



TOWN OF BLACK MOUNTAIN TOWN COUNCIL

May 12, 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. Special Employee Recognitions

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. Note: Council will not respond during the citizen comment period.

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

4.A. Buncombe County Helene Recovery Updates

4.B. Public Works Report

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: April 2, 2025, Budget Meeting; April 9, 2025, Budget Meeting; April 10, 2025, Agenda Work Session; April 14, 2025, Regular Meeting; April 23, 2025 Budget Meeting; May 1, 2025 Budget Meeting. -

Wesley Barker, Town Clerk

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

5.B. Extension of Tax Collection Agreement with Buncombe County - Tammy Holland, Finance Director

Motion: To approve extension of the interlocal tax collection agreement with Buncombe County.

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

Motion: Approve budget amendments as presented.

5.D. 2025 Audit Contract and Audit Engagement Letter - Tammy Holland, Finance Director

Motion: Approve the fiscal year 2025 Contract to Audit Accounts from Gould Killian, CPA Group, P.A as presented

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

Motion: I move to approve the tax collector report as presented.

5.F. Call for Public Hearing on Franchise Renewal with Enbridge (d.b.a. Dominion Energy) for Natural Gas Utilities - Wesley Barker, Town Clerk

Motion: Motion to call for a public hearing on the franchise renewal for natural gas utilities with Enbridge on Monday, June 9th, 2025 at 6:00 p.m. in the Council Chambers of Town Hall, 160 Midland Ave., Black Mountain, NC 28711.

6. PUBLIC HEARING

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.

6.A. Public Hearing for Voluntary Annexation of Property Owned by Givens Highland Farms - Jennifer Tipton, Senior Admin

Motion: I move to approve the voluntary annexation of property known as 99999 Frances Avenue and 320 Tabernacle Road into the Town of Black Mountain town limits.

6.B. Public Hearing to Rezone 99999 Frances Avenue and 320 Tabernacle Road from R-1 to OI-6.

- Jennifer Tipton, Senior Admin

Motion: I move to approve the ordinance rezoning properties known as 99999 Frances Avenue and 320 Tabernacle Road from R-1 to OI-6 (office and institutional district).

6.C. Public Hearing to Amend Chapter 8, Sections 8.2.2., 8.2.7, 8.2.14, 8.2.15, 8.2.18, and 8.2.29, Phase II Stormwater Ordinance to align the Phase II Stormwater Ordinance with the Town's requirements from the NC Department of Environmental Quality for the Town's National Pollutant Discharge Elimination System (NPDES) permit and the Stormwater Management Plan (SWMP)

- Jennifer Tipton, Senior Admin

Motion: I move that we approve the proposed text amendments to Chapter 8, Sections 8.2.2, 8.2.7, 8.2.14, 8.2.15, 8.2.18, and 8.2.29, Phase II Stormwater Ordinance as presented and find that the proposed changes are consistent with current state regulations and find that the amendments promote the general welfare.

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please reserve your comment for the applicable public hearing. Note: Council will not respond during the citizen comment period.

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9.A. Amended Hemphill Grant Project Ordinance and Budget Amendment - Tammy Holland, Finance Director

Motion: Motion to approve the amended Hemphill Grant Project Ordinance and budget amendment as presented.

9.B. Amended Hurricane Helene Grant Project Ordinance and Budget Amendment - Tammy Holland, Finance Director

Motion: Accept Amended Grant Project Ordinance and Budget Amendments as presented.

9.C. Consideration of a Fire Department Cost Recovery Program - John Coffey, Fire Chief

Motion: Motion to Approve the Ordinance Establishing and Implementing a Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Fire Department for Services Provided/Rendered and to authorize the Town Manager, or their designee, to sign appropriate paperwork to enter into a service agreement with Fire Recovery USA, LLC.

10. COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER

11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

12. CLOSED SESSION

13. ADJOURNMENT

[MEET_FOOT]