AGENDA
VILLAGE OF FLAT ROCK COUNCIL MEETING
VILLAGE HALL ASSEMBLY ROOM
110 VILLAGE CENTER DRIVE
OCTOBER 12, 2023
9:30 AM

Call to Order

Moment of Silent Meditation

Pledge of Allegiance

Public Comments

Agenda Approval/Changes

Consent Agenda

1.
   - September 5, 2023 – Agenda Workshop Minutes
   - September 14, 2023 – 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. Amendment to Ordinance No. 120 – Budget Officer Toner

New Business

8. Park Guidelines for Outside Events – Council Member Carpenter
9. Board of Adjustment nomination – Council Member Gregory
10. Ordinance No. 125 – Ordinance to Adopt the Dye Creek Capital Project – Budget Officer Toner
11. Historic Flat Rock – Mayor Weedman

Other Business

12. Mayor – Council Reports

Public Comments

Adjournment

VILLAGE OF FLAT ROCK COUNCIL MEETING MINUTES
VILLAGE HALL – ASSEMBLY ROOM
110 VILLAGE CENTER DRIVE
OCTOBER 12, 2023
9:30 A.M.

Mayor Weedman presided over the October 12, 2023, council meeting at 9:30 a.m. Those present in addition to Mayor Weedman were Vice Mayor Coletta, Council Members Carpenter, Dethero, Gregory, Jeter, Toner, and 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 – Polly Angelakis, Superintendent of Carl Sandburg National Historic Home, mentioned that on Sunday, October 15, 2023, there will be a 55th Anniversary Celebration of the National Park Service acquisition of the Carl Sandburg Home. She also gave an update of upcoming events and noted that engineers should have a design of work to repair the dam in early 2024.

Agenda Approval/Changes

Under *Old Business, Item #7 – Amendment to Ordinance No. 120,* under *New Business, Item #10- Ordinance No. 125, Item #11 – Historic Flat Rock – Car Show* 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:

   - September 5, 2023 - Agenda Workshop Minutes
   - September 14, 2023 – Council Meeting Minutes

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

Special Reports

2. Administration – Village Administrator Christie

Village Administrator Christie reviewed the September 2023 zoning report dated October 9, 2023, and the Village Administrator report dated October 6, 2023 (see attached reports).

3. Park Update – Council Member Carpenter

Council Member Carpenter turned it over to Council Member Toner, who gave an update on the following from the September 28, 2023, Park Commission meeting:

- Residents from Highland Golf Villas were in attendance to voice concern over the possible Pinecrest Church Halloween event, based on experience from last year's event. Park Director Dages informed the residents the event had been cancelled due to logistical issues

with the closed road and transit back and forth between the Park and Pinecrest Church.

- There was discussion about having bilingual signage in the park by replacing signs as they age with signs in bilingual language. No consensus was reached at the meeting, and the Park Commission will provide thoughts to Council Member Carpenter, Park Director Dages, Village Administrator Christie, and Council Member Toner.
- There was discussion of establishing a Chestnut Orchard in the Park. Chestnut trees were a native species destroyed by blight. There are now some blight resistant species that might make a visible presence in the Park.
- Georgia Bonesteel is putting together some additional information concerning potential new signage in the Pollinator Garden.
- Andrew Bick, engineering consultant for the Dye Creek project, has put together a near final bid package. Park Director Dages has sent the bid package to Village Attorney Sharon Alexander for her input. He has requested final input from Council Member Carpenter so the bid request can go out and meet the proposed November project start.
- In September, visitation to the park accounted for 623 cars/day, up from 559 in August.
- Barry Warthen, Park Commission member, is moving out of Flat Rock. He could stay on the board even if he does not reside in Flat Rock; however, it might be best to have a current Highland Golf Villas resident on the board, so there will be some activity on membership in the near term.

4. Foundation Update – Council Member Toner

The Park Foundation met Monday, October 9, 2023, discussing the following:

- Council Member Toner thanked council members for attending the Daffodil Project Groundbreaking, Tuesday, October 10, 2023. He also thanked Tracey Daniels, Foundation Development Director, and Sharon Nunnelee, Foundation president-elect, for a successful event.
- Ms. Daniels and Ms. Nunnelee attended an in-person meeting last month to pitch the $25,000 Rudnick Grant request for Dye Creek. It was well received, and the Foundation hopes to hear the results by mid-month.
- Fundraising appeals for Dye Creek are going well. Ms. Daniels reports the Foundation has raised over $50,000, not including any grant money. If the Rudnick Grant money comes through, a total of $267,000 will have been raised so far, and including the ARP money, that would be over $480,000.
- Marketing for contributions will continue through the fall. Park Director Dages did a WTZQ radio interview marketing the Dye Creek project. Ms. Daniels has planned numerous other radio promotions and email blasts through the remainder of the year, as well as an article in Cliffs Community newsletter, STROLL, targeting Dye Creek and the usual end-of-the-year campaign targeting "Giving Tuesday," November 28, 2023.
- The Foundation is working with Council Member Jeter on a Volunteer Appreciation party, Monday, October 30, 2023.
- Park Foundation will be holding the Pumpkin Sale at the Park, Saturday, October 14, 2023, 10:00 a.m. – 1:00 p.m.
- Park Director Dages commended quarterly reimbursement items to the Foundation, and all were approved $4,723.

- Council Member Toner, Park Director Dages, Village Administrator Christie, Ms. Nunnelee and Katie Glockler, Foundation treasurer, met to identify responsibilities for interaction with the N.C. Dept of Environment Quality on reimbursements associated with the grant received for the Dye Creek project, as well as a number of clarifying questions as the project begins.

5. Transportation Update – Vice Mayor Coletta

Vice Mayor Coletta reported the following:

- The Flat Rock Transportation Advisory Committee last month created a subcommittee to review the scenic byway situation for W. Blue Ridge Road. Committee Member Patrice German is the head of the subcommittee, with the first meeting scheduled for Friday, October 27, 2023, at 10:00 a.m., to begin the preliminary application process.
- On the N. Highland Lake Road project, Vice Mayor Coletta spoke with the N.C. Dept of Transportation (NCDOT) head representative at the Mills River office who informed her of several issues with moving into the winter months: 1) sometime in October, the contractor moves into winter hours and has extensive flexibility as to when work may take place due to temperatures and weather conditions, and 2) winter weather could affect replacing the culvert portion of the road, getting it finished and drivable before winter. When the weather gets to a certain temperature at night, asphalt plants stop producing asphalt until spring.
- Vice Mayor Coletta mentioned the majority of the delay with the N. Highland Lake Road project has not been caused by NCDOT, but rather incorrect water and sewer line maps from the City of Hendersonville. Currently the official completion end date is around December 2024, but that date could change.
- Vice Mayor Coletta presented a Greenville Highway Speed Sign Report showing data collected from the speed signs at the north and south ends of Greenville Highway for the months of August and September. The speed signs captured data for the month of August but did not display car speeds. Both signs were turned on beginning September 1st to display the speeds. She feels the speed signs are making a difference in people slowing down on Greenville Highway. There have been previous discussions of having speed signs installed on Little River Road. At the November agenda meeting, Vice Mayor Coletta will ask for consensus of council members in purchasing and installing two speed signs on Little River Road.

6. Tax Report – Mayor Weedman

Mayor Weedman reported that, as of October 12, 2023, the current fiscal year tax collections are 30.37 percent total collected (no official report available).

Old Business

7. Amendment to Ordinance No. 120 – Budget Officer Toner

Budget Officer Toner presented an Amendment to Ordinance No. 120 Grant Project Ordinance handout to transfer the remaining money out of the ARP Special Revenue Fund into the General Fund. Budget Officer Toner made a motion to approve the Amendment to Ordinance No. 120, seconded by Council Member Carpenter. The motion was carried by unanimous vote.

New Business

8. Park Guidelines for Outside Events – Council Member Carpenter

Council Member Carpenter mentioned the Park Commission will review the guidelines for consideration. Item was deferred, no action taken.

9. Board of Adjustment nomination – Council Member Gregory

Council Member Gregory explained the Board of Adjustment has an alternate opening and Cam Boyd has expressed interest in serving on the board. Council Member Gregory made a motion to appoint Mr. Boyd to serve as an alternate, seconded by Council Member Jeter. The motion was carried by unanimous vote.

10. Ordinance No. 125 – Ordinance to Adopt the Dye Creek Capital Project – Budget Officer Toner

Budget Officer Toner presented Ordinance No. 125. Budget Officer Toner made a motion to approve Ordinance No. 125, seconded by Council Member Carpenter. The motion was carried by unanimous vote.

11. Historic Flat Rock – Mayor Weedman

Mayor Weedman mentioned Luke Hunter, of Historic Flat Rock, Inc. (HFR), has requested use of the Village Hall's parking lot for a car show on Saturday, October 21, 2023. Mayor Weedman asked that the electric vehicle charging station parking spaces remain open for use. After discussions, Mayor Weedman made a motion to permit HFR to use the parking lot for a car show on Saturday, October 21, 2023. The motion was seconded by Vice Mayor Coletta and was carried by unanimous vote.

Other Business

12. Mayor – Council Reports

Council Member Dethero mentioned Roy Dickerson, who provides the ice cream for the annual ice cream social, has asked that the Village decide by January 1, 2024, if they want to continue to use him so that the Village can be added to his schedule. Council Member Gregory mentioned she is investigating other alternatives to provide the ice cream. Council Member Dethero mentioned he is continuing to add more residents to the list for Kudzu spraying for next year.

Council Member Gregory mentioned Saturday, October 14, 2023, 9:00 a.m. – 11:00 a.m. is Shred Day. Henderson County Sheriff's Office will also be here for the pill drop-off event.

Council Member Toner mentioned council members have received the September monthly budget report, with only a couple of accounts running high. Mr. Carl Shaw, Auditor, will be making the

FY 22-23 audit presentation at the December council meeting.

Council Member Jeter mentioned the Land of Sky Regional Council meeting was September 27, 2023. The Park Volunteer Appreciation Picnic is Monday, October 30, 2023, and a gift basket will be given away.

There were discussions of plurality elections: if the current N.C. Senate Bill 68 passes, the Village will need to amend the Village's Charter to reflect the switch from primary to plurality municipal elections.

Mayor Weedman mentioned Council Member Dethero has formally resigned. Three candidates have expressed an interest in serving Council Member Dethero's remaining term of one year. Village Council will vote at the November Council meeting for the new council member to start the term in December 2023.

Public Comment – Ms. Nunnelee thanked Council Member Jeter for helping with the Park Volunteer Appreciation Picnic.

Blue Ridge Fire Chief Will Sheehan mentioned Historic Flat Rock, Inc. is welcome to use the fire department's property for the car show if needed.

Adjournment

At 11:10 a.m., Council Member Gregory made a motion to adjourn the meeting, seconded by Vice Mayor Coletta. 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: October 9, 2023

Ordinances Activity Report for September 2023

Ordinance Activities	This Month	2023 YTD	2022 YTD
Compliance Certificates Approved for SFD's	0	11	18
Temporary Compliance Certificates Approved	0	0	0
All Other Compliance Certificates Approved	4	23	17
Certificates of Occupancy/Compliance Approved	3	33	28
Variance Applications	0	0	1
Special Exception Application	0	0	0
Special Use Permit Applications	0	1	0
Appeal Applications	0	0	0
Special Use Permit Amendment Applications	0	0	0
Rezoning/Text Amendment Applications	0	0	1
Subdivision Application	0	0	0
Floodplain Development Application	0	0	1
Sign Permits	0	1	1
Historic Landmark Status Application	0	0	0
Ordinance Fees Received	$300.00	$3,725.00	$4,575.00

September 2023 Ordinances Activity Report

Certificates of Zoning Compliance applications approved:

4 – Additions, deck, deck additions - (Dunroy X 2, The Farm at Highland Lake Village, Chantelope)

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 for a quasi-judicial evidentiary hearing at Council's July 13th meeting. The hearing was recessed and reconvened to July 31st where it was approved (with conditions). They are still in the process of getting their erosion control/stormwater permits from the County, and they are submitting final revisions that the city asked for on water and sewer. They are also finalizing figures 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.
- Worked with Flat Rock Playhouse Board of Trustee's representative, Joe Ippolito, in reference to a lot with a SFD on it that they wanted to expand. Consulted with village attorney about nonconforming language in the LDO and they worked to combine lots (recombination plat) for the Village to review. Received recombination plat to review and approve. Met with Mr. Ippolito and Mr. Kelsch (architect). Mr. Kelsch has inspected the existing building and is now recommending that the existing structure be demolished and a new one built to meet their needs. This will require a variance due to setback requirements.
- Continued work on securing a contract for an audit of our LDO. Met with Council Member Gregory, Vice Mayor Coletta, and Planning Board Chair Platz to review the MOA from Land of Sky and scope of work. This was presented to Council for approval at the September meeting and was signed by all parties on September 27th, 2023. Met with consultant on October 10th, 2023, to discuss and review notes I had accumulated over the years. She has already started her review and made changes to improve navigation. Will be working on links within the document and to general statutes which she estimates will be done in the next 10 days.
- Had an inquiry about church property in R-20 (which is only allowed as a special use). The lot is nonconforming and additionally, a Special Use Permit (SUP) would be needed for them to make any improvements to the property. Consulted with Village attorney to see how to advise a potential path forward. Have met with Churches representative twice thus far to review SUP and variance procedures.
- Signed off on one construction form not requiring a certificate of zoning compliance in Kenmure.
- Received a permit request for a restaurant in Flat RockSqaure to build a platform for a cooler. This commercial complex was permitted under a single site plan in the early 2000's as a Commercial Planned Unit Development. Have pulled the old permit(s) to see what was approved, any conditions, etc. have spoken with the property owner who has no specific knowledge that was helpful. Next step would be to contact village attorney.
- Signed off on zoning section of one ABC permit in Highland Lake Village.
- Met with prospective buyers of "Braewood" property to discuss zoning requirements.
- Lakehouse Academy asked for copies of their Special Use Permits. They are looking into becoming a residential treatment center in order to accept insurance.
- Worked with a realtor about a property on Greenville Hwy that wants to do a recombination and possibly subdivide the property later.
- Worked extensively with a property owner on Greenville Hwy about placement of a storage shed on the property, i.e. setbacks, location on lot.

SCO, TPO, FDPO, HLO:

- Was contacted by a new property owner last December for a property on Middleton Rd. There is an existing barn on the property built under an agriculture "exemption" which means no building permit was approved. In 2005, the Village issued a zoning approval to remodel the barn to add living quarters. The new owner wants to redo the interior and possibly add an accessory building to the property. This property is in the flood plain and it appears that the original building (barn) did not receive a flood permit. All of this took place prior to the Village having a flood plain ordinance in place. It was recommended that the owner get an elevation certificate done and send it to us to see the existing elevation of this building. Was contacted again by the property owner who sent us the elevation certificate. Sent elevation certificate to Andrew Bick who advises keeping renovations below 50% of market value or FEMA requires the entire structure to be brought into compliance. Any new construction will have to meet current Flood Plain ordinance standards.
- 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 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. Gave him the CZC form and asked about the CLOMR-F request. He had some paperwork with him from FEMA dated June of 2021 which was FEMA's conditional concurrence of the 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 in after receiving a notice from the tax collector. We discussed that he still needs to get both a floodplain permit and a certificate of zoning compliance permit. Also confirmed that he could apply to FEMA for a letter of map revision for fill (LOMR-F) after construction. Update: Received an elevation certificate via email on October 4th, 2023. Reminded him that he still needs a flood plain permit and a zoning permit. Emailed both applications again. Applications dropped off at office on October 6th, with no plans or documentation.
- The Historic Landmark Commission last held a meeting in April 2022. Victoria Flanagan had been working on producing a procedural document for granting landmark status and reviewed her proposed changes to the application and "sequence of events" handout. 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 September. They are still planning on looking at their bylaws at a future meeting.

- The Planning Board met on September 5th, 2023, where they introduced a new member and held the election of officers. Barbara Platz remains Chair with Bruce Holliday as Vice Chair. They did not meet in October. The next scheduled meeting will be November 7th, 2023.

Village Administrator Report
October 6, 2023

Flat Rock Crime Reports:

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

Reporting period of September 1, 2023 – September 30, 2023:

The Citizen Connect webpage shows a map with icons indicating an incident, but with no street names to confirm location. The map locations are historically inaccurate and need to be verified as being within Village boundaries. Therefore, I am not including the incidents for this month.

Website/Facebook Report/EV Charging Station Stats:

Reporting period of September 1, 2023 – September 30, 2023:

- There were 4597 - page views of the home page of the website, an decrease of 724 from the previous month.
- Following the default home page views, the following 12 sections were viewed most, in descending order: Calendar, Park Facilities Reservation Calendar, Tree Preservation, Mayor and Council, About Us, The Park at Flat Rock, General Information, Park Facility Reservations, Archived Media Resources, Annual Audit Reports, North Highland Lake Rd Project, Shopping and Dining.
- 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, shred day announcement, road construction updates, and the reappraisal process.
- Facebook stats for September 2023:
  Followers: 1835
  Post Engagement: 237
  Post Reach: 1,182
  New Followers: 18
- Electric Vehicle Charging Station Uses:
  September 2023: 30- Utility cost for last 30 days=$91.00 for 607 kWh based on $0.15 per kWh. The Village started charging $0.20 per kWh through ChargePoint in August.

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 as needed. 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 September 28th, 2023. The next scheduled meeting to be held will be on October 26th, 2023, in the Rudnick Room at the Park.
- Michael Dages was on WTZQ on September 26th talking about the Dye Creek project.
- There will be a park volunteer fall picnic on Monday Oct. 30th, at the park pavilion.
- Park updates include Dye Creek, and the North Highland Lake Road project, native bee and pollinator signage, the Daffodil Memorial Garden, bilingual signage, and planting Chestnut trees.
- Attended Park Foundation meeting on September 11th, 2023.
- Dye Creek- The Park Foundation has been investigating grant funding for this project as well as conducting their own fund raising. Received one grant for $20,000 for signage. Received word that the grant from the North Carolina Division of Water Resources was fully funded at $190,580.00. The contract with DEQ was approved and signed. They are pursuing a grant through the Community Foundation and should hear something any day now.
- Dye Creek Project Management Contract- The contract was approved and signed. We are working with Andrew Bick on final bridge design and bid package language now.
- Natalie Berry (Henderson County Director of Site Development) reviewed and approved the flood plain permit for the Dye Creek project.
- Land of Sky ARP - Staff and Council continues to work with Mary Roderick as needed. Ms. Roderick submitted our annual report on April 14th, 2023, and sent us the annual reports from our grantees.
- The Flat Rock Transportation Advisory Committee will be meeting quarterly in 2023. They met on September 12th, 2023, with a presentation by county staff with an overview of the Henderson County Transportation Advisory Committee. Their next scheduled meeting will be held on December 12th, 2023.
- Council approved the installation of the speed radar signs. The signs were activated, and Vice Mayor Coletta is downloading information from them.
- Kudzu treatment requests-Kudzu treatments are complete. Council Member Dethero continues to communicate with property owners who want to be on the list for next year.
- Obtaining estimates to repaint the ceiling in the Highlander Room and the exterior of Village Hall. Have two estimates. Carol is working on getting a 3rd estimate.
- Working with Carol Richard and Council Member Jeter to review the personnel policy and propose possible updates. Asked Carol to look at the policies from Hendersonville, Mills River, Fletcher, and Laurel Park. She also reviewed the state personnel policy for possible updated language. We met with Council Member Jeter and did a first review of possible language changes. Carol will make the changes as well as do some more minor additional research. She believes she will have those ready by the end of the month.
- Completed NCLM 2023 Municipal Salary survey (as requested by Mayor Weedman).

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 Park Director, Planning Director, and Planning Staff
Henderson County Director of Site Development
Henderson County Emergency Operations
Attended (via Zoom) the Land of Sky Regional Council Managers meeting on September 6th, 2023.
Attended the virtual meeting of the French Broad River Metropolitan Planning Organization Technical Coordinating Committee (FBRMPO TCC) on September 14th, 2023.
Attended (via Teams) the Henderson County Transportation Advisory Committee (TAC) on September 20th, 2023.

Report prepared by:
Patricia Christie, CZO
Village Administrator