved	0	1	1
All Other Compliance Certificates Approved	1	25	31
Certificates of Occupancy/Compliance Approved	4	45	33
Variance Applications	0	0	2
Special Exception Application	0	1	0
Special Use Permit Applications	0	0	0
Appeal Applications	0	0	0
Special Use Applications or SUP Amendment Applications	0	0	0
Rezoning/Text Amendment Applications	0	1	0
Subdivision Application	0	2	2
Floodplain Development Application	0	0	0
Sign Permits	0	2	6
Historic Landmark Status Application	0	1	
Ordinance Fees Received	\$225.00	\$7,600.00	\$6,725.00

December 2020 Ordinances Activity Report

Certificates of Zoning Compliance applications approved:

- 1 – SFD (Bonclarken)
- 1 – Covered Deck (Kenmure)

Highland Lake PMUD: Letters of credit for Unit 1 and 4 have expired. Mr. Lindsey provided an amended letter of credit for infrastructure installation at The Farm parcel which was reviewed and approved. A final plat has been signed by the Zoning Administrator. Recorded copies are on file. On December 3, received infrastructure certification via email. Will pull SUP and review. Also received letter from engineer certifying infrastructure installed per plan. Setting up walk through inspection with developer.

King Creek Preserve: Letter mailed to the developer last February discussing need for road construction certification prior to bond expiring at the end of March. It was decided that the Surety bond would be continued in the full amount for one more year with the understanding that the Village does not anticipate continuing the bond. A continuation certificate was received to extend bond until March 31, 2021. The developer still needs to hire an engineer to take core samples and certify the final paving of the road. Follow up phone calls with developer indicate a desire to get this done. Spoke to developer again and he said local realtor Rick Merrill is back on board and will be finding an engineer to certify the road.

Misc. zoning and other ordinance issues:

- Minor subdivision application for property at Trenholm and Little River Rd conditionally approved (Captain Smyth's Preserve) by planning board. Receiving required documentation. Met with developer and discussed the possibility of a special exception permit to remove the requirement of a sidewalk on one side of the road. A complete application was submitted on November 30th 2020. The Board of Adjustment is set to hear this request on January 19th @ 2:00 pm via zoom. Village attorney approved covenant language. In process of issuing a permit for infrastructure.
- Short-term rental committee met on December 17th, 2020. Discussions included: objective's for having STR's regulated, updating the Village's HOA Contact List and developing questions to ask/discuss with stakeholders. Committee will continue to follow process spelled out in SOG publication. Next meeting was scheduled for January 20th but has been postponed.
- Blue Ridge Fire Department expansion CZC permit issued. Construction has begun including the sewer line installation.
- Signed off on one construction form not requiring a CZC (Kenmure).
- Received application, preliminary map from Kerry Lindsey to subdivide the Southlake cottages into 9 lots. ZA deemed application incomplete. Working on acceptable plat per LDO plus other documentation. Update July 6: Per applicant, hold off on official submission for subdivision.
- Mill House Lodge request to amend the Village of Flat Rock LDO was approved on November 17th, 2020. Worked with Village Attorney to write ordinance amending Ord No 96 (the LDO) and making the required changes to the LDO document itself.
- Received inquiry from the owner of Beaumont about the possibility of a home occupation (photography) at the house. Would require a special use permit.
- Received inquiry about ability to improve an outbuilding (cottage) at Pinecrest on Greenville Hwy. Awaiting owner documentation.
- Researched inquiry from Pinecrest Church about the possibility of adding a pavilion to their property. Determined that they would need to apply to modify their existing SUP.
- Received inquiries from Beaumont Estates H.O.A. and architectural committees in reference to a permit issued for a ground mounted solar system. Discussed appeal vs. reapplying and asking for a variance.
- Coates Canon blog references 160D effective date which was previously August 1, 2021. S. 720 makes the effective date June 19, 2020 (the day it was signed). Bill includes Chapter 160D "and its improvements" effective immediately for those cites and counties that have already rewritten their ordinances. If that has not been done, cities and counties have until July 1, 2021. Village contracted with Land of Sky and has received some initial

comments. Land of Sky Planner “attended” December 1st planning board meeting. He will start writing language for the planning board to review starting at their February meeting.

SCO, TPO, FDPO, HLO:

- Three lots in Statonwoods have been inquired about reference potential development. All are in the floodplain. They have been in contact with our Floodplain Consultant reference permitting requirements.
- Received an application from Mr. Bob Harrison to grant Historic Landmark status to Saluda Cottages. Working with Council Member Dethero and Vice Chair Victoria Flanagan on the application process. Historic Commission met on November 6th to discuss next steps.

Planning Board and Board of Adjustment Meetings:

- The Board of Adjustment did not meet in December. Received a Special Exception application on November 30th. Scheduled a BOA meeting for January 19th @ 2:00 pm.
- Planning Board met on December 1, 2020. Luke Hunter was introduced to everyone. Stuart Bass (From LOS) was also introduced and discussed the 160D updates. Received update from the short-term rental committee and set the planning board meeting dates for 2021. The January meeting included discussion of the CLUP update as requested by Mayor Weedman and possible review of the by-laws. The next meeting will be on February 2, 2021.

**Village Administrator Report
January 7, 2021**

Flat Rock Crime Reports:

Information obtained from the Citizen Connect incident map link on Henderson County Sheriff's Dept. website.

Reporting period of December 1, 2020 – December 31, 2020:

Larceny

12/18/20: Sherwood Dr. S., Larceny All Other

12/24/20: Sultana Dr., Larceny All Other (Mail and Packages)

Breaking and Entering

12/18/20: Sherwood Dr. S., B&E Felony/ Forc/Larceny

Vandalism

12/18/20: Sherwood Dr. S., Injury to Real Property

Other

12/18/20: Bellshire Dr., Unattended Death

Website/Facebook Report/EV Charging Station Stats:

Reporting period of December 1, 2020 – December 31, 2020:

- There were 4718 -page views of the home page of the website, an decrease of 567 from the previous month.
- Following the default home page views, the following 12 sections were viewed most, in descending order: Community Calendar, Mayor and Council, Contact Us, The Park at Flat Rock, Media Resources, Village Property Tax Information, Shopping and Dining, About Us, Park Facilities Reservation Calendar, Park Facility Reservations, General Information, A Short History of Flat Rock.
- Items added or updated: Park facilities reservation calendar information, community calendar, updates of scheduled meetings of council, boards and committees, approved council meeting minutes, council meeting agenda, special notices, and links to community events.
- Facebook stats for December 2020:
 - Page views: 254
 - Likes: 17
 - Post Reach: 819
 - People Reach: 1586
- Electric Vehicle Charging Station Uses:
 - December 2020: 40

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

- For the upcoming month, notices emailed regarding the Village monthly meetings and events schedule including the notice for the Council/Park Foundation workshop in December.
- Park related issues and staff support: Worked with Tom Carpenter, John Wilkerson, and Tracey Daniels. The Park Commission meeting was not held in December. Next meeting, to be held electronically, is January 28th, 2021.
- Attended Council/Park Foundation workshop on December 10th, 2020.
- Park updates include: Park programming, and the pollinator garden arbor project, a facility usage waiver policy, Tree City U.S.A. proposal, trail repairs, budget, master plan/amphitheater.
- PARTF conversion request has been approved. Worked with Councilmember Coletta and Village Attorney reference deeds (i.e. language, description) required to complete PARTF conversion requirements.
- Kids in Park Track Trail-. John Wilkerson and Tracey Daniels to work on location, signage, etc.
- Participate in zoom calls with Western North Carolina Managers Association and Land of Sky Regional Council (when possible).
- New computer monitors installed December 3rd!
- Microsoft Exchange transition complete. Still unable to receive emails from Village Attorney.
- Responded to a fire alarm call on December 18th.
- Champion performed maintenance on Village Hall HVAC. Recommended additional items which were scheduled and completed in January.
- Updated website community calendar for 2021.
- Have taken on email administration.

Community Meetings, Networking, Agency Contacts:

Hendersonville Lightning

Times News

HC Permits and Inspections

Hendersonville Tree Board

Henderson County Project Management Dept.

Hendersonville Development Assistance Dept.

Blue Ridge Fire Dept

Town of Mills River Park Director, Manager, and Town Clerk

City of Hendersonville Manager and Public Works Director.

Town of Fletcher Manager, Park Director, and Planning Director

Henderson County Park Director and Planning Director

Henderson County Emergency Operations

Report prepared by:
Pat Christie, CZO
Village Administrator

Six-month Foundation report on financial and other successes include:

- Donations received = \$79,121.31. Total to date donations are up \$26,984 compared to last year – a 54% increase.
- During the six month period, the Foundation has received 511 donations of which 138 were individual reoccurring donations from Friends of the Park subscriptions
- In the first six months of this fiscal year we have surpassed prior year donations for the entire year by \$2,105.
- Expenses are tracking to budget
- "Friends' campaign has received 138 participants with an annual commitment of \$60,000.
- Foundation Restricted Funds as of November 30 - \$25,683
- Foundation Unrestricted Funds as of November 30 - \$343,235
- The 2020 Pardee in The Park calendar included 34 free yoga classes reaching 510 Individual registrations.
- The 2021 Pardee in The Park sessions will commence in March 2021. We expect Yoga, Tai Chi, cardio/bodyweight class to be the areas presented. Pardee would also like to host a monthly health seminar or special event (Fun Run, Heart Health, Back to School event etc. These “monthly events” will depend on Covid-19 guidelines as we move through 2021.
- KIDS IN THE PARK has been approved. Signage has been ordered and will be installed for a April 2021 launch.

**RESOLUTION FOR THE CREATION OF AN ENDOWMENT FUND FOR THE BENEFIT OF THE PARK
AT FLAT ROCK, NC**

The Board of Directors of the Flat Rock Park and Recreation Foundation, Inc. s (herein after identified as FRPRF) at its regular meeting on January 11, 2021 made the following actions, confirmed by a majority of the Board of Directors, to establish an endowment fund to benefit The Park at Flat Rock:

WHEREAS, the Gift Acceptance Policies of FRPRF adopted in 2016 and reviewed by the Village Council of Flat Rock allows for the establishment of endowment funds; and

WHEREAS, the FRPRF's purpose is to raise funds to support the projects and needs of The Park at Flat Rock, both in the short-term as well as a longer-term horizon; and

WHEREAS, the Board of FRPRF has adopted within its fundraising strategies the goal of generating funds from estates, trusts and other planned giving methods to support the longer horizon needs of The Park at Flat Rock and has researched the benefits of this fundraising approach; and

WHEREAS, the FRPRF has also researched other North Carolina park foundations to determine their approaches to endowments and investment allocation policies; and

WHEREAS, the FRPRF on January 11, 2021 affirmed its desire to establish an endowment fund for the benefit of The Park at Flat Rock to be initially "seeded" with the balance of the Richard Eppler Estate funds and available unrestricted/Board designated funds totaling \$100,000; and

WHEREAS, with its action directed the Finance Committee of FRPRF to further investigate the best investment mechanism for such an endowment fund (whether by a Community Foundation or third-party advisor); and

WHEREAS, the Board of FRPRF and Finance Committee will consult with the North Carolina Office of the Treasurer regarding the allowable investments which can be considered for an endowment fund; and

WHEREAS, the Board of FRPRF believes the development of an endowment fund(s) and other planned giving options will attract donors who can contribute gifts beyond and in addition to annual giving and build resources for The Park at Flat Rock.

NOW ,THEREFORE, BE IT RESOLVED, that the FRPRF Board directs the Finance Committee of FRPRF to pursue the development of an endowment fund for the benefit of The Park at Flat

Rock and will present final recommendations at the earliest possible date in 2021, with the goal of establishing the endowment fund not later than June, 2021.

This the 11th day of January, 2021.



Dennis J. Flanagan, President



James Olson, Secretary

Tax Collection Report

January 13, 2021

2020/21 Tax Year

Total billed	\$1,258,445.25
Total collected as of 1/13/2021	\$1,206,686.80 (96%)
Remaining to collect – real and personal	\$51,758.45

Collections are at 96% of the amount billed as of January 13th. A number of payments received in the office were postmarked in December highlighting problems at the U.S. Postal Service.

The 2% interest charge on the balance due will be made and a second notice will be mailed.

The first of two payments to the three fire departments was made at the end of the month. Total payments will be \$891,492.00.

At this point no major problems have been detected. There are a significant number of delinquent accounts and it is hoped the second notice mailing will reduce those by about a half. It is unknown if the Covid-19 situation will impact some households, but this will not start to appear until January or February.

Nick Weedman
Finance Officer