

**MINUTES
VILLAGE OF FLAT ROCK COUNCIL MEETING
ASSEMBLY ROOM
SEPTEMBER 10, 2009
9:30 AM**

CALL TO ORDER

Mayor Staton presided over the council meeting of September 10, 2009, at 9:30 a.m., in the Assembly Room of the Village Hall. Those present in addition to the Mayor were Vice Mayor Weedman, Council Members Bucher, Chandler, Davis, Farr, and Wert, and Village Clerk Hill.

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 stated that he would like Resolution No. 166, Big Sweep Day, to be added under Other Business. Council Member Farr made a motion to approve the agenda as amended, seconded by Council Member Chandler. The vote was unanimous, motion carried.

PUBLIC COMMENTS

Pete Bonesteel stated he attended the Apple Country Greenways Commission monthly meeting and the following were discussed: Hendersonville & Okawaha Phase 1 & Phase 2, proposed Norfolk & Southern Railroad "Rails to Trails" project, Fletcher Greenways Extension, and Mills River Park.

CONSENT AGENDA

1. Council Member Davis moved to approve the Consent Agenda, consisting of the following:

- August 3, 2009, Agenda Workshop Minutes
- August 20, 2009, Council Meeting Minutes

The motion was seconded by Council Member Bucher. The vote was unanimous, motion carried.

Special Reports

2. **ZONING ADMINISTRATION – Council Member Wert**

Zoning Administrator Boleman reviewed the zoning report and reported on the following zoning issues:

- **Berwick Downs** - No zoning activity.
- **Braewood RPUD/SUP** – Some communication in early August from developer inquiring about bringing in a new application, to break development into more phases. Late August/early September had some communication with owner/developer regarding House Session Law 2009-406.
- **Highland Golf Villas** – She made presentation to Council at August Council meeting regarding history of Highland Golf Villas (HGV). Reached consensus to enforce zoning regulations established by Henderson County in granting SUP for the development. She is in the process of working with representatives of HGV to complete zoning paperwork since annexation of HGV by the Village.
- **Highland Lake PMUD** – Owner/developer has not submitted corrected and updated master site plan first requested by Council in September 2007. She received an email the first week of September from Steve Collins stating submittal will occur soon. There are floodplain issues that must be resolved regarding Unit 10, Phase 2. Randy Mundt with NCEM is reviewing the floodplain issues. She is awaiting instruction from Mundt and Village attorney.
- **Highland Lake /South Lake in the RC District** – She revoked Certificate of Zoning Compliance until floodplain issues are resolved. Floodplain issues are being reviewed by Randy Mundt with NCEM. Village attorney is handling communication with owner/developer and his attorney.
- **King Creek Preserve** – No zoning activity.
- **Lockwood Apartments** – She met with proposed buyer, his surveyor, and the realtor representing the seller. They presented a preliminary plan and we discussed specific zoning ordinance requirements regarding applying for a conditional rezoning. Proposed buyer will submit application and all required documentation at a later date.
- **Woodfield Inn** – No zoning activity to date.
- **Zoning:** Zoning breakfast meeting was held Wednesday, September 9, 2009.
- **Planning Board & Board of Adjustment:** No meetings are scheduled for September.

3. VILLAGE HALL – Council Member Wert

Council Member Wert reported that the newsletter is ready to go to the printer. A certificate stating the maximum occupancy of sixty people for the Assembly Room should be displayed, and the meeting room request form will be updated to reflect the maximum occupancy.

4. TAX COLLECTIONS – Vice Mayor Weedman

Vice Mayor Weedman reported that we have currently collected approximately \$87,000.00 of the current year's tax levy. The three fire departments will have to be paid at the end of September.

OTHER BUSINESS

5. RESOLUTION NO. 166 – Big Sweep Day – Vice Mayor Weedman made the motion to adopt the resolution, seconded by Council Member Wert. The vote was unanimous, motion carried.

6. Mayor – Council Reports

Council Member Bucher reported that electrical surge protection will be installed in the building.

Council Member Farr reported that we have not received an official letter from Raleigh stating final approval. By the end of next week, Raleigh has to receive our model bid package that will be sent out to potential bidders. Council Member Farr met with Mrs. Johnson from McGill & Associates that gave us a quote not to exceed \$1,500.00 to prepare our bid package.

Council Member Farr made a motion to approve the quote not to exceed \$1,500.00 from McGill & Associates to prepare our bid package for the sidewalk extension, seconded by Vice Mayor Weedman. The vote was unanimous, motion carried.

Council discussed Session Law 2009-403 requiring that each governing board adopt a code of ethics policy, and that all members attend a minimum two hours of ethics training within twelve months of election. The law is effective January 1, 2010.

Mayor Staton stated that the Council has been asked by Mrs. Mary Merkle to consider a contribution to the Sheriff's Department for the K-9 unit. Mayor Staton suggested that a contribution of \$500.00 be made annually. Council Member Bucher made the suggestion of researching the cost of maintaining a dog. Council Member Chandler opined that any such contribution we make for the maintenance of a dog should be a significant amount, perhaps \$1,000.00 annually. By consensus of the Council it was agreed to reconsider the matter at a later date.

Historic Flat Rock Preserve – Galen Ruether, president of HFR, met with David Voorhees, president of the Flat Rock Merchants Association, about the possibility of turning the preserve over to the association, which is not a legal entity. Mayor Staton recently met with David Voorhees who asked that Council consider taking title to the property with the Flat Rock Merchants Association assuming responsibility for maintenance. No action was taken on the matter, except that Council Member Chandler volunteered to explore possibilities with David Voorhees.

Public Comments - None

Adjournment

At 10:05 am, with no further discussions, Vice Mayor Weedman moved to adjourn, seconded by Council Member Farr. The vote was unanimous, motion carried.

Michelle Hill
Village Clerk

Robert V. Staton
Mayor