

MINUTES
VILLAGE OF FLAT ROCK COUNCIL MEETING
ASSEMBLY ROOM – VIA ZOOM
FEBRUARY 11, 2021
9:30 A.M.

Mayor Weedman presided over the February 11, 2021, council meeting at 9:30 a.m. Those present in addition to Mayor Weedman were Vice Mayor Coletta, Council Members Carpenter, Dethero, Gooch, Gregory, Tiles, Village Clerk Parker and Village Administrator Christie.

MOMENT OF SILENT MEDITATION/PLEDGE OF ALLEGIANCE

Mayor Weedman led the group in a moment of silent meditation. He then led the group in the Pledge of Allegiance.

Public Comments – Village Clerk Parker reported a public comment from Ginger Brown was received via email regarding the N. Highland Lake Road project. Mayor Weedman turned the meeting over to Vice Mayor Coletta to read and answer the following questions:

Q: During the Council meeting of March 12, 2020, the Council passed a motion altering the plan of the Highland Lake Road improvement project and the proposed bike/ped path through the park. Has NCDOT approved those changes?

A: NCDOT has approved the changes requested by the Council at our March 12, 2020, council meeting although some of those changes were modified based on engineering criteria.

Q: Is there a drawing showing the new changes? The March minutes refer to an Appendix A. Is that posted somewhere? Will there be an advertised opportunity for the public to see and comment on the new changes?

A: I don't see a mention of an Appendix A in the March 12, 2020, council minutes. There is a reference to an attachment that lists the requested modifications on the N. Highland Lake Road project. Those modifications are also listed in the minutes and have been posted on the N. Highland Lake Road project page of the Village website and available to the public since March 2020. We have on file NCDOT plans from June 8, 2020, incorporating most of the modifications.

Q: One of the proposed changes to the path called for part of the path between the church and the park property to remain unsurfaced. What does that mean? What will the surface be? Will the path still be ADA compliant? How will this area be maintained?

A: The berm area from the corner of Greenville Highway going east into the park will remain for the most part unsurfaced and grassy at the request of Pinecrest Presbyterian Church since there is no connection to any pathway or sidewalk. Given that the cost of the road project has ballooned from an initial estimate of \$2.6 million to \$6.31 million, any reduction in expenses is, I'm sure, appreciated by the taxpayers.

Also, as required by the NCDOT engineers, there will be concrete along the length of the retaining wall that is going in along the church where the pine trees will come down in order

to keep the retaining wall in place. All pathways created by the project will be ADA compliant as required by NCDOT, and the Village is required by NCDOT to maintain those pathways.

Q: At the May 2020 Council meeting, the Council, by consensus, agreed to honor a previous commitment to the Highland Golf Village residents to create a separate park entrance to remove the park traffic from Highland Golf Drive. Will the proposed changes have any impact on future creation of a separate entrance to the park and this commitment?

A: Until the N. Highland Lake Road project is complete, it's not possible to know what if any impact the road project will have on a possible new entrance. In listening to the audio of the May 14, 2020, council meeting, there didn't seem to be a consensus. The council moved to remove the curb cut for a new entrance from the project plans, and also promised in general to re-evaluate the need for a new entrance once the road project was completed and the council knew the impact of all the changes on that part of the road. Completion of the road project is at least two to three years away if not longer.

Q: Has the Village reached an agreement with NCDOT on compensation for the park land that will be used for the road project? Will all costs to correct any drainage or infrastructure problems created by the road be covered?

A: The Village is still in conversation with NCDOT on compensation for right-of-way acquisition and cost-to-cure damage expenses from the road project. Our engineering consultant has been reviewing the drainage concerns and other impacts to the park. While the project modifications we requested from NCDOT have eliminated or reduced some of the original impact damage, there are still major areas of concern. The Village Council has notified NCDOT that we consider the current proposed amount insufficient, and negotiations are on-going.

Q: When will construction begin?

A: The N. Highland Lake Road project is scheduled to let February 23, 2021, which means that's when NCDOT awards the contract. According to NCDOT, construction will probably start in the August/September time frame. Before the actual road construction can start, the trees will need to be cut down and Duke Power will relocate any utilities.

Agenda Approval/Changes

Under *Special Reports – Item #6 – Financial & Tax Report* was added to the agenda. Council Member Gooch made a motion to accept the agenda as amended, seconded by Vice Mayor Coletta. The vote carried unanimously.

Consent Agenda

1. The Consent Agenda consisted of the following:
 - January 4, 2021 – Agenda Workshop Minutes
 - January 14, 2020 – Council Meeting Minutes
 - 2020 Discoveries and Releases

With no changes, the Consent Agenda was approved.

Special Reports

2. Administration – Village Administrator Christie

Administrator Christie reviewed the January 2021 zoning report dated February 5, 2021, and the Village Administrator report dated February 5, 2021 (see attached reports).

3. Park Update – Council Member Carpenter

Council Member Carpenter reported the Park Commission met January 28, 2021, and discussed the following:

- Implementation of QR Reader infrastructure: To begin with the Pollinator Garden, then spread to the Wildflower Garden and other sections of the Park in stages. This may be a multi-year project.
- Election of Park Commission Vice-Chair and Secretary. This will take place at the February meeting scheduled for February 25, 2021.
- Approval of the new Facility Reservation Fee Waiver policy for the Park. This will be presented to Village Council for approval at the March 11, 2021 Council meeting.
- Discussed Park reservation requests involving solicitations and other activities. It was decided that a separate policy was not necessary as this is addressed in the Ordinance that created the Park at Flat Rock.
- Discussion of N. Highland Lake Road project sidewalks and paths that will connect with existing Park trails when the project is done. It was decided that signs will need to be erected on the paved path running from Spartanburg Highway to the Park entrance stating that skateboards of any type and electric bicycles are not permitted within the Park.
- Will Garvey presented an overview of the weather station he has selected for installation in the Park. The station would be mounted on a long pole in order to protect it from theft and unauthorized tampering. The read-outs from the station can be sent to an Internet-connected receiver located within 300 ft. of the station. This will allow us to post continual up-to-date information on weather conditions in the Park on the Village website.

The weather station is solar powered with a battery back-up, so there will be no need to run electrical wiring. Total cost would be approximately \$300 for the weather station and \$100 for the pole, including installation. A motion was made to approve purchase of this weather station and pole, with the money to come out of the current 2020/2021 budget. The motion was seconded and passed unanimously.

- Tree City USA: Designated a discussion group to consider ideas for an Arbor Day observance on or around April 30 in order to fulfill the final obligation for our application to be awarded Tree City USA certification. The group consists of Matt

Toner, Duncan Fraser, Georgia Bonesteel and Tom Carpenter. Their ideas will be discussed at the February 25, 2021, Park Commission meeting.

- Stream Restoration: Several Village Council and Park Commission members took a tour of the potential restoration areas on Thursday, February 4, 2021, at 2:00 p.m.

Council Member Carpenter mentioned that at the January 14, 2021, Council meeting, Mayor Weedman recommended that the Village contract with Myra Grant to research grants on stream restoration. He asked if anything had been done to date and what needed to be done to start the process.

Mayor Weedman responded he and Vice Mayor Coletta prepared a list to define the project for Myra, which had been emailed to Council for review. In addition to stream restoration, Mayor Weedman wished for Myra Grant to also research grants for purchase and development of municipal parking in the Village. The Village would directly contract with Myra Grant instead of through the Flat Rock Park Foundation.

After the tour of stream restoration on February 4, 2021, it was suggested to remove the tributary stream from all consideration, put King Creek on hold and focus on restoration of Dye Creek. Council Member Carpenter suggested that action be deferred until council members had reviewed the email and submitted comments. Village Council agreed to defer action until either the Agenda meeting, or the Council meeting in March. Both parking and stream restoration will be discussed.

4. Foundation Update – Council Member Gooch

Council Member Gooch turned the meeting over to Mr. Dennis Flanagan who gave an update on the following:

January donation total: \$8,039 - January Friends \$6,539.00 (includes 3 new sustainer level members). This is compared to last January total donations of \$3,000.

Pardee in the Park: Pardee will be presenting the schedule and plan at a February 24, 2021, meeting. Launch month for Pardee 2021 is still set for April.

Kids in Parks: Mr. Flanagan has a Zoom call scheduled with Milton, Jason and Andrew regarding KIP this Friday, February 11, 2021. Andrew will be talking about the sign install and how to appropriate socially-distance “launch” the KIP program. Marketing wise, one of the things Mr. Flanagan would like to do for KIP is pay for the Peachtree phone call announcement (I think it’s a \$100 set-up fee), which would notify every family in the Henderson County school

system that this program is up and running and available for free at the Park. He would also send emails and a flyer to the local charter schools to let staff and families know of this educational resource for families and educators.

5. Transportation Update – Vice Mayor Coletta

- There will be meetings for TAC and MPO in February. Mr. Bill Lapsley was the transportation representative for these committees, but he is now the Chairman of the Henderson County Board of Commissioners. Transportation is now handled by Rebecca McCall and Daniel Andreotta.
- Online meeting held with NCDOT, WGLA, and the Village to review cost-to-cure concerns about the N. Highland Lake Road project. The meeting was very helpful as the NCDOT and WGLA engineers had a chance to talk through several problem areas. Some items were resolved. The issue of how to address the drainage concerns at the lily pond is still open, but will be worked on.
- Met with Wesley Jamison, NCDOT division project manager, on the municipal agreement between NCDOT and the Village about the 20% cost that the Village is required to provide for any sidewalks/pathways. Vice Mayor Coletta relayed to him several changes that the Mayor requested, and he is sending that information to the Raleigh office for review.
- Will be listening in on the February 16, 2021, call about the Kanuga Road project at the invitation of Victoria and Dennis Flanagan with Historic Flat Rock, Inc., so that the Village Council will be informed about that project's status.

6. Financial & Tax Report – Mayor Weedman & Paul de Chalain

Mayor Weedman introduced Paul de Chalain, a resident of Kenmure, who has agreed to volunteer as the interim budget officer. Mr. de Chalain prepared a Statement of Revenues and Expenditures Budget and Actual For the seven months ended January 31, 2021 (see attached report). Mayor Weedman reported we will start the 2021/2022 budget process in March.

Mayor Weedman reported that, as of February 10, 2021, the current fiscal year tax collections are at 98.4 percent with \$1,238,705.18 total collected (see attached report).

Old Business - None

New Business

7. Appoint Sally Boyd to Park Commission – Council Member Carpenter

Council Member Carpenter made a motion to appoint Sally Boyd to the Park Commission for a three-year term ending January 20, 2024, seconded by Vice Mayor Coletta. The motion carried by unanimous vote.

8. Park Fee Waiver policy – Council Member Carpenter

Council Member Carpenter mentioned the policy was previously sent to Village Council with a memorandum from the Park Commission recommending that the Village Council approve the policy, which will clarify the criteria for fee waiver.

Flat Rock Park – Fee Waiver Policy

Paragraph 24 of the Park Ordinance No. 91 states: “Groups and individuals are required to pay a fee and a refundable security deposit in amounts established by the Village Council to reserve any shelter for their exclusive use.”

In rare instances the Village may, at its sole discretion, waive or reduce the usage fee for certain groups. These groups include:

- 1) Not-for-profit organizations (501(c)3 or similarly designated) that provide local community services, programs or events free of charge or low cost to the public
- 2) Organizations conducting activities of direct benefit to the local Flat Rock area
- 3) Groups that contribute a certain, minimum number of volunteer hours to the Park or Village of Flat Rock

Any waiver must be approved by the Village Council, or its designate, and all requests for waiver must include an explanation of the need for the waiver.

Council Member Carpenter made a motion to approve the policy, seconded by Council Member Gregory.

Mayor Weedman suggested identifying the designate, and not having the fee waiver requests come before the Village Council. Mayor Weedman also suggested changing the language to be more specific for 501(c)3 organizations, and simplifying the policy. Council Member Gregory moved to defer the original motion until the next meeting of the Park Commission to change the language, and Council Member Carpenter seconded. The Park Commission will meet in two weeks. The motion carried by unanimous vote.

9. Resolution No. 193 – Council Member Carpenter

A copy of Resolution No. 193 was included in Village Council packets. Council Member Carpenter read Resolution No. 193, A Resolution Endorsing the Inclusion of Multi-use Paths for Bicyclists and Pedestrians in the Planning and Design of New Roads and Streets and Transportation Infrastructure Improvement Projects in the Village of Flat Rock, into the minutes.

Council Member Carpenter made a motion that Village Council rescind Resolution No. 193 dated March 12, 2015, as it is incompatible with the historic character of Flat Rock Village.

The motion was seconded by Council Member Dethero. Vice Mayor Coletta stated that the resolution was no longer relevant to the Village since the Village Comprehensive Land Use Plan no longer includes any information on possible bicycle or pedestrians pathways. After discussions, it was decided to notify MPO & NCDOT that no future projects be planned within Flat Rock relating to bicycle/pedestrian pathways without Village Council's involvement, approval or disapproval. Vice Mayor Coletta will notify both the MPO and NCDOT of the resolution being rescinded. The motion carried by unanimous vote.

10. Resolution to Request the FBRMPO to Consider the Addition of Bicycle and Pedestrian projects in the Metropolitan Transportation Plan – Council Member Carpenter

Council Member Carpenter read the resolution into the minutes. Council Member Carpenter made a motion that Village Council rescind the unnumbered resolution adopted June 29, 2015, as a reference to any bike/pedestrian plan is neither feasible nor planned at this time. The motion was seconded by Council Member Gregory, and carried unanimously.

Other Business

11. Mayor – Council Reports

Council Member Dethero reported Mr. Bill Lapsley is no longer on the City of Hendersonville Water Commission, and Mr. Daniel Andreotta is now chairman of the commission.

Council Member Dethero asked for Village Council to consider cleanup of roads located within the Village. A road cleanup article will be included in the annual Village Record newsletter.

Council Member Tiles gave an update on the following:

Census – at the Land of Sky zoom meeting, February 4, 2021, Mr. Bob Coats, Governor Cooper's Census liaison, gave a presentation highlighting that results of the census could impact redistricting and federal funding. Due to Coronavirus, data collection was postponed, and this caused a delay in getting results. He stated that the state population figures determining the number of congressional seats will be available before April 30, 2021. Redistricting release date will not be before July 30, 2021.

Public Health Update – Governor Cooper gave a COVID update on February 9th & 10th.

- Vaccine doses very low – 150,000 this week, but up 5% from prior week
- Introduced Executive Order #193 – expanding vaccine providers, preparing for increased vaccines when available. Johnson and Johnson vaccine approval hopefully by end of the month.
- Walgreens getting federal allocations of vaccine now. 100 doses per store. Click “find appointment” at Walgreens Covid Vaccine webpage. Walgreen's site is showing Spartanburg Highway as a provider.

- As of February 24, 2021, vaccines will be available to Group 3 – front line essential workers. Will be done in two phases: 1) Educators and employees of schools; 2) March 10 — other frontline essential workers.
- In-person classroom instruction for K-5 begins next Thursday. Grades 6-12 will be restricted and determined by 6-foot social distancing requirement.

Recap of Board of Health meeting held this week:

- Drs. Ellis and Smith reported reduced hospitalizations and a downward trend in Henderson County.
- 8,244 confirmed cases
- 12,157 or 10.4% of the county have received 1st dose and 2,898 or 2.5% have received 2nd dose.
- 15,959 are on the waitlist with 1,100 and under having scheduled appointments.

Flat Rock Playhouse – Council Member Tiles has a Zoom meeting scheduled February 17, 2021, with Lisa Bryant at 10:00 a.m. The Playhouse has launched a fundraising campaign and is hoping to raise \$1.5 million. Ms. Bryant has begun conversations with the County and City of Hendersonville in asking for support. She stated that it is hopeful that productions will resume this fall.

Vice Mayor Coletta reported that based on Don McMahon’s evaluation, some of the servers in the Village’s computer system need replacing.

Council Member Gregory mentioned the updating of our ordinances of General Statute 160D.

Council Member Carpenter reported Pam Tiles and himself have signed up to volunteer at the Pardee immunization center at Blue Ridge Community College.

Mayor Weedman encouraged council members to attend the February 17, 2021, 9:30 a.m., County Commissioners meeting at the Historic Courthouse on Main Street, to discuss challenges of water/sewer in the county, annexation, and collateral effects caused by these topics not being addressed.

Public Comments – None

Adjournment

With no further discussions, at 11:22 a.m., Council Member Gooch made the motion to adjourn the meeting, seconded by Council Member Tiles.

Michelle Parker, CMC
Village Clerk

Nick Weedman
Mayor