

**AGENDA**  
**VILLAGE OF FLAT ROCK COUNCIL MEETING**  
**VILLAGE HALL ASSEMBLY ROOM**  
**110 VILLAGE CENTER DRIVE**  
**FEBRUARY 8, 2024**  
**9:30 AM**

**Call to Order**

**Moment of Silent Meditation**

**Pledge of Allegiance**

**Public Comments**

**Agenda Approval/Changes**

**Consent Agenda**

1.
  - January 2, 2024 – Agenda Workshop Minutes
  - January 11, 2024 – Council Meeting Minutes

**Special Reports**

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

**Old Business**

**New Business**

7. Trail Crossings – Park Director Dages

**Other Business**

8. Mayor-Council Reports

**Public Comments**

**Adjournment**

**VILLAGE OF FLAT ROCK COUNCIL MEETING MINUTES**  
**VILLAGE HALL – ASSEMBLY ROOM**  
**110 VILLAGE CENTER DRIVE**  
**FEBRUARY 8, 2024**  
**9:30 A.M.**

Vice Mayor Coletta presided over the February 8, 2024, council meeting at 9:30 a.m. Those present in addition to Vice Mayor Coletta, were Council Members Carpenter, Gregory, Jeter, Toner, Village Clerk Parker and Village Administrator Christie. Mayor Weedman and Council Member Stuller were not present.

**MOMENT OF SILENT MEDITATION/PLEDGE OF ALLEGIANCE**

Vice Mayor Coletta led the group in a moment of silent meditation. She then led the group in the Pledge of Allegiance.

**Public Comments** – Polly Angelakis, Superintendent, Carl Sandburg National Historic Home, mentioned two young goats from another farm will arrive mid to late March.

**Agenda Approval/Changes**

Under *New Business - Item #7, Term Policy* was removed from the agenda. Council Member Carpenter made a motion to approve the agenda as amended, seconded by Council Member Toner. The motion was carried by unanimous vote.

**Consent Agenda**

1. The Consent Agenda consisted of the following:
  - January 2, 2024 - Agenda Workshop Minutes
  - January 11, 2024 – Council Meeting Minutes

Council Member Gregory made a motion to approve the Consent Agenda, seconded by Council Member Jeter. The motion was carried by unanimous vote.

**Special Reports**

2. Administration – Village Administrator Christie

Village Administrator Christie reviewed the January 2024 zoning report dated February 6, 2024, and the Village Administrator report dated February 2, 2024 (see attached reports).

3. Park Update – Council Member Carpenter

Council Member Carpenter deferred the meeting to Council Member Toner to give the update from the January 25, 2024, Park Commission meeting.

Council Member Toner thanked Council for approving the following at the January 29, 2024, agenda meeting: (1) appointment of Bay Chamberlain for a second three-year term; (2) the slate of 2024 officers: Roger Bass, Chairman, Bay Chamberlain, Vice Chairman, and John Miller, Secretary; and (3) appropriation of \$1,500 for the Pollinator Garden Educational addition.

- Dye Creek construction package is out for bid, with bids due February 19, 2024.
- Park Commission members will review the safety issues associated with the playground as discussed in the last Council meeting, with the objective of identifying a recommended course of action and alternatives to present to Council and the Park Foundation, either in March or April.
- Park visitation has increased.

4. Foundation Update – Council Member Toner

The Park Foundation met Monday, February 5, 2024, and discussed the following:

- Tracey Daniels is meeting with Pardee this week to finalize Yoga in the Park. This will be the fourth year and it will run twice a week from April through August.
- The Park Foundation newsletter was published last week and will be published every other month going forward.
- Members of the Park Foundation, Park Commission, and Staff will meet soon to try and put definitions around maintenance vs sustainability to facilitate Village reimbursement of park expenses and will attempt to identify work to be done next budget cycle that will be reimbursed for the benefit of both groups and the budget officer.
- Work continues on the 2024 development calendar – Friends of the Park Thank You in June, 10<sup>th</sup> Anniversary Celebration in the fall, potential new fun promotional outreach dog friendly event in the summer. Pardee in the Park, additional health, and wellness programs are possible, but the Foundation may have to look beyond Pardee.
- In February, the Foundation meetings will move to every other month meeting schedule, pending an update to the By-Laws.
- At the end of December, Net Assets are \$727K, Cash \$699K of which \$538K is unrestricted.

5. Transportation Update – Vice Mayor Coletta

Vice Mayor Coletta reported the following:

- N. Highland Lake Road (NHLR) is still open to through traffic. Highland Lake is being drained in order to make installing the culvert at King Creek easier for the construction crew.
- As reported at the January 29<sup>th</sup> agenda meeting, the NC Department of Transportation (NCDOT) has sent information on the form liner options for the King Creek culvert, as required by their agreement with the State Historic Preservation Office (SHPO). Those options have been sent to Historic Flat Rock, Inc (HFR) to review since this is part of the SHPO requirement for the historic district. HFR checked with SHPO, and they have approved the options presented. Vice Mayor Coletta is waiting to hear from HFR on their final choice of pattern.
- There have been some concerns about the line stripping on NHLR near the park entrance at the left-turn lane onto Highland Golf Drive. NCDOT has said that the current line stripping is not the final lane markings. Once the final asphalt topcoat and markings are



done, there will be a left-turn lane for easier park access. Vice Mayor Coletta distributed an engineering drawing of this turn as provided by NCDOT to council members.

6. Tax Report – Mayor Weedman

Vice Mayor Coletta reported that under state law the Village Council must approve a motion that allows the Tax Collector to publicize delinquent real property taxes. Vice Mayor Coletta made the following motion: that Village Council approve in the matter of advertisement of tax liens, having received the report of the Village of Flat Rock Tax Collector dated February 8, 2024, which report indicated there exist unpaid taxes for Tax Year 2023 of \$34,264.93, and it appears to the Village of Flat Rock Council so finds that it is appropriate and necessary to advertise, pursuant to N.C. Gen. Stat. §105-369, the Tax Liens of Real Property for Failure to Pay Taxes. Wherefore, it is ordered that the Village of Flat Rock Tax Collector proceeds to advertise the tax liens pursuant to N.C. Gen. Stat. §105-369. The motion was seconded by Council Member Jeter and carried by unanimous vote.

As of February 8, 2024, the current fiscal year tax collections are at \$1,641,232.42 (97.95 percent) total collected (see attached report).

**Old Business**

**New Business**

7. Trail Crossings – Park Director Dages

Park Director Dages reported that there is currently a bid package out to start the construction work for the Dye Creek project, and the deadline to receive those bids is February 19, 2024. The current plan does not include any trail crossings. There were discussions about whether to install pedestrian bridges, vehicular bridges, or culverts. After discussions, Council Member Carpenter made a motion for Council to approve installation of two pedestrian grade bridges for the Dye Creek project, seconded by Council Member Gregory. The motion was carried by unanimous vote.

**Other Business**

8. Mayor – Council Reports

Council Member Jeter mentioned that at the last Land of Sky Regional Council meeting during public comments, there was a speaker from a group that is applying for a grant for passenger railroad transportation from Asheville, NC – Salisbury, NC, for an existing track. The cost of the passenger railroad is \$665 million, with 80 percent covered by the grant and the remaining 20 percent to come from state legislation.

Vice Mayor Coletta reported that with the Village website overhaul, she has been updating online information with Carol Richard's help. She encouraged council members to notify her when they have special events or information that they would like included on the Village website.

Council Member Toner reported the January budget report is in great shape, with a couple of small items running over budget, but no issues, and Revenue is looking good. Council Member Toner previously distributed the budget schedule, laying out the time and requirements associated with preparation of the 2024-2025 budget. Next month council members will be provided budget revenue and expenses spreadsheets with to-date actuals and previous year(s) numbers. Council members will then be expected to submit the requested budget and estimated revenue numbers at or before the April 1, 2024, agenda meeting. Council Member Toner will then work the numbers and present a recommended budget during the budget workshop immediately following the April 11, 2024, council meeting. At that meeting, hopefully all decisions will be complete, and he will prepare the Budget and Budget Message for review with Village Clerk Parker, which will then be published. A public hearing for public comments and final approval will be at the June 13, 2024, council meeting.

Council Member Toner reported in Public Health that Influenza-related hospital admissions are down from 1,055 the last week of December to 252 the last week of January. COVID-related admissions are also down about 25 percent during this period.

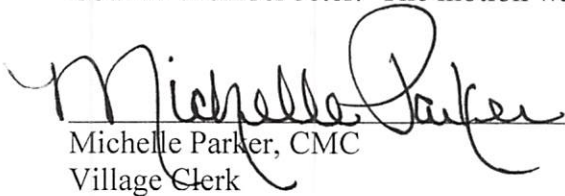
Council Member Gregory mentioned Shred Day is scheduled for May 4, 2024, 9:00 a.m. – 11:00 a.m., and will include a pill drop-off with the Henderson County Sheriff's Office. The annual Ice Cream Social is scheduled for June 1, 2024, 12:00 noon – 4:00 p.m.

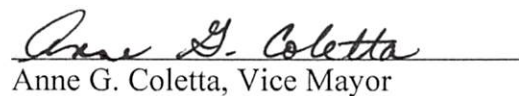
Council Member Gregory mentioned the Planning Board meeting was a success with the Land of Sky Regional Council consultant in the technical review of the Land Development Ordinance.

**Public Comments** – Sharon Nunnelee mentioned the need for the meeting to clarify the difference between definitions of maintenance versus sustainability.

**Adjournment**

At 10:35 p.m., Council Member Gregory made a motion to adjourn the meeting, seconded by Council Member Jeter. The motion was carried by unanimous vote.

  
Michelle Parker, CMC  
Village Clerk

  
Anne G. Coletta, Vice Mayor







**To:** Mayor and Council  
 Planning Board Members

**From:** Zoning Administrator

**Date:** February 6, 2024

## Ordinances Activity Report for January 2024

Ordinance Activities	This Month	2024 YTD	2023 YTD
Compliance Certificates Approved for SFD's	1	1	15
Temporary Compliance Certificates Approved	0	0	0
All Other Compliance Certificates Approved	2	2	27
Certificates of Occupancy/Compliance Approved	1	1	42
Variance Applications	0	0	0
Special Exception Application	0	0	0
Special Use Permit Applications	0	0	1
Appeal Applications	0	0	0
Special Use Permit Amendment Applications	0	0	0
Rezoning/Text Amendment Applications	0	0	0
Subdivision Application	0	0	1
Floodplain Development Application	0	0	0
Sign Permits	0	0	1
Historic Landmark Status Application	0	0	0
Ordinance Fees Received	\$300.00	\$300.00	\$6,225.00

### January 2024 Ordinances Activity Report

**Certificates of Zoning Compliance applications approved:**

- 2 – Decks - (Statonwoods, Flat Rock Lakes)
- 1 – Single Family Dwelling - (Garden Hamlet at Highland Lake Village)

**Highland Lake PMUD:** Letters of credit for Unit 1 and 4 have expired. Unit 1 Block 1, now called Park Residences @ Highland Lake Village, came before Council where it was approved (with conditions). They have received their erosion and sedimentation permits but are still in the process of getting their stormwater permit from the County. Per the county, they are still waiting for the engineer to resubmit for the stormwater permit. They are also finalizing figures for the bank for the Completion Assurance Agreement.

### **Misc. zoning and other ordinance issues:**

- Minor subdivision at Trenholm and Little River Rd approved (Captain Smyth's Preserve). Infrastructure has been installed. Plat was signed and has been recorded. Need proof of covenants being recorded at the register of deeds and the homeowner's association still needs to be established through the secretary of state before any lots can be sold. We have been informed that the owner's trustee has all the needed information to complete these tasks. No further updates.
- The contract for an audit of our Land Development Ordinance (LDO) was approved and signed by all parties. The consultant is reviewing the existing LDO for compliance with 160D, including reviewing definitions, processes, and standards for clarity. We are not addressing policy issues at this time. She made her first presentation to the Planning Board in November. She was not able to attend the December planning board meeting. The Planning Board did not meet in January. We have been working with her in preparation for the February meeting which took place last Tuesday. There are plans for the Planning Board Chair, Council liaison, the consultant and I to meet prior to the next meeting to discuss LDO alignment with the Comprehensive Land Use Plan (CLUP).
- Received an application for five new units at the Mill House Lodge property. The owner presented a document that claims there are only 40 units currently on site which would allow him to build five more to bring the total up to the forty-five allowed by the M-L zoning district as a permitted use. Asked the tax collector to confirm the current number of units through the tax records, which she did. After reviewing the LDO language I contacted the village attorney about the request, our LDO language, and their declaration of condominium document. Confirmed that the special use permit process is appropriate and notified the applicant. Update: I spoke to him again last month after our Council meeting and resent the Special Use Permit (SUP) application.
- Received an application for a minor subdivision for a lot located at the western end of Little River Road. The lot is approximately 5 and a half acres with an existing house. They are looking to create a total of 4 lots, one with the existing house plus three new lots. I am working with the owner and applicant to get all the required information added to the plan as well as requesting additional documentation about the availability of utilities and how to address access to the lots.
- Went out on a complaint of trash in someone's yard behind property at the Farm at Highland Lake. The property in question is outside of our jurisdiction and located in unincorporated Henderson County. The complainant followed up with me to say that Steve Collins had arranged for this property to be cleaned up.

### **SCO, TPO, FDPO, HLO:**

- In April of 2021, we received an inquiry from an engineer out of Forest City about lots 16/17 on Mockingbird Dr. in Statonwoods which are located in the floodplain. He was asking about bringing fill onto those lots to take a portion of them out of the floodplain. He worked with our Floodplain Consultant reference permitting requirements. Signed off on Community Acknowledgement Form (FEMA) for a Conditional Letter of Map Revision (CLOMR) request. In September of 2022, the property owner came into the office requesting a certificate of zoning compliance application to build a SFD. He had some paperwork with him from FEMA dated June of 2021 which was FEMA's conditional concurrence of the (CLOMR-F) request. He still needs a floodplain permit and a CZC permit to bring in fill and build the house. In June of 2023, the property owner



came into the office, and we discussed that he still needs to get both a floodplain permit and a certificate of zoning compliance permit. Received the first elevation certificate on October 4<sup>th</sup>, 2023. Reminded him again that he still needs a flood plain permit and a zoning permit and emailed both applications. The applications were dropped off at the office on October 6<sup>th</sup>, with no plans or documentation. Have had multiple communications with the owner's representative who has now brought the engineer from Forest City back into the mix. We have received and forwarded a total of three elevation certificates to our flood plain consultant because throughout this process, we thought the proposed house was going to be a slab on grade. The elevation certificates kept referencing a crawl space. Ultimately, we discovered that the owner wants to bring in fill and then cut into the fill to create a crawl space. Working with our local consultant and state official from the North Carolina Division of Emergency Management to work through the particulars. This change could affect the CLOMR-F previously issued by FEMA. The last communication between our consultant and the property owner was December 1<sup>st</sup>, 2023. No further updates.

- The Historic Landmark Commission last held a meeting in April 2022. No future meetings are scheduled at this time.
- Permission was granted for the placement of banners on Village property last April and May. Both parties were notified. A policy discussion is still pending.

#### **Planning Board and Board of Adjustment Meetings:**

- The Board of Adjustment did not meet in January. They are still planning on looking at their bylaws at a future meeting.
- The Planning Board did not meet in January. We met on February 6<sup>th</sup> and continued our review of the LDO for technical alignment with state statutes. The next scheduled meeting will be March 12<sup>th</sup>, 2024, due to the primary elections being held here at Village Hall.



**Village Administrator Report  
February 2, 2024**

**Flat Rock Crime Reports:**

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

Reporting period of January 1, 2024 – January 31, 2024:

The Citizen Connect webpage shows a map with icons indicating an incident, but with no street names to confirm location. The map icon locations are historically inaccurate and need to be verified as being within Village boundaries. Therefore, they are not included again this month. Perhaps Councilmember Gregory could inquire about this.

**Website/Facebook Report/EV Charging Station Stats:**

Reporting period of January 1, 2024 – January 31, 2024:

- There were 4418 - page views on the home page of the website, a decrease of 970 from the previous month.
- For the first time since I have been following these statistics, the calendar had more views than the default home page with a total of 6926 views.
- Following the default home page views, the following 12 sections were viewed most, in descending order: Media Archives, Mayor and Council, About Us, Park Facility Reservations, Contact Us, Media Resources, Meeting Room Reservations, 2023 Village Council Minutes, Park Facilities Reservation Calendar, Village Property Tax Information, North Highland Lake Road Project, 2022 Village Council Minutes.
- Items added or updated: Park facilities reservation calendar information, calendar, updates of scheduled meetings of council, boards and committees, approved council meeting minutes, council meeting agenda, links to community events, and road construction updates.
  
- Facebook stats for January 2024:
  - Followers: 1868
  - Post Engagement: 701
  - Post Reach: 4443
  - New Followers: 20
  
- Electric Vehicle Charging Station Uses:
  - January 2024: 14- Utility cost for last 30 days=\$38.00 for 257 kWh based on \$0.15 per kWh. The Village started charging \$0.20 per kWh in August. Session Fees are the amount ChargePoint collects and remits to the Village. For January 2024 it was \$51.74.

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

- For the upcoming month, notices emailed regarding the Village monthly meetings and events. Updated online meeting calendar for January. Carol finished updating the website meeting calendar for the rest of the year. Updated website as needed.
- Vice Mayor Coletta provided staff with the website instructions and the update schedule.
- Park related issues and staff support: Worked with Council Member Carpenter, Council Member Toner, Michael Dages, and Tracey Daniels. The Park Commission met on January 25<sup>th</sup>, 2024. The next scheduled meeting is February 22, 2024.
- Park updates include Dye Creek, the election of officers, a pollinator garden addition, and a discussion of a playground safety concern.
- Attended the Park Foundation meeting on January 8<sup>th</sup>, 2024.
- Dye Creek- The Park Foundation received one grant of \$20,000 for signage, and another grant through the Community Foundation for \$10,000. They also provided the village with the resources to apply for a grant from the North Carolina Division of Water Resources which was fully funded at \$190,580.00.
- Dye Creek Project Management Contract- The contract was approved and signed. We worked with Andrew Bick on the final bid package language which was approved at the November Council meeting.
- The first bid opening was December 4<sup>th</sup>. The project has been rebid without bridges to separate the earthwork and bridge construction. The bid opening is set for February 19<sup>th</sup>.
- Natalie Berry, who recently retired as the Henderson County Director of Site Development, reviewed and approved the flood plain permit for the Dye Creek project.
- Worked with Kassi to monitor the park and make the decision to close it on January 9<sup>th</sup> due to flooding. It reopened the next day.
- Land of Sky ARP - Staff and Council continues to work with Mary Roderick as needed. Ms. Roderick submitted our annual report last April and sent us the annual reports from our grantees. Update: She shared the grant final report from Friends of Carl Sandburg.
- The Flat Rock Transportation Advisory Committee will continue to meet quarterly. Their next meeting is March 12<sup>th</sup>, 2024.
- Council approved the installation of the speed radar signs. The signs were activated, and Vice Mayor Coletta is downloading information from them.
- Have obtained estimates to repaint the ceiling in the Highlander Room and the exterior of Village Hall. Will need to confirm the numbers are still good to compare and bring them to Council.
- Worked with Carol Richard and Council Member Jeter to review and update the personnel policy. The Policy was approved after a final discussion “excessive absenteeism”, and the use of sick leave for bereavement.

**Community Meetings, Networking, Agency Contacts:**

*Hendersonville Lightning*

HC Permits and Inspections

Hendersonville Development Assistance Dept

Blue Ridge Fire Dept

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

City of Hendersonville Public Works Director, Planning Manager

Town of Fletcher Manager, Park Director, and Planning Director

Town of Laurel Park Manager

Henderson County Planning Director, and Planning Staff

Henderson County Director of Site Development

Henderson County Emergency Operations

Attended (Virtually) the Land of Sky Quarterly Managers Meeting on January 3<sup>rd</sup>, 2024.

Attended the Local Government Committee for Cooperative Action (LGCCA) meeting on January 16<sup>th</sup>, 2024.

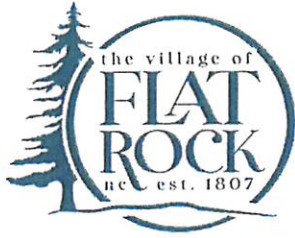
Attended (Virtually) the Henderson County Transportation Advisory Committee (TAC) on January 17<sup>th</sup>, 2024.

Report prepared by:

Patricia Christie, CZO

Village Administrator





February 8, 2024

Dear Village of Flat Rock Mayor and Council Members:

In accordance with NCGS 105-369, the tax collector must report to the Council the total amount of unpaid taxes for the current fiscal year that are liens on real property. Upon receipt of this report, the Council is directed by statute to order the advertisement of such liens. As instructed by NCGS 105-3689, advertisement of tax liens need only be published one time, March 1 through June 30, in a single newspaper of general circulation.

2023 Annual Tax Billing & Collection Summary as of February 8, 2024

<b>2023 Beginning Charge:</b>	<b>\$ 1,676,789.36</b>
Discoveries and Releases:	\$ (959.23)
Minus "Less than \$5.00":	\$ (332.78)
<b>Net Charge:</b>	<b>\$ 1,675,497.35</b>
Unpaid Taxes:	\$ 34,264.93
Amount Collected:	\$ 1,641,232.42
<b>Percentage Collected:</b>	<b>97.95%</b>

It is my recommendation that tax year 2023 tax liens be advertised once before the end of the fiscal year. Final date selection will be based on timely preparation to meet print deadlines in accordance with Flat Rock's legal advertising agreement with the *Hendersonville Lightning*.

Respectfully submitted,

Carol Richard  
Tax Collector

COUNTY OF HENDERSON COUNTY

BEFORE THE VILLAGE OF FLAT ROCK

VILLAGE OF FLAT ROCK

COUNCIL

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IN THE MATTER OF THE ADVERTISEMENT OF TAX LIENS

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**ORDER**

Having received the report of the Village of Flat Rock Tax Collector dated February 8, 2024, which report indicates there exist unpaid taxes for Tax Year 2023 of \$34,264.93, it appears to the Village of Flat Rock Council so finds that it is appropriate and necessary to advertise, pursuant to N.C. Gen. Stat. §105-369, the Tax Liens of Real Property for Failure to Pay Taxes.

WHEREFORE, IT IS ORDERED that the Village of Flat Rock Tax Collector proceeds to advertise the tax liens pursuant to N.C. Gen Stat. §105-369.

Unanimously adopted, this 8<sup>th</sup> day of February 2024.

VILLAGE OF FLAT ROCK COUNCIL

By: \_\_\_\_\_

Anne Coletta, Vice Mayor

Attest:

\_\_\_\_\_  
Michelle Parker, Village Clerk

