

**MINUTES**  
**VILLAGE OF FLAT ROCK AGENDA WORKSHOP MEETING**  
**ASSEMBLY ROOM**  
**MAY 2, 2016**

Mayor Staton presided over the Agenda Workshop meeting on May 2, 2016, at 9:30 a.m. Those present in addition to Mayor Staton were Vice Mayor Weedman and Council Members Brown, Coletta, Gooch, and Dockendorf, Village Clerk Parker and Village Administrator Boleman. Council Member Jamerson was not present.

**1. Welcome**

Mayor Staton welcomed everyone to the meeting.

**2. Pledge of Allegiance**

Mayor Staton led the group in the Pledge of Allegiance.

**3. Public Hearing – 2016 Amendments to the Land Development Ordinance**

Vice Mayor Weedman made a motion to go into public hearing. The motion was seconded by Council Member Coletta and carried on a unanimous vote. Mayor Staton stated the public hearing was properly advertised in the local Times News newspaper on April 14 and April 21.

Most of the proposed amendments are required by recent statutory changes related to planning and development regulations and were earlier called to the attention of council. Some editorial changes are included in the proposed amendments.

One amendment involving a change in requirements for a soil erosion plan was newly discovered by us, but is based on a statutory change of a couple of years or so ago. It changes from 100 square feet (i.e., 10' x 10') to one acre of land disturbance that would require a soil erosion plan to be approved by the county.

A statutory change that affected many sections of the ordinance provides for a particular type of accessory structure - *a temporary health care structure* – an accessory, transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person, such structure to have the following characteristics:

- Primarily assembled at a location other than the site of installation
- Limited to one occupant who shall be mentally or physically impaired
- Has no more than 300 square feet
- Is not placed on a permanent foundation
- Complies with state building code

The temporary structure must be removed when its use is no longer required by that occupant.

Nonconforming use regulations are changed to reflect something happening at a site through no fault of the owner of the property (e.g., the Village's error in approving a second single family dwelling on a lot where one already existed, notwithstanding the ordinance's permitting only one such dwelling on a lot).

The Planning Board considered the proposed amendments at a meeting on April 5, and that body recommends the council's approval of the amendments.

Council's approval of the proposed amendments would be by adopting a new Land Development Ordinance incorporating such amendments in the text.

The new ordinance would supersede the existing ordinance no. 75, adopted in 2013, as amended by ordinance no. 93 adopted in 2015.

With no comments, or further discussion, Vice Mayor Weedman made a motion to close the public hearing, seconded by Council Member Coletta. The vote was unanimous, motion carried.

#### **4. Maureen Copelof**

Mayor Staton welcomed Ms. Maureen Copelof, a candidate for the North Carolina House District 113 seat now held by Chris Whitmire, who is retiring.

A Brevard resident, she currently serves on the Transylvania County Planning Board.

She is a retired U.S. Navy captain with command experience in the United States and abroad.

She is also an author, having published a book, *Discovering Germany: The Treasures of Beer, Castles, Food and Friends*.

Ms. Copelof mentioned the different topics she plans to concentrate on, including quality of life, a strong economy, public education, healthcare, expanding the Medicaid program, and the environment.

#### **5. Agenda for May 12 council meeting**

A draft agenda for the May 12, 2016, Council Meeting was presented.

Mr. Don Farr, Chairman of Flat Rock Park and Recreation Commission presented a letter to Council asking if the Village should go forward with the restoration of Dye Creek, either (a) with the use of federal funds, with a requirement for a conservation easement in perpetuity on a 60 foot wide swath through the park; or (b) a possible out of pocket expense of \$250,000.00 to the Village. After lengthy discussions with Ed Lastein, naturalist Fred Roane and Dunkin

FitzSimons, the Park Commission unanimously recommends that the Village accept Ed Lastein's proposal to do nothing and let the creek naturally restore over time. The creek will slowly begin to meander on its own without our intervention. And, if and when some spot interventions become necessary, we can address those on a case by case basis.

Council Member Gooch made a motion to adopt Ed Lastein's recommendation, the motion was seconded by Council Member Coletta. Vice Mayor Weedman suggested having Ed Lastein present to Council the latest plan and walking the creek. After discussions, the motion carried on a unanimous vote. The issue will be discussed at the May 12, 2016, council meeting.

*Under Old Business, Item #7 – FY 2016/2017 Budget, and under New Business, Item #8 – Resolution on Kanuga Road Improvements were added to the agenda.*

With no additional changes, Mayor Staton stated an agenda has been set.

#### **6. Mop Head cleaning service agreement**

The new agreement is a three year contract, adjustable annually, to provide cleaning services at the village hall and at the park, with an expanded scope of work at the park with the pavilion.

Cleaning services at the village hall will be provided at no increase in price - \$600.00 per month, or \$7,200.00 per annum.

Cleaning services at the park will increase from \$410.00 per month to \$520.00 per month, or to \$6,240.00 per annum, an increase of \$1,320.00.

Mop Head has provided bathroom supplies at their expense at the park. Under the new agreement, the Village will reimburse them for those costs. The Village will continue to provide all bathroom supplies for the village hall.

Council Member Gooch made a motion to accept the agreement, seconded by Council Member Brown. The vote was unanimous, motion carried.

#### **7. Bike-Ped Plan development – Resolution and agreement w/NCDOT**

Mayor Staton presented a Bicycle-Pedestrian Planning Grant document stating NCDOT has advised us that we have been selected to participate in the department's matching grant program to develop a comprehensive bicycle and pedestrian plan for the village. The Village's matching amount is \$4,000.00, which we must remit to NCDOT when we sign and deliver the agreement. NCDOT will pay no more than the grant amount of \$36,000.00. If actual costs exceed \$40,000.00, the village will be responsible for the overrun. If the actual costs come in less than \$40,000.00, the village will be entitled to a refund of a portion of its upfront payment.

We are required to adopt a resolution that acknowledges and authorizes payment of the \$4,000.00. Resolution No. 203 is for that purpose.

In addition to adopting the resolution, the council must authorize execution of the agreement with NCDOT, which authorization came by consensus.

Council Member Brown made a motion to adopt the resolution, seconded by Council Member Dockendorf. The vote was unanimous, motion carried.

**8. Proclamation of Municipal Clerks Week – May 1 – 7, 2016.**

Mayor Staton read a Proclamation of Municipal Clerks Week, May 1 – May 7, 2016 (see attached copy).

**9. Council/Administrator/Clerk concerns, comments**

**Discussions:**

- Council Member Coletta reported there is now a park facility reservation community calendar on the village's website.
- Council Member Brown has received a request from Historic Flat Rock, Inc. for use of the pavilion for its annual meeting, at which alcoholic beverages would be served. There were discussions of liability the Village may incur if alcohol is allowed. Administrator Boleman will seek advice from the Village's attorney, Sharon Alexander. Council Member Coletta will inquire of the parks and recreation departments of other municipalities within the county as to their policies with respect to alcohol use in public parks. The Park Commission will present a recommendation to Council at a later date.
- Council Member Brown mentioned objections raised by Highland Golf Villas residents to noise from the playground at the park. Ms. Brown is asking for council's approval to move forward with measures that might rectify the problem. Don Farr stated that an acoustical engineering firm in Asheville would, for approximately \$2,500.00, perform a study to measure the sound levels in the park and recommend any measures that may be taken to reduce the noise level. Council supports hiring the firm.
- Council Member Dockendorf stated that it will take NCDOT about three months to prepare for a public hearing on the Boyd Drive bridge replacement in Flat Rock Forest.
- Council Member Farr presented a list of new amenities that were previously approved by Council for the proposed FY 16/17 budget. Mr. Farr is asking Council which of these amenities should be included in the budget. Vice Mayor Weedman suggested including all the amenities in the budget for consideration and prioritization by the Council.

With no further discussions, at 10:50 a.m. the meeting was adjourned.

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Michelle Parker, CMC  
Village Clerk

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Robert V. Staton  
Mayor