

**MINUTES
VILLAGE OF FLAT ROCK COUNCIL MEETING
ASSEMBLY ROOM
MAY 14, 2009
9:30 AM**

CALL TO ORDER

Mayor Staton presided over the council meeting of May 14, 2009, at 9:30 a.m., in the Assembly Room of the Village Hall. Those present in addition to the Mayor were Council Members Bucher, Chandler, Davis, Farr and Wert, Village Clerk Hill, and Zoning Administrator Boleman. Council Member Weedman was not present.

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

Mayor Staton removed the minutes of the April 9, 2009, council meeting from the consent agenda for review and revision and consideration at a subsequent council meeting. Council Member Wert asked that a discussion of the Highland Lake PMUD Master Plan be added to Zoning Administration under Special Reports. Council Member Wert made a motion to approve the agenda as amended, seconded by Council Member Farr. The vote was unanimous, motion carried.

PUBLIC HEARING – Proposed new land use ordinances – Zoning Ordinance and Subdivision Ordinance. Hearing continued from May 4, 2009.

Council Member Chandler moved to go into public hearing, seconded by Council Member Davis. The vote was unanimous, motion carried.

Mayor Staton reviewed the changes that were made to both ordinances since the public hearing on May 4, 2009, all of which were discussed at that hearing.

No one from the public offered any comments on or raised any questions about the proposed ordinances.

With no further discussion, Council Member Wert made a motion to close the public hearing. Council Member Chandler seconded the motion. The vote was unanimous, motion carried.

ACTION ON / ADOPTION OF NEW LAND USE ORDINANCES

1. Ordinance No. 58 – Zoning Ordinance of the Village of Flat Rock – Council Member Davis made a motion to adopt the zoning ordinance as amended. Council Member Farr seconded the motion. The vote was unanimous, motion carried.

2. **Ordinance No. 59 – Subdivision Ordinance of the Village of Flat Rock** – Council Member Wert made a motion to adopt the subdivision ordinance as amended. Council Member Bucher seconded the motion. The vote was unanimous, motion carried.

CONSENT AGENDA

3. Council Member Davis moved to approve the Consent Agenda, consisting of the March 30, 2009, Agenda Workshop Meeting Minutes. The motion was seconded by Council Member Chandler. The vote was unanimous, motion carried.

Special Reports

4. ZONING ADMINISTRATION – Council Member Wert

Zoning Administrator Boleman reported on the following:

- In September 2007, because of many changes that occurred at Highland Lake PMUD subsequent to approval of the original master plan in 1999, Council asked the developer for an updated master plan. Kerry Lindsay, Steve Collins and Ed Lastein, comprising the development team, submitted information related to the updated master plan. The Zoning Administrator informed everyone that she currently is in the process of reviewing the plan. Mr. Lastein gave the council an overview of the updated master plan. After discussion of her concerns in reviewing the plan, she agreed that she would make a list of those concerns for the development team's review.
- Contractors, surveyors, landscape architects, and others will be given written notification of the newly adopted land use ordinances .
- The Boyd property SUP expired April 10, 2009, and an official letter advising of the expiration has been sent to Mr. Boyd.
- Braewood – Phase I infrastructure must be completed by November 17, 2010. The developer has been notified of such requirement by an official letter from the Zoning Administrator.
- King Creek Preserve is in the last stages of infrastructure installation.
- Woodfield Inn has been purchased by Mr. Hasan Mansouri. Ms. Boleman and Vice Mayor Weedman met with his attorney to review zoning regulations for the Historic Inn District.

5. VILLAGE HALL

Council Member Wert reported that he met with Ed Lastein to review landscaping issues. The hemlock trees on the grounds are dead or dying. He stated that a plan prepared by Mr. Lastein for the replacement of the hemlocks with small shrubs is available in the zoning office for anyone who wishes to review it.

A replacement sign at the entrance to Village Center Drive has been ordered and should be installed within the next month.

Mr. Wert presented a proposal from Riddle Construction (Handyman Service) with two options for stabilizing the floor in the Highlander Room. The first option is to use existing support beams, use hydraulic jacks to lift the floor and add new shims and plywood plates, at an estimated cost of \$395.88. The second option is to stabilize the ten piers and to pour a concrete footpad under each pier, then use the hydraulic jack system to shim and reposition the level of each affected floor joist at an estimated cost of \$3,099.79. It was agreed by consensus that the second option would be more beneficial and longer lasting.

A suggestion was made at the last zoning breakfast meeting that, since many elderly citizens use the village hall for meetings, we should maintain a well-stocked first aid kit on the premises.

6. TAX COLLECTIONS

Council Member Bucher, in Vice Mayor Weedman's absence, distributed a report on tax collections to date that indicated that collections are currently at 99.81%. There are seven owners of nine properties for which delinquent taxes are owed to the village. Mr. Weedman is of the opinion that we should proceed with foreclosure actions against a number of the properties. Mr. Bucher made a motion that the Tax Collector be directed to start actions to foreclose on the properties owned by America's Management LLC, G. W. and Shields W. Hundley, and William E. Vogt III, such actions to be instituted after a notice of delinquent taxes is published in the newspaper, and to be done in consultation with the village attorney. Council Member Davis seconded the motion. The vote was unanimous, motion carried.

7. BUDGET PROCESS

Council Member Bucher reported that he has prepared a preliminary budget for the upcoming fiscal year. Revenues are projected at 97% of the current year's revenues. The projected expenditures are down 4.5% from those of the current year. He stated that we will be in a position to adopt the budget at the June council meeting.

8. TRANSPORTATION ISSUES

Council Member Farr reported that DOT plans for replacement of the Crail Farm Road bridge across Mud Creek at Middleton Road are moving forward.

Funding from two sources for sidewalk extensions within the village has been applied for through DOT. One funding source is the Stimulus Package for Enhancement Projects, and the second one is Surface Transportation Plan Direct Attributable Funding.

Mayor Staton introduced Resolution No. 165, a resolution of support for the development of a regional recreational greenway on the Norfolk Southern rail corridor linking Henderson and Transylvania counties. Council Member Farr made a motion to adopt Resolution #165, seconded by Council Member Chandler. The vote was unanimous, motion carried.

Other Business

Mayor – Council Reports

Mayor Staton introduced Rick Merrill to speak about a proposal by the board of trustees of Historic Flat Rock, Inc. to give to the village the property located at the corner of Greenville Highway and Memminger Drive and known as the Preserve. Mr. Merrill stated that the property is 1.6 acres and is maintained by volunteers at an estimated cost of \$4,000 - \$6,000 per year. The property is burdened by a historic preservation easement so that the property will remain as a park. Historic Flat Rock would continue to monitor the easement. Mayor Staton told Mr. Merrill that the anticipated offer had been discussed by council at a previous meeting, without any indication of enthusiasm for the idea, but council would reconsider the matter.

Council Member Bucher asked that council members attend the ice cream social on June 6 and wear name badges. He also asked that council members serve as hosts inside the village hall in thirty minute shifts during the event.

Council Member Chandler met with Carl Shaw to discuss the fixed asset registry. For the audit, Mr. Shaw will delete from the registry items having a value below the \$5,000 threshold. He will also make some comments on the financial statements as to the changes that were made.

Public Comments

Pete Bonesteel concurred with the earlier recommendation that Council consider maintaining on the premises a well-stocked first aid kit for the elderly citizens that use the village hall for meeting purposes.

Adjournment

At 10:43 a.m., with no further discussions, Council Member Chandler moved to adjourn, seconded by Council Member Davis. The vote was unanimous, motion carried.

Michelle Hill
Village Clerk

Robert V. Staton
Mayor