

AGENDA
VILLAGE OF FLAT ROCK COUNCIL MEETING
VILLAGE HALL ASSEMBLY ROOM
110 VILLAGE CENTER DRIVE
SEPTEMBER 12, 2024
9:30 AM

Call to Order

Moment of Silent Meditation

Pledge of Allegiance

Public Comments

Agenda Approval/Changes

Consent Agenda

1.
 - July 29, 2024 – Agenda Workshop Minutes
 - August 8, 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

7. Finance Officer – Mayor Weedman
8. Parking – Mayor Weedman

New Business

9. Floodplain Ordinance discussion – Village Administrator Christie
10. Budget Amendment – Budget Officer Toner
11. Reappointments to Board of Adjustment – Council Member Gregory

Other Business

12. Mayor-Council Reports

Public Comments

Adjournment

VILLAGE OF FLAT ROCK COUNCIL MEETING MINUTES
VILLAGE HALL – ASSEMBLY ROOM
110 VILLAGE CENTER DRIVE
SEPTEMBER 12, 2024
9:30 A.M.

Mayor Weedman presided over the September 12, 2024, council meeting at 9:30 a.m. Those present in addition to Mayor Weedman were Vice Mayor Coletta, Council Members Gregory, Jeter, Stuller, Toner, Village Clerk Parker and Village Administrator Christie. Council Member Carpenter was not present.

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—Polly Angelakis, Superintendent of Carl Sandburg National Historic Home, reported that \$1,000,000 funding had been approved for the dam repairs. The funds should be available in October with repair work to start mid-2025. Fall programs are in the planning stages.

Agenda Approval/Changes

Under *Old Business - Item #7 - Finance Officer appointment, Item #8 – Parking*, under *New Business – Item #10 – Budget Amendment, Item #11 – Appointments to the Board of Adjustment* were added to the agenda. Vice Mayor Coletta made a motion to approve the agenda as amended, seconded by Council Member Gregory. The motion was carried by unanimous vote.

Consent Agenda

1. The Consent Agenda consisted of the following:
 - July 29, 2024 - Agenda Workshop Minutes
 - August 8, 2024 – Council Meeting Minutes

Council Member Gregory moved to approve the Consent Agenda, seconded by Council Member Stuller. The motion was carried by unanimous vote.

Special Reports

2. Administration – Village Administrator Christie

Village Administrator Christie reviewed the August 2024 zoning report dated September 10, 2024, and the Village Administrator report dated September 6, 2024 (see attached reports).

3. Park Update – Council Member Carpenter

In Council Member Carpenter’s absence, Council Member Toner gave the following update from the August 22, 2024, Park Commission meeting:

- Visitation is averaging 626 cars/day, an increase from July.
- The Commission is planning a detailed review of Ordinance #91, which establishes the

Rules for Use and Occupancy, and Conduct in the Park. The ordinance is almost ten years old and was created before having a playground, so some updating is needed.

- The Commission is also reviewing potential options to assist visually impaired visitors to the Park. This effort was initiated by a visually impaired visitor. There are programs that work in city environments to assist in navigation and identification of surroundings. The commission is investigating to see if these same tools have proven successful in a park setting.
- Concrete has been poured for bridge foundation.

4. Foundation Update – Council Member Toner

The Park Foundation met September 9, 2024, and gave the following update:

- The new board members, Kitty Olson, Allan Huntington, and Danielle Linde are on board and already contributing to Foundation business.
- Qi Gong classes are on-going this month on Tuesdays in the Park, all are welcome to attend.
- Pardee’s “Mammo on the Go” bus will be in the Park on October 30th from 10:00 a.m. – 3:00 p.m. Screenings are by appointment only and can be made on-line at mammoonthego.com.
- Pumpkin Sale will be Saturday, October 12, 2024, as part of the new “Pumpkin and Paws” event. As mentioned at the last meeting, the Paws part of the event will feature James Lyon, an insured, certified, and registered dog trainer who will lead a twenty-minute walk through the Park for up to twelve dogs. All participants must sign up ahead of time and show proof of registration and shots. Depending on interest there will be one or two walks beginning at 11:00 a.m. Flyers, posters, press release and a radio interview are all planned to highlight the event.
- The Foundation held a Board Workshop on August 26th to discuss options for how best to celebrate the Park’s upcoming 10th Anniversary. There was general consensus on using the Anniversary to focus on restoration of the south end of the Park, in anticipation of the completion of the road work. The Foundation plans to contract a landscape architect to develop ideas for trees, flowers, shrubs, a rain garden, and others to develop a concept that would then be presented to the Park Commission for concurrence and to the Village Council for final approval. In support of these activities and to help market the message and the need for public support to keep the Park awesome, there is also planned a “permanent balloon garland” at the Welcome Center, complete with Park history, acknowledgement of past contributors, information on the Dye Creek restoration and the plans for the southside, as well as “merchandizing” and donation options.
- In addition, which will need council members approval, through Tracey Daniel’s contacts, NC PBS “This Weekend” would like to do a segment on the Park, with highlights on the foresight of the founders, the active participation and work of the present and plans for the future, built around a 10th Anniversary theme. PBS would like to film the segment the week of October 14th, with broadcast tentatively scheduled for December. It is envisioned that on-screen participation would include, Park Director Dages, Foundation President Sharon Nunnelee, and hopes of participation from Mayor Weedman and Vice Mayor Coletta.

5. Transportation Update – Vice Mayor Coletta

Vice Mayor Coletta mentioned she had forwarded a link to Council Members of the online survey FBRMPO had out for several weeks to hear from the public about possible projects. The number one positively received project is the WNC Light Rail Project from Asheville to Salisbury. Flat Rock has the greatest percentage of residents responding to public surveys compared to the other municipalities in the four-county area.

The two speed signs ordered for Little River Road have arrived, just waiting for the encroachment agreement from NCDOT giving the Village approval to erect the signs on their speed limit signs.

Pinecrest Church had a concern that the contractor had laid curb and gutter narrower than required so that the driveway from the church parking lot to N. Highland Lake Road would only be able to accommodate one car as opposed to two. Vice Mayor Coletta notified NCDOT Engineer who verified the driveway was narrower than specs called for, so the driveway has been redone and is now twenty feet wide to accommodate two cars.

A resident on Greenville Highway south had a concern with the tree cutting done by NCDOT last month, which left extensive debris in the ditch by his driveway that caused flooding. Vice Mayor Coletta notified NCDOT maintenance for cleanup, and she will notify NCDOT for a follow up.

Mayor Weedman gave an update on the N. Highland Lake Road project. He reported three items still need to be finished:

- Installation of a guardrail on the southside of King Creek (until this is installed the road cannot be opened)
- Installation of traffic lights (sensors in the asphalt pavement have already been installed to work with the traffic lights)
- Installation of an inch to inch and a half layer of fine asphalt from Greenville Highway to the railroad on N. Highland Lake Road

6. Tax Report – Mayor Weedman

Mayor Weedman reported that, as of September 11, 2024, the current fiscal year tax collections are at \$417,725.55 (24.82 percent) total collected (see attached report).

Old Business

7. Finance Officer – Mayor Weedman

Mayor Weedman asked for Council's approval to prepare a resolution to consist of appointing Council Member Stuller as Finance Officer effective October 1, 2024, and giving her signatory authority for the banking accounts at First Citizens. Council agreed.

8. Parking – Mayor Weedman

Mayor Weedman has had discussions with Sid Blythe and Starr Teel regarding the lack of parking within downtown of Flat Rock. After discussions, Mayor Weedman suggested the need to looking at solutions and form an ad hoc committee to resolve this issue.

New Business

9. **Floodplain Ordinance discussion**

Council Members and Kaitland Finkle, with Land of Sky Regional Council, had discussions of the ordinance changes to align with the state model ordinance. Ms. Finkle asked Council to determine if it's the intent of Council to prohibit to build within the floodplain. Council requested that a map of the floodplain properties within Flat Rock be brought to the next meeting.

New Business

10. Budget Amendment – Budget Officer Toner

Budget Officer Toner prepared a FY 2024 – 2025 General Fund Budget Amendment for Council's approval of a fund balance appropriation of \$115,174.46 to the Dye Creek Capital Fund. This amount represents the remaining ARP fund allocated to the Dye Creek project. Budget Officer Toner made a motion for Council to approve the budget amendment of a fund balance appropriation of \$115,174.46 for the Dye Creek Capital Project. The motion was seconded by Vice Mayor Coletta and carried by unanimous vote.

11. Reappointments to Board of Adjustment – Council Member Gregory

Council Member Gregory made a motion to reappoint Larry Blair, Ruth Reeves, Michael Thompson, and Tom Zimmerman for a second three-year term ending 8/13/27, seconded by Vice Mayor Coletta. The motion was carried by unanimous vote.

Other Business

12. Mayor – Council Reports

Council Member Jeter reported that at the Land of Sky Regional Council meeting, the Director of the State's Park & Recreation mentioned they purchased a 116-acre park, to be named Pisgah View Park in Buncombe County planning to open in 2025.

Council Member Jeter attended the reception for the new town administrator for Laurel Park. She mentioned Laurel Park is a member of the Local Government Federal Credit Union (LGFCU), the credit union handles and pays for Laurel Park's Shred Day event.

Council Member Jeter mentioned she will email everyone with available dates for the annual Christmas party at the Hendersonville Country Club. She asked everyone to respond with dates

that they aren't available for.

Council Member Toner mentioned Fran Noel of Carter CPA has confirmed the Village's audit review will be presented at the November 14, 2024, council meeting.

Council Member Gregory mentioned Shred Day will be October 24, 2024, 10:00 a.m. – 12:00 p.m.

Council Member Stuller attended the City of Hendersonville Water & Sewer meet and greet meeting on August 20, 2024.

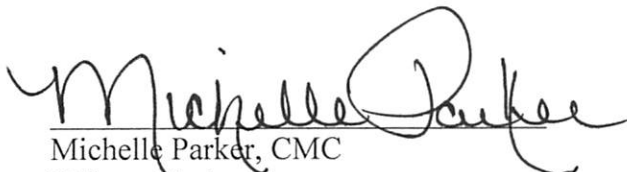
Mayor Weedman mentioned Laserfiche has moved to the cloud, and at the next council meeting he will do a demonstration for council members.

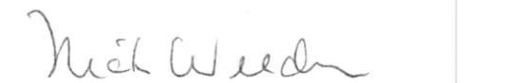
Public Comments

Will Sheehan, Fire Chief, Blue Ridge Fire Department stated regarding the parking situation that the fire department would be glad to help in any way. He mentioned years ago, the board of director's approved possibly making the fire department's adjoining property a municipal parking area, Chief Sheehan feels this may still be an option.

Adjournment

At 11:15 a.m., Vice Mayor Coletta made a motion to adjourn the meeting, seconded by Council Member Gregory. The motion was carried by unanimous vote.


Michelle Parker, CMC
Village Clerk


Nick Weedman, Mayor





To: Mayor and Council
 Planning Board Members

From: Zoning Administrator

Date: September 10, 2024

Ordinances Activity Report for August 2024

Ordinance Activities	This Month	2024 YTD	2023 YTD
Compliance Certificates Approved for SFD's	1	8	15
Temporary Compliance Certificates Approved	0	0	0
All Other Compliance Certificates Approved	4	16	27
Certificates of Occupancy/Compliance Approved	4	21	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	\$450.00	\$2,475.00	\$5,000.00

August 2024 Ordinances Activity Report

Certificates of Zoning Compliance applications approved:

- 1 – Single Family Dwelling - (Highland Lake)
- 1 – Deck Expansion - (Kenmure/Ridgeview Condos)
- 1 – Pool - (Chanteloup Country Estates)
- 1 – Driveway - (Highland Lake)
- 1 – Pedestrian Bridges - (The Park at Flat Rock)

Highland Lake PMUD: Letters of credit for Unit 4 have expired. Unit 1 Block 1, now called Park Residences @ Highland Lake Village, came before Council and was approved. They have received their erosion and sedimentation permits and their stormwater permit from the County. They are still finalizing figures for the bank, (who requested two zoning verification letters one for Park Residences and one for a lot at The Farm), for the Completion Assurance Agreement and, according to the developer, they are going to close on funding soon.

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. I spoke with Hunter Marks about the status of this subdivision, and he informed me that nothing had changed.
- The audit of our Land Development Ordinance (LDO) is ongoing. The consultant has reviewed the existing LDO for compliance with 160D and after receiving feedback from Council, is now in the process of reviewing possible policy changes with the Planning Board. Once the Planning Board makes a recommendation and all the language is agreed upon by Council and approved by our attorney, it will need to be adopted at a public hearing. Status: Ongoing
- Ravenswood: Property on Meminger Dr. went up for sale. Specifically, it is a lot with an existing SFD that is located right on Little River Road and is zoned C-1. Have spoken to neighbors and the HOA president. Looked at old zoning maps dating back to 1998, and it appears that the property has been zoned commercial since that time. Update: Met with someone representing a developer and found out that same day that the property is now under contract with someone else. No further updates
- Worked with an owner and builder in Berwick Downs reference the location of their pool and combination pool house/garage. No CZC application has been received.
- Met with a gentleman and his son who purchased property above Dunroy from Joe Crowell. We discussed the requirements for a variance application in order to build an SFD. Received a call from Hunter Marks on the owner's behalf. No application has been received.
- Reviewing a recombination plat for lots on Highland Lake Drive. Last email to surveyor was August 2nd. The property owner recently contacted me for status, and I informed him of the August 2nd email to his surveyor.
- Researching an informal request (no application received) to subdivide lots on Rhett Dr and the Southlake cabins into individual lots. Update: Received phone call from owner's representative. The will now look at the possibility of dividing lots on Rhett Drive under an exemption per 160D-802 (a) (4). May be possible if they divide no more than two acres into no more than three lots. Still looking at Southlake cabins that may be part of the PMUD. There is no application filed and we discussed that the applicant needs to provide all the proper documentation for this to be considered.
- Received complaint about a culvert installation at a house under construction in Beaumont Estates.
- Received a complaint about an overgrown lot on Robert E. Lee Drive.
- Was able to assist a property owner on Old Town Rd with getting a tree trunk removed from a NCDOT ditch near their property.

SCO, TPO, FDPO, HLO:

- In April of 2021, we received a request from a property owner's engineer to sign off on a FEMA application for a Conditional Letter of Map Revision for fill (CLOMR-F) for two lots in Statonwoods subdivision on Mockingbird Dr. In September of 2022, the property

owner came into the office requesting a certificate of zoning compliance application to build a SFD. He had 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 and October of 2023, the property owner was again reminded that he still needs to obtain both a flood plain permit and a zoning permit to build a SFD when he inquired about permits. On October 6th, 2023, both applications were dropped off at the office with no plans or documentation attached. Multiple communications with all parties led us to the determination that the owner wants to bring in fill and then cut into the fill to create a crawl space. He was working with our local consultant and a state official from the North Carolina Division of Emergency Management as this change could affect the CLOMR-F previously issued by FEMA. On May 9th, I received, via email, a foundation/elevation drawing which I sent to our consultant for review. Our consultant reviewed the CLOMR-F from last year again and noted that it was for the lots, not the structure and that we still need a drawing that shows the requested openings in the crawl space as required by our flood plain ordinance. He again suggested to the property owner that they submit a CLOMR-F for the building itself and sent a new CLOMR-F application to the property owner. The applicant then requested a conference call with our consultant and the state NFIP coordinator. After that call, our consultant directed me to issue the flood plain permit. I pointed out that the last elevation certificate did not match what they discussed during their conference call and that the VOFR ordinance requirements still haven't been met (plot plan and foundation plan with flood openings). After meeting with the state NFIP representatives, it was determined that the Village needs to review its Flood ordinance as it compares to the state's model ordinance due to the restrictive language in the Village's ordinance.

- After meeting with the state NFIP representatives, I drafted a memo outlining what has happened and the state's recommendation that we look at and update our Flood Ordinance. Council approved a contract with Land of Sky for the ordinance update as well as technical assistance with the administration of the ordinance. Kaitland Finkle will lead a discussion of the comparison of our current ordinance language with the model ordinance from the state at the September Council meeting.
- The Historic Landmark Commission last held a meeting in April 2022. The situation at Beaumont may necessitate the involvement of the commission soon. The property was sold to Beaumont House LLC and closed on May 31st, 2024. According to HFR, the current owner intends to sell the property to someone who wants to restore it. No further updates.

Planning Board and Board of Adjustment Meetings:

- The Board of Adjustment did not meet in August. They are still planning on looking at their bylaws at a future meeting. An organizational meeting is recommended.
- The Planning Board met in August to review potential policy changes/recommendations to the Land Development Ordinance. This continued at the September meeting. The next scheduled meeting is October 1st, 2024.

**Village Administrator Report
September 6, 2024**

Flat Rock Crime Reports:

Information obtained from the Citizen Connect incident map link on Henderson County Sheriff's Dept. website shows a map with icons indicating an incident, but with no street names (or dates) 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.

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

The call for service history provided by the Sheriff's department to the Village reveals 126 total calls, with 75 under the law category, 22 under fire, and 29 under EMS. Out of the 75 calls under "law", 4 were listed for animal enforcement, 1 listed as animal enforcement phone call, and 4 listed as wildlife.

Website/Facebook Report/EV Charging Station Stats:

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

- There were 7527 - page views on the home page of the website, an increase of 862 from the previous month.
- The calendar had significantly more views than the default home page this month with a total of 13,187 views.
- Following the default home page views, the following 12 sections were viewed most, in descending order: Media Archives, About Us, Park Facilities Reservation Calendar, Park Facility Reservations, Meeting Room Reservations, Mayor and Council, Contact Us, Park FAQ, Shopping and Dining, How Do I ..., Village Property Tax Information North Highland Lake Road Project.
- 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, road construction updates, and information about the Dye Creek Project including the construction of the pedestrian bridges and the upcoming Shred Day in October.
- Facebook stats for August 2024:
 - Followers: 1919
 - Post Engagement: 141
 - Post Reach: 639
 - New Followers: 4
- Electric Vehicle Charging Station Uses:
 - August 2024: 23- Utility cost for last 30 days=\$59.00 for 399 kWh based on \$0.15 per kWh. The Village started charging \$0.20 per kWh last August. Session Fees are the amount ChargePoint collects and remits to the Village. For August 2024 it was \$62.70.

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 August. Updated website as needed.
- Park related issues and staff support: Worked with Council Member Carpenter, Council Member Toner, Michael Dages, and Tracey Daniels. The Park Commission met on August 22nd, 2024. The next scheduled meeting is September 26th, 2024.
- Park updates include Dye Creek project, Qigong, foundation events, and Kiosk refurbishing. Starting a review of Ordinance No. 91, which is the Park Rules. They need to be reviewed and updated. Also discussed feedback from a visually impaired visitor about the possible upgraded signage or phone apps.
- Attended the Park Foundation meeting on August 5th, as well as September 9th, 2024. The next scheduled meeting is October 7th, 2024.
- The Park Foundation approved a reimbursement request of \$53,567.33 to the Village.
- Attended the Park Foundation Board Workshop on August 26th, 2024. Several ideas were discussed for the area of the park along North Highland Lake Road. Also discussed the 10-year anniversary of the park and celebrations the Foundation may be considering that will take place throughout the year.
- 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. Fundraising for the Dye Creek project has exceeded expectations.
- Michael has submitted three reimbursement requests to NCDEQ. The first two have been received, totaling over \$9,000. Update: The third payment, which is the largest by far, should have been received by August 15th. Michael followed up and they are now saying we should have it by September 19th.
- Dye Creek Project Management Contract- The amended contract was approved and signed.
- Council awarded the Dye Creek project to Baker Grading and Landscaping. They have completed all the work except for final plantings.
- Council awarded the bridges contract to Enterprise G. There was a pre-construction meeting on August 29th, and work has begun.
- Land of Sky ARP - Staff and Council continues to work with Mary Roderick as needed. She submitted our annual report April 25th. We will need to report again next year. She has requested the FY24 annual reports for the VOFR Community Assistance Program from all recipients.
- The Flat Rock Transportation Advisory Committee last met on June 11th, 2024. Radar speed signs for Little River Road have been received. The September meeting was cancelled. The next scheduled meeting is December 10th, 2024.
- Have confirmed estimates for budget purposes to repaint the ceiling in the Highlander Room and the exterior of Village Hall. Will contact after July 1st.

- Met with Council Member Jeter and the vendor reference polo shirts for administrative and park staff. An order for shirts was placed and shirts have been received.
- Attended the South Mountains Risk Assessment and Mitigation Strategy meeting. It appears that we should have a process in place for doing “Substantial Damage Estimates” following a flood event. Documentation of our process has been requested.
- The Village agreed to buy a new telephone system through AT&T. Southern Alarm has already come and completed their work, with the phone installation was completed as well.
- Laserfiche has been transferred to the cloud this week.
- Our IT contractor is working with Edmunds to migrate to the cloud-based system.
- Our IT contractor recently discussed with me that he thinks he might be able to connect the park to our server here at Village Hall, however he discovered that the new phone system and alarm configuration used the remaining open ports on the AT&T gateway. We will look into getting the possibility of getting another gateway that more ports.

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, and Park Director

City of Hendersonville Public Works Director, Planning Manager

Town of Fletcher Manager, Park Director, and Planning Director

Henderson County Planning Director, and Planning Staff

Henderson County Director of Site Development

Henderson County Emergency Operations

Attended a joint FBRMPO/TCC meeting August 1st, 2024.

Attended the FBRMPO TCC meeting (via Zoom) on August 8th, 2024.

Attended the South Mountains Risk Assessment and Mitigation Strategy Meeting (via Teams) on August 14th, 2024.

Attended the Henderson County TAC meeting (via Teams) on August 21st, 2024.

Report prepared by:

Patricia Christie, CZO

Village Administrator

Tax Collection Report

September 11, 2024

2024/25 Tax Year

2024/2025 Property Tax

Billed	\$1,683,127.80
Collections	417,725.55
Remaining	\$1,265,532.85

Collection percentage	24.82%
-----------------------	--------

Collections are proceeding in a good manner. No problems foreseen at this time.

The last account from the prior year is at the Clerk of the Superior Court in papers filed by the Village Attorney. Payment should be received not later than the end of next week.

Nick Weedman
Finance Officer