

**MINUTES**  
**VILLAGE OF FLAT ROCK COUNCIL MEETING**  
**RUDNICK ROOM, THE PARK AT FLAT ROCK**  
**FEBRUARY 13, 2020**  
**9:30 A.M.**

Mayor Weedman presided over the February 13, 2020, council meeting at 9:30 a.m. Those present in addition to Mayor Weedman were Vice Mayor Jamerson, Council Members Carpenter, Coletta, Dethero, Gooch and Posey, 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**

Bill Rushton spoke about misrepresentation of council members attending open forums outside of the Village regarding issues that may directly or indirectly affect the Village of Flat Rock and representing a position in opposition to the Village's official position on the matter being discussed.

Steve Collins thanked council members for their volunteerism on behalf of the Village of Flat Rock. He spoke in favor of the North Highland Lake Road project, stating that it is an excellent project.

Susie Rindal spoke in opposition to the North Highland Lake Road project.

Dennis Flanagan of Historic Flat Rock, Inc. said he would be reporting to council on a monthly basis about the NCDOT Kanuga Road project. The boundary of the historic district is Kanuga Road on the west side from Little River Road north past Kanuga Pines. Mr. Flanagan stated that Historic Flat Rock was in the process of hiring a team of civil engineers, hydraulic engineers, and a landscape architectural firm to help them evaluate and mitigate the impacts of the road project on the historic district. How the process is handled will be determined by the State Historic Preservation Office (SHPO) as they look at mitigating impacts to the historic district.

Ted Etherington spoke in opposition of the North Highland Lake Road project regarding the amount of land to be taken in order to install the multi-use path and to continue the 5-ft path from Pinecrest Presbyterian Church to the existing pathway in the park.

David Hill introduced himself, stating he is running for the county commissioner district 5 seat currently held by retiring County Commissioner Grady Hawkins.

**AGENDA APPROVAL/CHANGES**

The following items were added to the agenda: under *Consent Agenda, 2019 Tax Discoveries & Releases*, and under *Old Business, Item #7 – North Highland Lake Road alternates*. Council Member Dethero made a motion to approve the agenda as amended, seconded by Council Member Coletta. The vote was unanimous, and the motion carried.

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**Consent Agenda**

1. The Consent Agenda consisted of the following:

- December 30, 2019 – Agenda Workshop Minutes
- January 9, 2020 – Council Meeting Minutes
- 2019 Discoveries & Releases

Council Member Gooch made a motion to approve the consent agenda, seconded by Council Member Carpenter. The vote was unanimous, and the motion carried.

### **Special Reports**

2. Administration – Village Administrator Christie

Administrator Christie reviewed the January 2020 zoning report dated February 5, 2020, and the Village Administrator report dated February 5, 2020 (see attached reports).

In the Village Administrator's report, the number of car break-ins/thefts that have occurred at Carl Sandburg Home National Historic Site was discussed. Sarah Perschall from Carl Sandburg commented that a break-in recently occurred on Tuesday evening. The National Park Service at Carl Sandburg is in the process of installing security cameras around the park. None are currently installed in the hiker's lot, and one is installed in the main parking lot. Over the past several months, 5 car break-ins have occurred.

3. Park Update – Council Member Carpenter

Council Member Carpenter turned the meeting over to Myra Grant to introduce Adam Roades (this is the correct spelling looked on website), Program Manager for Kids in Parks/Track Trail. Mr. Roades gave an overview of the history of the program.

#### Introduction and Program Purpose:

In 2019, the Partnership for Health/Healthy People-Healthy Carolinians (HPHC) task force in Henderson County presented the findings of the recent Henderson County Community Assessment to the Village Council. In the findings, there were several areas of focus for our community with reduction of obesity and heart issues being a major one. The HPHC staff and the Blue Ridge Parkway Foundation/Kids in Parks programs made a presentation to the Flat Rock Park Foundation and to the Flat Rock Park Commission.

The Commission endorsed the concept of dedicating a trail segment in the Park as a model trail for improvement of health since the Park has a trail system that enhances the natural elements of the park acreage, has a nature center for demonstrating the varieties of flora and fauna in the Park in an educational setting, and has 600+ flora and fauna species that have been identified and continue to be identified and studied by park visitors and visitor groups (such as Muddy Sneakers outdoor programs, school groups, and Boys & Girls Club, etc.).

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Following the Park Commission meeting, the Flat Rock Park Foundation staff worked with Kids in Parks and Partnership for Health to develop a proposal which would provide funding for the dedication of a trail segment (from the playground areas to the nature center, pollinator and wildflower gardens and overlooks). Grant funding of \$6,000 has been recommended by the HPHC for Kids in Parks programming costs and the Park Foundation is also supporting the

program with the first three-year maintenance fee of \$1,200, dedication event, website interface between the Park, Park Foundation and Kids in Parks, and other marketing costs. Additional grant funding requests to support the enhancement of technology and marketing have been submitted. The Park Foundation also supported the development of a bird brochure identifying the major bird groups that inhabit the Park, and this brochure can be used in connection with the brochures from Kids in Parks/Track Trail program.

The Village of Flat Rock is requested to support the dedication of a trail segment and the program implementation to “encourage visitors to enjoy the outdoor space, become more educated about nature elements of the Park, and as a long-term result become more healthy and reduce obesity through exercise and play.” The Village Council has also been asked to complete a Memorandum of Understanding with Henderson County Hospital Corporation and Kids in Parks. A draft MOU is being developed with the assistance of Pat Christie, Myra Grant, and Village legal counsel.

Council Member Carpenter made the motion to support the dedication of a trail in the Park at Flat Rock to become part of a national network of Kids in Parks trails, to further encourage the connection of visitors to the nature aspects of the Park and the Nature Center, and with the dedication of this trail segment, to become a model for other parks. Work toward the dedication of the trail is to proceed pending the final adoption of a Memorandum of Understanding between Healthy People-Healthy Carolinians, Pardee UNC Health, and the Village of Flat Rock. The motion was seconded by Council Member Gooch, and the motion carried by unanimous vote.

Council Member Carpenter presented a handout to be considered at the March 12, 2020, Park Workshop meeting for the Village of Flat Rock to be designated a Tree City USA, a program administered by the National Arbor Day Foundation. There are currently approximately 9,000 tree cities in the United States. He stated there are no charges to apply or maintain. In order to become a tree city, the Village of Flat Rock would need to have the following four criteria standards; 1) tree board or department, 2) tree care ordinance, 3) a community forestry program with an annual budget of at least \$2.00 per capita, and 4) an Arbor Day Proclamation and Observance.

John Wilkerson, Park Ranger gave the following update:

Quarterly Budget Report - presented the 2<sup>nd</sup> Quarter Park Budget Report showing the park expenses will be finishing the year under budget.

Trail Drainage Work – Work continues to improve drainage on the trails. Trace and Company installed drains at three locations and FitzSimons Property Services continues to grade the trails to facilitate drainage. He is happy with the results so far, but there is still work to be done. There was extensive flooding in the park on February 6<sup>th</sup> but the damage to the trails was minimal.

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Volunteers – We have four new volunteers: Cathy Ford, Andrea Thompson and Fred Thompson will focus on maintaining our 22 bluebird houses, and Danny Morrow is working to remove invasive plant species from selected areas.

Bryan Playground Cargo Net – A replacement net has been ordered. Myra Grant mentioned the Park Foundation will look at some resources to fund the cargo net. She has submitted a proposal and will be meeting with the combined entity Entegra Bank/First Citizens at the end of February for the potential funding.

4. Foundation Update – Council Member Gooch

Council Member Gooch invited Dennis Flanagan to give the update. Mr. Flanagan reported the Foundation is launching the Friends of the Flat Rock Park Giving Society with a variety of giving levels that will be a continuing annual commitment paid annually or monthly. The Foundation has put in place Boomerang software, which is used to track these donations to fund wellness, sustainability, and nature education for the park. Through partnerships with Pardee UNC Healthcare and others, the Foundation will be offering free yoga from April - October, Thursday evenings and Saturday mornings. The Foundation will hold two annual fundraising events at the park: Spring Fling which will be held April 25, 2020, 10:00 am – 4:00 pm., with vendors, children and adult areas: and a Fall Frolic later in the year. He mentioned the Friends of the Flat Rock Park fundraiser will become the Foundation’s sustaining source of revenue.

5. Transportation Update – Council Member Coletta

Council Member Coletta reported the HCTAC meeting scheduled for February has been cancelled. Mayor Weedman, Council Member Carpenter, and she will meet with NCDOT on February 17, 2020, to gather information on ways to mitigate the damage of the North Highland Lake Road project. She will report back to council what was discussed.

6. Tax Report – Mayor Weedman

Mayor Weedman reported that, as of February 12, 2020, the current fiscal year tax collections are at 97.8 percent with \$1,210,292.58 total collected (see attached report).

Mayor Weedman stated that North Carolina General Statue 105-369 requires the Tax Collector to report delinquent accounts to the governing body the second Monday of February. The governing body is then to direct the Tax Collector to advertise delinquent accounts before the end of the fiscal year.

Mayor Weedman made the motion that the Village Council directs the Village Tax Collector to advertise delinquent real property accounts at any time between March 1, 2020, and June 15, 2020. The date of the advertising is left to the discretion of the Tax Collector. The motion was seconded by Council Member Gooch and carried on a unanimous vote.

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**Old Business**

7. Highland Lake Road alternates – Mayor Weedman

Mayor Weedman stated the Village is required to pay 20% of the cost for the bicycle/pedestrian path. He had spoken with Brian Burch, NCDOT Division 14 engineer, and asked what would happen if Council stated they did not wish to pay the 20%. Mr. Burch’s response was NCDOT would go ahead and construct the berms and do the earthwork but no paving. The alteration to the culvert underneath the Highland Lake Road would still happen, but just the earthwork would be seen but no paving. If later, Council decided they wanted to build the pathway to connect to a larger system, there are a number of grants available. Not paying the 20%, does not kill the bicycle/pedestrian path, but it keeps the path from being paved. Mayor Weedman made a motion for Village Council to advise NCDOT that the Council does not intend to pay the 20% match, seconded by Council Member Dethero.

Vice Mayor Jamerson stated there were options she wanted council to consider: First option, if council does not contribute to the multi-use path, NCDOT will create a berm that will have to be maintained and NCDOT will not re-engineer where the multi-use path will be installed, but it will be constructed as designed.

She explained the path goes past the church at five feet in width and then changes to ten feet. In the park, where the road is higher than the park, instead of increasing the size of the road for a ten-foot wide path, the council members that had previously communicated with NCDOT advised them to use the existing path closest to the road and have the path meander through the trees to save as many trees as possible. If the path was located next to the road, NCDOT would have to take more land and remove more trees. The multi-use path would be ten feet wide to the railroad tracks. She expressed extreme concern of kids riding bicycles on grass next to Highland Lake Road with a 35mph speed limit. She would like to have the berm paved with asphalt, not concrete. The path would be in the same location, and the same size.

Second option, if council does contribute to the multi-use path, NCDOT would consider narrowing the paths wherever possible.

Third option, citizens that are in favor of the road and want the multi-use path, would be willing to contribute funds for the installation of the multi-use path.

Vice Mayor Jamerson mentioned if the road had come into being as of August 2020, there would have been no cost sharing or maintenance contract required.

In discussions, Council Member Coletta mentioned it makes no sense to have two different surfaced pathways, asphalt and hard crushed granite in the park. She expressed concerns not only with contributing the 20%, but also the cost of maintenance and the ongoing expenses associated with putting in an asphalt pathway. Until Council has set figures, she is opposed to paying the 20% match.

Vice Mayor Jamerson and Council Member Coletta feel the council needs to wait on voting until all information is received from NCDOT.

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## **New Business**

### **8. Organization – Mayor Weedman**

Mayor Weedman reviewed the draft organizational chart he had previously sent council members and that council members had in their packets. Mayor Weedman made a motion to accept the organizational chart, seconded by Council Member Coletta. Council Member Coletta wanted to make sure that even though the Park Commission would fall under the Village Administrator, any big decisions of the Commission would continue to come before Council.

Administrator Christie expressed concern that the chart showed a lack of details. Council agreed the chart is a good start. Ms. Christie mentioned the need to complete the list of oversight responsibilities for council members. Vice Mayor Jamerson expressed concerns that the chart did not show a connection between the Park Foundation and the Park Commission. Council Member Coletta felt the two committees needed to be separate. Dennis Flanagan stated the Park Foundation raises monies for the park, but they make no decisions. Mayor Weedman will work on the details of the chart and present at the next council meeting.

9. Banking – Vice Mayor Jamerson & Council Member Dethero

Vice Mayor Jamerson and Council Member Dethero are currently meeting with other banks to gather information for the possibility of the Village changing banks when Entegra Bank officially merges with First Citizens. They plan to have this wrapped up by the end of March.

10. Historic Landmarks Commission – Mayor Weedman

Mayor Weedman explained that the Historic Landmarks Commission is composed of three members of the Village of Flat Rock Village Council and two members of the community, whose terms on the Commission shall not exceed four years as outlined in the rules and procedures for the Commission. Council Member Dethero made a motion to appoint Victoria Flanagan and Susan Gregory to the Historic Landmarks Commission, seconded by Council Member Coletta. The vote was unanimous, and the motion carried.

11. Planning Board to review Transportation in the Comprehensive Land Use Plan – Council Member Coletta

Council Member Coletta requested that the Planning Board review the transportation section of the Comprehensive Land Use Plan. She stated the transportation and historic preservation sections have potentially conflicting language that needs to be addressed.

She asked to meet with Dennis Maloy, Chairman of the Planning Board, to discuss some objectives under transportation.

Council Member Coletta mentioned the last page of the transportation section, page 16, of the Comprehensive Land Use Plan is a list of the planned trails, paths and sidewalks within Flat Rock. In asking the Planning Board to review this section, given the fact that council has heard from the community in the last election, residents are concerned about the possibility of changes

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to Village roadways. She asked Council to “suspend” page 16 during this time until the Planning Board has reviewed this section and presented to Council their recommendations. The reason for asking that this page be suspended, she has discovered once something is on paper it takes on a life of its own with other groups countywide and region wide.

After discussions, Mayor Weedman suggested as a compromise to ask the Planning Board to review the issue and come back to council.

**Other Business**

12. Mayor – Council Reports

Council Member Dethero reported he attended the last City of Hendersonville Water & Sewer Advisory Committee meeting on the Halfway Tree Mobile Home Park sewer system, and the City of Hendersonville is looking into an alternate path. Instead of going down the middle of the road at Hood Heights to connect to the sewer system, they are going further west, which only affects two property owners out of the nine property owners. The potential buyer who is paying for the engineering survey has not backed out.

Council Member Posey reported Shred Day is tentatively scheduled for May 9, 2020, and Oct 10, 2020. She reported Mr. Ronald Katz has an application on file and is interested and willing to serve on the Board of Adjustment. He is available to attend the March 23, 2020, Board of

Adjustment meeting as an alternate. Council Member Posey made a motion to appoint Ronald Katz to the Board of Adjustment, seconded by Council Member Gooch. The vote was unanimous, and the motion carried.

Council Member Gooch reported he is the Village's representative for the Land of the Sky Regional Council and is serving on the search committee for a new executive director. The committee has met with three candidates.

Council Member Jamerson and Mayor Weedman will meet to review the council oversight responsibilities.

Council Member Carpenter reported the next Park Commission meeting is February 27, 2020, 9:30 a.m. in the Rudnick Room. The Park Workshop meeting is March 12, 2020, 11:30 a.m., in the Assembly Room of the Village Hall after the regularly scheduled council meeting.

**Public Comments** - None

### **Adjournment**

With no further discussions, Council Member Gooch made a motion to adjourn the meeting, seconded by Council Member Carpenter. The meeting adjourned at 11:35 a.m.

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Michelle Parker, CMC  
Village Clerk

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Nick Weedman  
Mayor