



TOWN OF BLACK MOUNTAIN TOWN COUNCIL

March 10, 2025

REGULAR SESSION AGENDA

Time: 6:00 PM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

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1. CALL TO ORDER

- 1.A. Welcome
- 1.B. Pledge of Allegiance
- 1.C. Moment of Silence
- 1.D. Announcements
- 1.E. Ethics Statement

In accordance with the Code of Ethics adopted by the Council, all Council Members have a duty to conduct the affairs of the governing board in an open and public manner free of conflicts of interest. Is there any item on the agenda the outcome of which will have a direct, substantial, and readily identifiable financial impact for any Council Member, his or her family or close business associates? Does any Council Member have a financial interest in any public

contract coming before this Council today? There being none, all Council Members have a duty and obligation to vote.

2. PROCLAMATIONS, AWARDS, RECOGNITIONS, SPECIAL RESOLUTIONS

2.A. Proclamation Honoring Roberta Flack

**2.B. Proclamation for 2025 International Transgender Day of Visibility (TDOV)-
March 31, 2025**

3. CITIZEN COMMENTS

Individuals wishing to address the Council are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Council. **Comments by any one speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a **public hearing** scheduled for this meeting, please reserve your comment for the applicable public hearing. Town Council will not respond during citizen comment.

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

4.A. Storm Recovery Updates

5. CONSENT AGENDA

All items on the consent agenda are considered routine, to be enacted by one motion without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the consent agenda and considered separately.

5.A. Adoption of Meeting Minutes: February 6, 2025 Agenda Work Session, February 10, 2025 Regular Monthly Meeting & February 17, 2025 Special Called Meeting. - Wesley Barker, Town Clerk

Motion: Motion to approve the meeting minutes as presented (or amended).

5.B. Monthly Tax Collector Report - Laurel Mabery, Accountant

Motion: Motion to approve tax collector report as presented.

5.C. Consideration of Budget Amendments - Tammy Holland, Finance Director

Motion: I move that the Town Council approve the following FY24-25 budget amendments as presented.

5.D. Consideration of Interlocal Agreement with Buncombe County for Hazard Mitigation Grant Program - Josh Harrold, Town Manager

Motion: Motion to approve the Interlocal Agreement as presented.

6. PUBLIC HEARING - NONE

The chair will recognize individuals requesting to address the Council regarding the specific topic of the public hearing. **Public hearing comments by any one speaker shall be limited to ten (10) minutes.** The Mayor reserves the right to alter time limits and other rules of procedure at the beginning of each public hearing.

7. UNFINISHED BUSINESS

7.A. A Resolution Amending Resolution #R-24-40 Ratifying and Approving an Agreement for Professional Services for Disaster-Related Property Restoration Services. - Angela Reece, Facilities & Project Manager, Deputy Town Clerk

Motion: I move that Town Council approve the Resolution amending Resolution #R-24-40, paragraph 5, to approve a total fee not to exceed **\$1,289,975.62** to mitigate water intrusion and implement emergency repairs to prevent further degradation and restore town facilities to a safe, usable condition.

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9. NEW BUSINESS

9.A. Consideration of Donation of Surplus Police Vehicles to McDowell Tech - Steve Parker, Police Chief

Motion: Motion to approve the resolution of donation of surplus police vehicles to McDowell Tech as recommended.

9.B. Cragmont Park Project Viability Determination - Angela Reece, Facilities & Project Manager, Deputy Town Clerk

Motion:

1. I move that Town Council of the Town of Black Mountain authorize and direct the Town Manager to draft a letter for termination of convenience as outlined in the contract subject to Town Attorney approval, and provide a copy to Harper General Contractors Inc., **or**
2. I move that the Town Council authorize the Town Manager and Town Attorney to negotiate an amendment to the contract scope of work and capital project budget ordinance with Harper General Contractors Inc. as follows:

_____.

9.C. Approval of Phase II Design Build Construction Contract for SRP-SW-ARP-0026 (Floodbench) - Angela Reece, Facilities & Project Manager, Deputy Town Clerk

Motion: I move that the Town Council of the Town of Black Mountain approve the resolution and Phase II design-build contract with North State Environmental Inc. in the amount of \$4,700,000 for the Swannanoa River Floodbench and Wetland Construction Project# SRP-SW-ARP-0026.

9.D. Acceptance of Donation From Asheville Fence for Fencing Components at Veteran's Park - Josh Henderson, Recreation & Parks Director

Motion: Motion to approve the resolution to accept the donation from Asheville Fence as presented.

9.E. Approval to Pursue Grant Funding for the Dr. John Wilson Community Garden through Community Foundation of Western NC - Josh Henderson, Recreation & Parks Director

Motion: Motion to approve staff to pursue grant funding through the Community Foundation of Western North Carolina Emergency Disaster Response Fund (EDRF).

9.F. Authorization for Staff to Explore Town's Eligibility for a USDA Community Facilities Direct Loan - Jessica Trotman, Asst. Town Manager

Motion: Motion to authorize staff to explore the Town's eligibility for a USDA Community Facilities Direct Loan and report findings back to the Town Council.

9.G. Request for Council Direction on EPA's Lead and Copper Rule Improvements - Jessica Trotman, Asst. Town Manager

Motion: Given the uncertainty of the LCRI, staff seeks council decision on whether to:

1. **Pause further expenditures** on the lead service line inventory until the resolution is voted on, and its outcome is clear.
2. **Proceed with the planned fieldwork** to maintain progress and meet anticipated state/federal deadlines, regardless of the resolution's outcome.
3. **Seek additional legal or regulatory guidance** from North Carolina DEQ on state requirements in case federal rules are repealed.

9.H. Amended Project Ordinance and Resolution to Accept Funding for Hurricane Helene - Tammy Holland, Finance Director

Motion: The Finance Department requests the Town Council accept the funding loan by the NC Department of State Treasurer Cashflow Aid through the attached resolution, and approve the amended grant project ordinance and budget amendment as presented and recommended.

10. COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER

11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

12. CLOSED SESSION - NONE

13. ADJOURNMENT