AGENDA
VILLAGE OF FLAT ROCK COUNCIL MEETING
VILLAGE HALL ASSEMBLY ROOM
110 VILLAGE CENTER DRIVE
DECEMBER 14, 2023
9:30 AM

Call to Order

Moment of Silent Meditation

Pledge of Allegiance

Public Comments

Agenda Approval/Changes

Consent Agenda

1.
   - October 30, 2023 – Agenda Workshop Minutes
   - November 9, 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. Personnel Policy – Council Member Jeter

Council Organization

8. Council Member Appointment – Term December 2023 – December 2024
9. Council Member Responsibilities – Mayor Weedman

New Business

10. Appointment to Flat Rock Transportation Advisory Committee
11. Resolution No. 237 – Establishing a January 2024 – December 2024 Schedule of Public Meetings and 2024 Holiday Schedule – Mayor Weedman
12. Park Use Rules Permit Application – Council Member Carpenter

Other Business

13. Mayor-Council Reports

Public Comments

Adjournment

VILLAGE OF FLAT ROCK COUNCIL MEETING MINUTES
VILLAGE HALL – ASSEMBLY ROOM
110 VILLAGE CENTER DRIVE
DECEMBER 14, 2023
9:30 A.M.

Mayor Weedman presided over the December 14, 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 the visitor shuttle van has arrived and is very much appreciated. Engineers should have a design of work to repair the dam in early 2024. Christmas at Sandburg is tomorrow, December 15, 2023.

Agenda Approval/Changes

Under *New Business - Item #10, Appointment to FRTAC* was 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:

   - October 30, 2023 - Agenda Workshop Minutes
   - November 9, 2023 – Council Meeting Minutes

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

Special Reports

2. Administration – Village Administrator Christie

Village Administrator Christie reviewed the November 2023 zoning report dated December 11, 2023, and the Village Administrator report dated December 11, 2023 (see attached reports).

3. Park Update – Council Member Carpenter

Council Member Carpenter mentioned the Park Commission met November 30, 2023. The Chestnut trees have arrived and been planted. The Park Commission will not be meeting in December but will resume in January.

4. Foundation Update – Council Member Toner

Council Member Toner reported the Park Foundation did not meet in December 2023. Planning is continuing for next year's activities.

Tracey Daniels reported on the following;

- Fundraising for the Dye Creek project was a huge success and surpassed the initial goal.
- The Foundation is now focusing on end-of-year fundraising.
- Planning has started for the 10th Anniversary of the Park celebration.
- Sharon Nunnelee will be the incoming president starting January 2024. Maurean Adams will continue to serve on the board, stepping down as president.

Tracey thanked the Village Council for their support during the year with her health issues.

5. Transportation Update – Vice Mayor Coletta

Vice Mayor Coletta reported the following:

- The North Highland Lake Road project is progressing. The Dye Creek section from Spartanburg Highway to Highland Lake Drive is almost completed, but NCDOT cannot open the road until the guardrails are installed.
- There will be no HCTAC or FBRMPO meetings in December but will resume in January 2024.
- The FRTAC met this past Tuesday.
- Member Patrice German will no longer be serving on the FRTAC, so the Committee hopes for council approval to appoint Dennis Flanagan to serve the remainder of her term.
- The Committee is also getting traffic incident reports for Little River Road and West Blue Ridge Road to help determine the best locations for speed signs.

6. Tax Report – Mayor Weedman

Mayor Weedman reported that, as of December 13, 2023, the current fiscal year tax collections are at $939,075.68 (70.07 percent) total collected (see attached report).

Old Business

7. Personnel Policy - Council Member Jeter

Council Member Jeter presented a handout of the Personnel Policy showing the status of recommendations/decisions, and the requested changes from the Village Attorney and another legal associate. Council Member Jeter recommends the changes from the legal counsel. After discussions, Council Member Jeter made a motion to approve the policy pending the definition of excessive absentees, seconded by Council Member Carpenter. The motion was carried by unanimous vote.

Mayor Weedman thanked Council Member Jeter, Village Administrator Christie, and Deputy Village Clerk Richard for their hard work on preparing the policy.

Council Organization

Mayor Weedman and council members thanked Council Member Dethero for his service serving on Village Council for four years. Mayor Weedman presented Council Member Dethero with an award.

8. Council Member Appointment - Term December 2023 - December 2024

Mayor Weedman appointed Cheryl Stuller by administering the Oath of Office for Council Member District 3.

9. Council Member Responsibilities - Mayor Weedman

Mayor Weedman mentioned the responsibility lists were previously passed out at the agenda meeting for their review. He asked Council Member Stuller to review her list and discuss any changes at the January 2024 agenda meeting.

New Business

10. Appointment to Flat Rock Transportation Advisory Committee (FRTAC)

Vice Mayor Coletta made a motion to appoint Dennis Flanagan to serve the remaining term of Patrice German, term ending July 2024, seconded by Council Member Carpenter. The motion was carried by unanimous vote.

11. Resolution No. 237 - Establishing a January - December 2024 Schedule of Public Meetings and 2024 Holiday Schedule - Mayor Weedman

Mayor Weedman made a motion to approve Resolution No. 237, seconded by Council Member Carpenter. The motion was carried by unanimous vote.

12. Park Use Rules Permit Application - Council Member Carpenter

Council Member Carpenter passed out the Park Use Rules & Permit Application with revised changes in red. Council Member Carpenter made a motion to approve the revised application, seconded by Council Member Jeter. After discussions, the motion was carried by unanimous vote.

Mayor Weedman mentioned Will Sheehan has requested in 2024 the use of the Staton Pavilion for his son's graduation. Mayor Weedman made a motion to not charge Will Sheehan, seconded by Council Member Carpenter. After discussions, it was agreed to waive the usage fee of $125 but pay the $100 security deposit.

Other Business

13. Mayor – Council Reports

Council Member Gregory mentioned the report from the Sheriff's Office showed that the number of animal control calls within the Village are very small.

Council Member Toner reported the November budget report is in great shape and the Village is in excellent financial shape. Auditor Carl Shaw will make the fiscal year 2022/2023 financial presentation in January 2024.

Vice Mayor Coletta mentioned the Village's website has been redesigned but needs some tweaking.

Council Member Jeter mentioned Village Administrator Christie attended the Land of Sky Regional Council meeting while she was out of town.

Public Comments

Mr. Clifford Meeks, a resident of Hendersonville, talked about the reconnection of passenger rail service between Asheville, NC and Salisbury, NC. He presented a letter and a map showing support from the City of Hendersonville.

Adjournment

At 10:47 p.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: December 11, 2023

Ordinances Activity Report for November 2023

Ordinance Activities	This Month	2023 YTD	2022 YTD
Compliance Certificates Approved for SFD's	0	14	18
Temporary Compliance Certificates Approved	0	0	0
All Other Compliance Certificates Approved	1	26	17
Certificates of Occupancy/Compliance Approved	4	39	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	$75.00	$4,400.00	$4,575.00

November 2023 Ordinances Activity Report

Certificates of Zoning Compliance applications approved:

1 – Deck - (Kenmure)

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

Misc. zoning and other ordinance issues:

- Minor subdivision at Trenholm and Little River Rd approved (Captain Smyth's Preserve). Infrastructure has been installed. Plat was signed and has been recorded. Need proof of covenants being recorded at the register of deeds and the homeowner's association still needs to be established through the secretary of state before any lots can be sold. We have been informed that the owner's trustee has all the needed information to complete these tasks. No further updates.
- 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. No further updates.
- The contract for an audit of our LDO was approved and signed by all parties. Met with consultant in October to discuss and review notes. She is also reviewing the existing LDO for compliance with 160D, reviewing definitions, processes, and standards for clarity, and identifying contradictions and ambiguities. She made her first presentation to the Planning Board on November 7th, 2023. Met with her again thanksgiving week. She was not able to attend the December planning board meeting. Further review of the LDO was conducted in her absence. I will be forwarding her questions that arose from that meeting. She is planning to attend the January meeting.
- 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. No further updates.
- Lakehouse Academy asked for copies of their Special Use Permits. They are looking into becoming a residential treatment center in order to accept insurance. The Mayor and I met with the executive director to gain a better understanding of what they are trying to do. Asked village attorney to advise upon review of LDO language. She advises that we can confirm zoning for a private school, but that's all.
- Received an application for five new units at the Mill House Lodge property. The owner presented a document that claims there are only 40 units currently on site which would allow him to build five more to bring the total up to the forty-five allowed by the M-L zoning district as a permitted use. Asked the tax collector to confirm the current number of units through the tax records, which she did. After reviewing the LDO language I contacted the village attorney about the request, our LDO language, and their declaration of condominium document. Confirmed that the special use permit process is appropriate.
- Met with Brent Crowell about the potential sale of his father's property above Dunroy. Met with potential buyers as well. Will likely require a variance application.

SCO, TPO, FDPO, HLO:

- In April of 2021, we received an inquiry from an engineer out of Forest City about lots 16/17 on Mockingbird Dr. in Statonwoods which are located in the floodplain. He was asking about bringing fill onto those lots to take a portion of them out of the floodplain. He worked with our Floodplain Consultant reference permitting requirements. Signed off on Community Acknowledgement Form (FEMA) for a Conditional Letter of Map Revision (CLOMR) request. In September of 2022, the property owner came into the office requesting a certificate of zoning compliance application to build a SFD. He had some paperwork with him from FEMA dated June of 2021 which was FEMA's conditional concurrence of the (CLOMR-F) request. He still needs a floodplain permit and a CZC permit to bring in fill and build the house. In June of 2023, the property owner came into the office, and we discussed that he still needs to get both a floodplain permit and a certificate of zoning compliance permit. Received the first elevation certificate on October 4th, 2023. Reminded him again that he still needs a flood plain permit and a zoning permit and emailed both applications. The applications were dropped off at the office on October 6th, with no plans or documentation. Have had multiple communications with the owner's representative who has now brought the engineer from Forest City back into the mix. We have received and forwarded a total of three elevation certificates to our flood plain consultant because throughout this process, we thought the proposed house was going to be a slab on grade. The elevation certificates kept referencing a crawl space. Ultimately, we discovered that the owner wants to bring in fill and then cut into the fill to create a crawl space. Working with our local consultant and state official from the North Carolina Division of Emergency Management to work through the particulars. This change could affect the CLOMR-F previously issued by FEMA.
- The Historic Landmark Commission last held a meeting in April 2022. No future meetings are scheduled at this time.
- Permission was granted for the placement of banners on Village property last April and May. Both parties were notified. A policy discussion is still pending.

Planning Board and Board of Adjustment Meetings:

- The Board of Adjustment did not meet in November. They are still planning on looking at their bylaws at a future meeting.

- The Planning Board met on November 7th. At the November meeting, the LOS consultant for the LDO audit made her first presentation to the board. She was not able to attend the December meeting but will be at the January meeting. The next scheduled meeting will be January 9th, 2024.

Village Administrator Report
December 11, 2023

Flat Rock Crime Reports:

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

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

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

Website/Facebook Report/EV Charging Station Stats:

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

- There were 4317 - page views of the home page of the website, a decrease of 1297 from the previous month.
- Following the default home page views, the following 12 sections were viewed most, in descending order: Calendar, Home, Park Facilities Reservation Calendar, Park Facility Reservations, About Us, Mayor and Council, Meeting Room Reservations, 2023 Village Council Minutes, Archived Media Resources, Contact Us, The Park at Flat Rock, General Information.
- 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, and road construction updates. The new website launched December 7th.
- Facebook stats for November 2023:
  - Followers: 1843
  - Post Engagement: 228
  - Post Reach: 686
  - New Followers: 3
- Electric Vehicle Charging Station Uses:
  - November 2023: 17- Utility cost for last 30 days=$38.00 for 256 kWh based on $0.15 per kWh. The Village started charging $0.20 per kWh 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 November 30th, 2023. There will be no meeting in December.
- Looked at two oak trees at Park entrance.
- Park updates include Dye Creek, the North Highland Lake Road project, the Daffodil Memorial Garden, and a discussion about the park area reservation application.
- Attended Park Foundation meeting on November 6th, 2023.
- Dye Creek- The Park Foundation has been investigating grant funding for this project as well as conducting their own fund raising. They received one grant for $20,000 for signage and received word that the grant from the North Carolina Division of Water Resources was fully funded at $190,580.00. The contract between DEQ and the Village was approved and signed. They recently learned that the Rudnick grant through the Community Foundation was approved for $10,000.
- Dye Creek Project Management Contract- The contract was approved and signed. We worked with Andrew Bick on the final bid package language with input from Council Member Toner and our attorney. This was approved at the November Council meeting.
- The bid opening was December 4th. Project is set to rebid in January.
- 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 last April and sent us the annual reports from our grantees. Update: She shared the grant final report from Friends of Carl Sandburg.
- The Flat Rock Transportation Advisory Committee will be meeting quarterly in 2023. 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.
- Obtaining estimates to repaint the ceiling in the Highlander Room and the exterior of Village Hall. Now have three estimates but haven't compared them in order to bring them to Council.
- Working with Carol Richard and Council Member Jeter to review the personnel policy and propose updates. Carol reviewed multiple policies for updated language and put questions out on the clerk listserv for information. We met with Council Member Jeter to finalize the draft document. This draft was given to Council at the November agenda meeting to review and presented at the November regular council meeting which was continued to the December agenda meeting. Update: Draft policy sent to attorney who asked an associate who specializes in Human Resources to take a look. Comments received December 11th.

Community Meetings, Networking, Agency Contacts:

Hendersonville Lightning
HC Permits and Inspections
Hendersonville Development Assistance Dept.
Blue Ridge Fire Dept
Town of Mills River Manager, Clerk, Zoning Administrator, and Park Director
City of Hendersonville Public Works Director, Planning Manager.
Town of Fletcher Manager, Park Director, and Planning Director
Town of Laurel Park Manager
Henderson County Planning Director, and Planning Staff
Henderson County Director of Site Development
Henderson County Emergency Operations
Attended the joint virtual meeting of the French Broad River Metropolitan Planning Organization Technical Coordinating Committee (FBRMPO TCC) and French Broad River Metropolitan Planning Organization (FBRMPO)on November 16th, 2023.
Attended (via Zoom) the Land of Sky Delegates meeting on November 29th, 2023.

Report prepared by:
Patricia Christie, CZO
Village Administrator

Tax Collection Report

December 13, 2023

2023/24 Tax Year

2023/2024 Property Tax Collection Report

Billed	$1,663,423.96
Releases	-$914.44
Collections	$939,075.68
Remaining	$497,518.22
Includes Utility billing	$13,065.71
Collection percentage	70.07%

Collections are proceeding without a problem. We hope to make a significant dent in the $497k remaining to be collected by the end of the year.

The first of two payments to the Fire Departments is due at the end of December.Payments will be:

Blue Ridge Fire and Rescue	$844,416
Valley Hill Fire and Rescue	289,964
Green River Fire	131,475
Total	$1,265,655

Please note that the collections shown above exclude approximately $60,301 taxes colleced on vehicles which is billed by the state. These funds are included in the amount to be paid to each Fire Department.

Nick Weedman
Finance Officer

RESOLUTION NO. 237

COUNCIL OF THE VILLAGE OF FLAT ROCK
A RESOLUTION ESTABLISHING A JANUARY – DECEMBER 2024
SCHEDULE OF PUBLIC MEETINGS AND
A 2024 SCHEDULE OF LEGAL HOLIDAYS

WHEREAS, it is required that a schedule of Council meetings for January – December 2024 be on file; and

WHEREAS, the Flat Rock Village Council has established a 2024 Schedule of Meetings and a 2024 Holiday Schedule;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Flat Rock as follows;

SECTION 1. The January – December 2024 Schedule of Meetings of the Flat Rock Village Council is hereby adopted and attached as Page 2 of this Resolution; and the 2024 Holiday Schedule is hereby adopted and attached as Page 3.

SECTION 2. This Resolution shall be in full force and effect for the year 2024.

SECTION 3. The January – December 2024 Schedule of Meetings and 2024 Holiday Schedule shall be filed among the public records in the office of the Village Clerk.

ADOPTED at a regular meeting of the Flat Rock Village Council on this 14th day of December 2023.

Michelle Parker, CMC
Village Clerk

Nick Weedman
Mayor

VILLAGE OF FLAT ROCK

JANUARY - DECEMBER 2024 SCHEDULE OF MEETINGS

Date and Time*	Meeting Type	Location**
Tuesday, January 2, 2024	Agenda Workshop	Village Hall
Thursday, January 11, 2024	Monthly Council Meeting	Village Hall
Monday, January 29, 2024	Agenda Workshop	Village Hall
Thursday, February 8, 2024	Monthly Council Meeting	Village Hall
Monday, March 4, 2024	Agenda Workshop	Village Hall
Thursday, March 14, 2024	Monthly Council Meeting	Village Hall
Monday, April 1, 2024	Agenda Workshop	Village Hall
Thursday, April 11, 2024	Monthly Council Meeting	Village Hall
Monday, April 29, 2024	Agenda Workshop	Village Hall
Thursday, May 9, 2024	Monthly Council Meeting	Village Hall
Monday, June 3, 2024	Agenda Workshop	Village Hall
Thursday, June 13, 2024	Monthly Council Meeting	Village Hall
Monday, July 1, 2024	Agenda Workshop	Village Hall
Thursday, July 11, 2024	Monthly Council Meeting	Village Hall
Monday, July 29, 2024	Agenda Workshop	Village Hall
Thursday, August 8, 2024	Monthly Council Meeting	Village Hall
Tuesday, September 3, 2024	Agenda Workshop	Village Hall
Thursday, September 12, 2024	Monthly Council Meeting	Village Hall
Monday, September 30, 2024	Agenda Workshop	Village Hall
Thursday, October 10, 2024	Monthly Council Meeting	Village Hall
Monday, November 4, 2024	Agenda Workshop	Village Hall - HR
Thursday, November 14, 2024	Monthly Council Meeting	Village Hall
Monday, December 2, 2024	Agenda Workshop	Village Hall
Thursday, December 12, 2024	Monthly Council Meeting	Village Hall

***All Monthly Council Meetings are scheduled for the second Thursday of each month, unless that Thursday is a holiday, and will start at 9:30 a.m. Agenda Workshops, which start at 9:30 a.m., precede Monthly Council Meetings by 10 days, unless that Monday is a holiday.**

****All meeting locations are in the Flat Rock Village Hall unless otherwise dictated by space requirements or other circumstances.**

VILLAGE OF FLAT ROCK

2024 HOLIDAY SCHEDULE

Monday	January 1, 2024	New Year's Day
Monday	January 15, 2024	Martin Luther King, Jr. Day
Friday	March 29, 2024	Good Friday
Monday	May 27, 2024	Memorial Day
Thursday	July 4, 2024	Independence Day
Monday	September 2, 2024	Labor Day
Monday	November 11, 2024	Veterans Day
Thursday	November 28, 2024	Thanksgiving
Friday	November 29, 2024	Thanksgiving
Tuesday	December 24, 2024	Christmas
Wednesday	December 25, 2024	Christmas
Thursday	December 26, 2024	Christmas

The Village Office will be ***CLOSED*** for the above-referenced holidays.

Adverse Weather

Any day the Henderson County public schools close because of adverse weather, the Village Hall may not open before 11:00 AM. At that time, a decision will be made as to whether the office is to open or remain closed.