

MINUTES
VILLAGE OF FLAT ROCK COUNCIL MEETING
VILLAGE HALL ASSEMBLY ROOM
OCTOBER 13, 2016
9:30 AM

Call to Order

Mayor Staton presided over the Council meeting on October 13, 2016, at 9:30 a.m. Those present in addition to Mayor Staton were Vice Mayor Weedman and Council Members Brown, Coletta, Dockendorf, Gooch, and Jamerson, Village Clerk Parker and Village Administrator Boleman.

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

Under *Public Comments*, *Council Action – Miller Residence Solar Array – Administrator Boleman*; and under *New Business*, *Item #8, Banking Relationships – Vice Mayor Weedman*, were added to the agenda. Council Member Gooch made a motion to approve the agenda as amended, seconded by Council Member Coletta. The vote was unanimous, motion carried.

Public Comments – None

Council Action – Miller Residence Solar Array – Administrator Boleman

Administrator Boleman presented the case stating Mr. Bill Miller, of 1711 Bluebird Drive in Staton Woods, seeks approval to install a small solar energy system on the garage roof, which faces south and also faces a subdivision street. Because it will face and be seen from the street, Council's approval is required for such installation.

Ms. Boleman presented excerpts from the Land Development Ordinance, No. 96, Section 916 – Small solar energy systems permitted, standards, a roof array rendering, and a rendering of placement of evergreen trees for visual screening from Bluebird Drive.

Mr. Miller and a representative of Sugar Hollow Solar, Inc. were present. Mr. Miller stated he had communicated with his neighbors to inform them of his intent to install a small solar energy system and asked for their feedback. He received none. He stated the covenants of Staton Woods do not address or set out any restrictions on solar systems.

Council Member Coletta asked if the appearance of the solar energy system would conform to the requirements in the LDO. The solar company representative addressed the issue and stated the modules and racking system are silver framed, and the panels are non-reflective. Mr. Miller stated he hopes to generate 5 kilowatts of energy, enough to power the whole house.

With no further discussions, Administrator Boleman recommended council's approval of the installation.

Council Member Gooch made a motion to approve the application for placement of the solar array as presented, seconded by Council Member Coletta. The vote was unanimous, motion carried.

Consent Agenda

1. The consent agenda consisted of the following:
 - August 29, 2016 – Agenda Workshop Minutes
 - September 8, 2016 – Council Meeting Minutes

Council Member Jamerson made a motion to approve the consent agenda. The motion was seconded by Council Member Dockendorf and carried on a unanimous vote.

Special Reports

2. Administration – Village Administrator Boleman

Village Administrator Boleman reviewed the September 2016 zoning report dated October 7, 2016, and the Village Administrator report dated October 13, 2016 (see attached reports).

She reported the Carolina Mountain Land Conservancy will have approximately forty Americorp volunteers coming to the park on Saturday, October 22, 2016, for a *Make a Difference* day, and doing work in various areas of the park from 10:00 a.m. - 4:00 p.m. The Village will provide lunch in the Staton Pavilion.

3. Park Update – Council Member Brown

Council Member Brown reported that two volunteers associated with the Arboretum will be involved in the park. One volunteer will start a program of nature walks, while the other volunteer will work on water features. The volunteers will come before the commission, then the commission will bring the volunteers' plans to the council. Ms. Brown also mentioned that our first wedding will be held in the park on Saturday, October 15th.

Steve Jamerson reported that a building permit for the Quiet Place was denied because, in the county's interpretation of Americans with Disabilities Act requirements, we did not show ADA compliant access to the Quiet Place. County representatives maintain that the hard surface access requirement can be satisfied only with asphalt or concrete surface trails or walkways, and the compacted gravel surfaces of our trails do not meet those requirements. Therefore, the Quiet Place is on hold for two weeks. However, the county's interpretation of the rules affects, not just the Quiet Place, but also all other planned elements in the park. We are very much in need of counseling by an expert in ADA requirements, and an overall ADA assessment, before we proceed with further park projects.

Ms. Boleman, Mr. Jamerson and Don Farr have a meeting scheduled for Monday, October 17 with an ADA consultant, who will give Council advice on ADA compliant trail surfaces, as well as compliance issues involving the Welcome Center, the pavilion and the playground structure, then provide a full ADA assessment of all other existing and planned elements.

Gate – Trace and Company has installed the electrical conduits required for gate operations, and now we are awaiting Duke Energy’s connection to electric power.

Noise issue – Council Member Brown informally met with a landscape architect to discuss installing a barrier wall at the tunnel, which would involve bringing in dirt and planting trees in an effort to mitigate the sounds from the playground that may be heard by Highland Golf Villas residents adjacent to the park, for an estimated cost of \$15,000.00 - \$20,000.00. Council Member Brown made a motion to hire a professional to develop and implement plans to mitigate noise from the playground, at a cost not to exceed \$25,000.00. The motion was seconded by Council Member Coletta. In Council’s discussion of the motion, a majority of the members concurred with the sound engineer’s advice that such efforts would result in little, if any, reduction in sounds from the playground; and further, that the additional expenditure of funds for something that would serve little or no purpose was not warranted. Following the discussion, the motion failed on a two *yes* to four *no* vote.

Mr. Jamerson suggested the need for a safety barrier at the top level of the playground climbing wall. He will review the matter with the park commission.

4. Foundation Update – Council Member Gooch

Duncan Fraser presented and reviewed a Flat Rock Park and Recreation Foundation financial report dated October 13, 2016 (see attached report).

5. Tax Report – Vice Mayor Weedman

Vice Mayor Weedman reported collections are \$302,798.00, which are 33% of the \$930,491.00 billed. This compares to the collection rate of 30 percent for the same period (as of October 12th) last year. No written report was available.

6. Bicycle and Pedestrian Planning – Council Member Dockendorf

Council Member Dockendorf reported a Bicycle and Pedestrian Planning Committee meeting is scheduled for next Wednesday. He asked Council to send him their written thoughts or suggestions for the plan for the committee’s consideration.

7. NCDOT Report – Council Member Dockendorf

Highland Lake – The Highland Lake Road improvement project is in the engineering stages with NCDOT. A consulting group is working on plans.

Boyd Drive Bridge – NCDOT is currently working on the plans for replacement of the bridge. It has been determined that the existing water line will not have to be moved, so the removal of fewer trees than originally planned should relieve some concerns of neighbors most affected by the project.

Kanuga – Some funding has moved to this project, which is now moving forward.

Balfour – Project is moving forward with the connection of US 64, Interstate 26, US 25 and NC 191.

I-26 Expansion – A public hearing is being held at Biltmore Baptist Church (Upward Road) tonight on plans to expand I-26 to six lanes in Henderson County and eight lanes in Buncombe County.

New Business

8. Banking Relationships – Vice Mayor Weedman

Vice Mayor Weedman reported First Citizens Bank has, without notice that we have seen, started charging monthly service fees on the Village's checking account. He and Village Clerk Parker will meet with representatives of First Citizens for a discussion of the elimination of such fees, as well as the refund of fees collected to date. If such an agreement is not forthcoming from First Citizens, and if Council agrees, Mr. Weedman will investigate banking arrangements with another local bank. He was encouraged by Council to do that.

Other Business

9. Mayor – Council Reports

Council expressed appreciation to Carole Yardley for the park volunteer luncheon.

Council Member Brown mentioned Shred Day is scheduled for October 22, 2016, from 10:00 a.m. – 12:00 noon, at which time canned goods will be collected for IAM.

Public Comments – None

Adjournment

With no further discussions, the meeting adjourned at 11:55 p.m.

Michelle Parker, CMC
Village Clerk

Robert V. Staton
Mayor