



TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
SPECIAL CALL MEETING MINUTES
June 29, 2018

THE BLACK MOUNTAIN BOARD OF ALDERMEN, held a special call meeting on Friday June 29, 2018 at 8:30 a.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain NC. The purpose of this meeting was to consider Ordinance #O-18-03 authorizing a five dollar (\$5.00) vehicle license fee.

1. CALL TO ORDER

Mayor Collins called the special meeting to order at 8:30 a.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry Harris
Alderman Carlos Showers
Alderman Ryan Stone
Alderman Jeremie Konegni

The following staff members were present:

Ron Moore, Interim Town Manager
Dean Luebbe, Assistant Town Manager/Finance Director
Angela Reece, Town Clerk
Ron Sneed, Town Attorney

Mayor Collins opened the floor for citizen comment. There were no citizen comments. Attorney Ron Sneed stated he requested this meeting be called as this is the last working day of the fiscal year. Attorney Sneed stated he received a call from county staff requesting information on what authorized the town to collect the vehicle license tax. Attorney Sneed stated this was originally authorized by Budget Ordinance #O-01-04 in 2001 but was never adopted as an individual ordinance. Attorney Sneed stated he has proposed a permanent ordinance and an amendment to the FY2018-19 Budget Ordinance to authorize collection of the five dollar fee. Attorney Sneed cited NC GS 159-15 paragraph 1 which reads as follows:

Black Mountain Board of Aldermen
Special Call Meeting Minutes - June 29, 2018

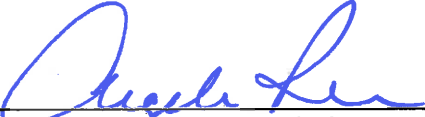
Except as otherwise restricted by law, the governing board may amend the budget ordinance at any time after the ordinance's adoption in any manner, so long as the ordinance, as amended, continues to satisfy the requirements of G.S. 159-8 and 159-13. However, except as otherwise provided in this section, no amendment may increase or reduce a property tax levy or in any manner alter a property taxpayer's liability, unless the board is ordered to do so by a court of competent jurisdiction, or by a State agency having the power to compel the levy of taxes by the board." Attorney Sneed stated he conferred with UNC School of Government Attorney Kara Millonzi who interpreted the proposed amendment as a change to a levy or rate. Attorney Sneed stated his opinion different and asked the Board of Aldermen to adopt the ordinance and amendment to the FY2018-19 Budget Ordinance as presented. Attorney Sneed stated he has contacted Attorney Christopher McLaughlin at the UNC School of Government for another interpretation of the statute and is waiting on a call back. Attorney Sneed stated the total amount in property tax revenue being collected is approximately \$34,000.

Alderman Larry B. Harris moved to approve #O-18-03 as presented.

The motion was unanimously approved by a vote of 5-0.

There being no further business, on a motion made by Alderman Larry B. Harris and with a vote of 5-0, Mayor Don Collins adjourned the meeting at 8:36 a.m.

ATTEST:



Angela L. Reece, Town Clerk



Don Collins, Mayor

AN ORDINANCE TO IMPOSE AN ANNUAL TAX ON MOTOR VEHICLES

BE IT ORDAINED by the Board of Aldermen for the Town of Black Mountain, North Carolina, that the Code of Ordinances of the Town of Black Mountain is hereby amended to permanently impose an annual license tax on motor vehicles as authorized by N.C.G.S. Section 160A-213 and allowed by N.C.G.S. Section 20-97, by amending the Code of Ordinances to add the following:

1. Continuing Levy of Vehicle Tax:

A. There is hereby levied an annual tax upon every motor vehicle that for the purpose of taxability under the provisions of the North Carolina Machinery Act, has it situs within the Town limits of Black Mountain, excepting vehicles exempted from registration by N.C.G.S. Section 20-51 or otherwise excluded under N.C.G.S. Section 20-97, and excluding vehicles listed in the inventory of car dealers.

B. The amount of such tax shall be Five Dollars (\$5.00) for each vehicle, and the collected tax may be used for any lawful purposes, as allowed by N.C.G.S. 20-97.

C. This tax shall be due on every motor vehicle described herein every year until such time as this Ordinance is amended or revoked.

2. Budget Ordinance Amendment.

A. To the extent allowed by law, this ordinance amends the 2018-2019 budget ordinance of the Town of Black Mountain to include this provision which was inadvertently omitted from said budget ordinance, which budget ordinance contained revenue figures contemplating the receipt of this license tax while failing to specifically set out the imposition of the tax, as follows:

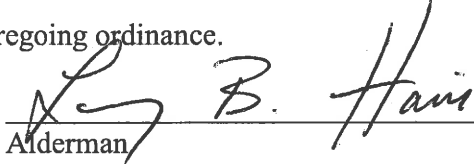
B. There is hereby levied a tax upon every motor vehicle that for the purpose of taxability under the provisions of the North Carolina Machinery Act, has it situs within the Town limits of Black Mountain, excepting vehicles exempted from registration by N.C.G.S. Section 20-51 or otherwise excluded under N.C.G.S. Section 20-97, and excluding vehicles listed in the inventory of car dealers.

C. The amount of such tax shall be Five Dollars (\$5.00) for each vehicle, and the collected tax may be used for any lawful purposes, as allowed by N.C.G.S. 20-97.

3. Severability Provision.

In the event any portion of this ordinance is found to be unenforceable or not valid for any reason, the other unaffected provisions of this ordinance will remain in full force and effect.

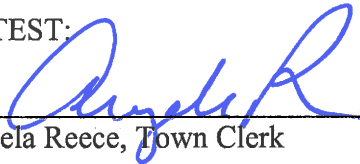
I move the adoption of the foregoing ordinance.


Alderman

READ, APPROVED AND ADOPTED by a vote of 5 to 0, this the 29th
day of June, 2018.


Don Collins, Mayor

ATTEST:


Angela Reece, Town Clerk

ORDINANCE NO. O-01-04

**AN ORDINANCE TO APPROPRIATE FUNDS
AND RAISE REVENUES FOR THE FISCAL YEAR
BEGINNING JULY 1, 2001 AND ENDING JUNE 30, 2002**

BE IT ORDAINED by the Board of Aldermen of the Town of Black Mountain, North Carolina, that:

SECTION ONE. The following amounts are hereby appropriated for the operation of the Town government and its activities for the fiscal year beginning July 1, 2001 and ending June 30, 2002, according to the following schedules:

SCHEDULE A. GENERAL FUND

ACCOUNT NUMBER	DEPARTMENT NAME	AMOUNT
4100	GOVERNING BOARD	\$ 180,946
4200	ADMINISTRATION	\$ 416,859
5000	PUBLIC BUILDINGS	\$ 289,317
5100	POLICE DEPARTMENT	\$ 1,034,296
5300	FIRE DEPARTMENT	\$ 875,714
5400	PLANNING AND ZONING	\$ 203,440
5550	PUBLIC WORKS	\$ 73,669
5600	STREET	\$ 279,647
5700	POWELL BILL	\$ 528,588
5800	SANITATION	\$ 412,150
6190	RECREATION AND PARKS	\$ 559,188
	GENERAL FUND TOTALS	\$ 4,853,814

SCHEDULE B. WATER FUND

ACCOUNT NUMBER	DEPARTMENT NAME	AMOUNT
7200	WATER ADMINISTRATION	\$ 174,314
8100	WATER OPERATIONS	\$ 1,415,576
	WATER FUND TOTALS	\$ 1,589,890

SCHEDULE C. GOLF FUND

ACCOUNT NUMBER	DEPARTMENT NAME	AMOUNT
6210	GOLF OPERATIONS	\$ 532,970
6310	PRO SHOP	\$ 164,230
	GOLF FUND TOTALS	\$ 697,200

SECTION TWO. It is estimated that the following revenues will be available during the fiscal year beginning July 1, 2001 and ending June 30, 2002 to make the foregoing appropriations, according to the following schedules:

SCHEDULE A. GENERAL FUND

ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
10-3010-990	1999 & PRIOR AD VALOREM TAXES	\$ 3,000
10-3010-000	2000 AD VALOREM TAXES	\$ 11,000
10-3010-001	2001 AD VALOREM TAXES	\$ 1,615,997
10-3011-990	1999 & PRIOR DMV TAXES	\$ 2,000
10-3011-000	2000 DMV TAXES	\$ 7,200
10-3011-001	2001 DMV TAXES	\$ 174,842
10-3070-000	INVENTORY TAX REIMB	\$ 32,570

10-3140-000	DOG WARDEN FEES	\$ 2,600
10-3170-000	TAX INTEREST	\$ 6,500
10-3170-010	TAX ADVERTISING	\$ 250
10-3250-000	PRIVILEGE LICENSES	\$ 21,805
10-3260-000	AUTOMOBILE LICENSES	\$ 31,430
10-3290-000	INTEREST ON INVESTMENTS	\$ 150,500
10-3290-010	INTEREST INV-POWELL BILL	\$ 24,200
10-3300-000	CATV FRANCHISE	\$ 69,600
10-3350-000	MISC REVENUE	\$ 10,000
10-3370-000	UTILITIES FRANCHISE	\$ 284,207
10-3390-000	INTANGIBLE TAX	\$ 62,305
10-3410-000	WINE & BEER TAX	\$ 32,607
10-3430-000	POWELL BILL	\$ 272,500
10-3430-001	DOT-CRAGMONT SIDEWALK	\$ 150,000
10-3450-000	LOCAL SALES TAX	\$ 672,000
10-3470-000	ABC REVENUE	\$ 35,150
10-3470-010	ABC REVENUE-POLICE	\$ 1,960
10-3510-000	COURT COSTS	\$ 2,000
10-3510-030	CRIME COMMISSION GRANT	\$ 9,435
10-3530-000	FIRE PROTECTION	\$ 357,847
10-3530-020	NC FIRE TAX STATE BUILDINGS	\$ 18,165
10-3530-021	FIRE FEE-TAX EXEMPT ORG	\$ -
10-3530-030	SENIOR CITIZENS REFUND	\$ 5,155
10-3550-000	BUILDING PERMITS	\$ 49,000
10-0365-000	POOL REVENUE	\$ 12,000
10-3650-001	POOL CONCESSIONS	\$ 6,000
10-3650-002	REC PARK CONCESSIONS	\$ 2,000
10-3650-010	DONATION COUNTY TO REC	\$ 4,400
10-3650-020	LAKEVIEW CENTER RENTALS	\$ 7,800
10-3650-030	RECREATION ACTIVITIES	\$ 25,000
10-3650-050	REC SR CENTER ACTIVITY	\$ 4,500
10-3650-070	DAY CARE RENTAL	\$ 13,200

10-3650-080	CARVER CENTER RENTALS	\$ 5,000
10-3650-090	CARVER CENTER ACTIVITY	\$ 5,400
10-3650-100	CARVER CENTER MISC REVENUE	\$ 50
10-3660-020	REC PARK REVENUE	\$ 3,000
10-3660-030	OUTREACH PROGRAM GRANT	\$ -
10-3661-000	SR CENTER DEV GRANT	\$ 6,097
10-3670-040	MONTREAT DISPATCHERS	\$ 10,911
10-3680-000	INTER-FUND FROM GOLF	\$ 63,366
10-3680-020	INTER-FUND FROM WATER	\$ 76,298
10-3680-030	LOAN PMT FROM GOLF	\$ 35,000
10-3990-000	CITY COUNTY AGREEMENT	\$ 201,665
10-3990-010	FUND BAL APPROPRIATED'	\$ 150,214
10-3990-030	POWELL BILL FUND BAL APP	\$ 106,088
	GENERAL FUND TOTALS	\$ 4,853,814

SCHEDULE B. WATER FUND

ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
30-3290-000	INTEREST CHARMELEE	\$ 3,255
30-3350-000	MISC REVENUE	\$ 500
30-3490-000	MSD 35% REIMBURSEMENT REV	\$ 245,700
30-3710-010	MSD BILLING FEES REVENUE	\$ 42,000
30-3710-020	WATER SALES	\$ 619,940
30-3730-010	WATER TAPS	\$ 43,750
30-3810-000	SERVICE CHARGE REVENUE	\$ 15,000
30-3860-000	SPECIAL BOND REVENUE	\$ 45,175
30-3861-000	CHARMELEE HOMEOWNERS	\$ 31,495
30-3990-010	FUND BAL APPROPRIATED	\$ 543,075
	WATER FUND TOTALS	\$ 1,589,890

SCHEDULE C. GOLF FUND

ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
50-3350-000	MISC REVENUE	\$ -
50-3650-010	GREEN FEES	\$ 260,000
50-3650-020	MEMBERSHIPS	\$ 154,000
50-3650-030	PRO SHOP MERCHANDISE	\$ 50,000
50-3650-040	GOLF CARTS	\$ 225,000
50-3650-050	CROQUET COURT	\$ 2,000
50-3650-070	INITIATION FEES	\$ 2,000
50-3650-080	ASSOC BUILDING LEASE	\$ 600
50-3650-090	SNACK SHOP LEASE	\$ 3,600
50-3990-010	FUND BALANCE APPROPRIATED	\$ -
	GOLF FUND TOTALS	\$ 697,200

SECTION THREE. There is hereby levied the following rate of tax on each one hundred dollars (\$100) valuation of taxable property, as listed for taxes as of January 1, 2001, for the purpose of raising the current year's tax revenue, as set forth in the foregoing estimates of revenue in order to finance the foregoing appropriations:

GENERAL FUND (for the general expenses incident to the proper government of the Town and for the payment of interest and principal on outstanding debt):

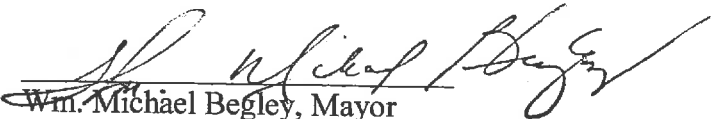
**TOTAL RATE per \$ 100 valuation of taxable property –
38.5 cents**

Such rates of tax are based on an estimated valuation for the purpose of taxation of \$426,988,410 and an estimated rate of collection of 98.3 percent.

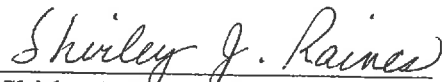
SECTION FOUR. Appropriations are authorized by department totals. The Finance Officer is authorized to reallocate departmental appropriations among various line item objects of expenditures and revenues as necessary during the budget year. The Town Manager (Budget Officer) is authorized to reallocate appropriations within the limit of 5% between various departmental totals of expenditures of the General Fund, Water Fund and Golf Fund. Any such transfers shall be reported to the Board of Aldermen at its next regular meeting following the transfer and shall be entered into the official minutes of the Town of Black Mountain.

SECTION FIVE. Copies of this ordinance shall be furnished to the Town Manager/Finance Officer, the Assistant Finance Officer and the Town Clerk for their direction in the disbursement of the Town's funds and for public inspection.

Duly adopted this 11th day of June 2001.


Wm. Michael Begley, Mayor

ATTEST:


Shirley J. Raines, Town Clerk

MINUTES OF THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
AGENDA WORKSHOP and REGULAR SESSION
June 11, 2001

THE BLACK MOUNTAIN BOARD OF ALDERMEN met in the regular monthly agenda workshop and regular session on Monday, June 11, 2001 at 3:30 p.m. in the meeting room of the Public Safety Building, 106 Montreat Road.

The meeting was called to order with the following members present:

Mayor Wm. Michael Begley
Vice Mayor Harry Adams
Alderman Joan Brown
Alderman Phil Garrison
Alderman Will Kennedy
Alderman Mary Leonard White

Also present:

Anthony N. Caudle, Town Manager
Suzanne S. Turner, Assistant Manager
Shirley Raines, Admin. Asst.

Representing the media:

Bonnie Edgar Robinson – Black Mountain News

Mayor Begley called the agenda meeting to order at 3:30 p.m. to discuss Fund Balance Policy prior to the regular agenda meeting. Mr. Caudle reviewed the report he had prepared setting forth his recommendations for a policy on the General Fund Balance. The recommended policy set forth a base minimum fund balance of 30.5% of the total General Fund budget. The manager noted the policy would recommend any use of fund balance that would leave the balance below the 30.5% minimum would need to be replenished.

There was general discussion of what is an appropriate amount of fund balance that should be retained for emergencies and unforeseen expenses. The Board reviewed the percentages retained by other towns. Mr. Caudle noted the larger the city budget, the smaller the percentage needed.

It was agreed that adopting a sound policy on fund balance is a progressive step for the Town. Members discussed under what circumstances fund balance should be used. Mr. Caudle stated monies from fund balance can be used for any legitimate purpose as directed by the Board. The 30.5% minimum is retained primarily for emergencies. Alderman Kennedy noted fund balance monies have been used in the past to take advantage of opportunities as well as unforeseen expenses. It was agreed to amend the language of the policy to include fund balance monies could be made available for opportunities.

At this time it was agreed to establish a fund balance policy providing that the General Fund Balance will not be spent below 30.5% without the Town Board seriously providing for replacement funds. The Board directed Mr. Caudle to present a Resolution at the July meeting to establish such a policy.

Alderman Joan Brown made a motion to accept the Fund Balance Policy as presented. The motion passed with a vote of 5-0.

The Board then moved into the Agenda portion of the meeting. The Board approved the minutes as submitted. Members then reviewed the other items that are proposed for the June regular session agenda and made the following changes. Under VI, add "E" – Alderman Brown will give Land of Sky Report and Bus Service Update.

Alderman Brown made a motion to convene to Executive Session at 5:45 p.m., after which time the Board reconvened at 6:00 p.m. for the Regular Session Board Meeting.

I. CALL TO ORDER

The regular monthly meeting of the Black Mountain Board of Aldermen was called to order at 6:00 p.m. with the following members present:

Mayor Wm. Michael Begley
Vice Mayor Harry Adams
Alderman Joan Brown
Alderman Phil Garrison
Alderman Will Kennedy
Alderman Mary Leonard White

The following staff members were present:

Anthony N. Caudle, Town Manager
Suzanne S. Turner, Assistant Manager
David Ballard, Golf Course Manager/Pro
Gary Bartlett, Fire Chief
Russ Cochran, Planning Director
Shirley Raines, Admin. Asst.

Representing the media:

Bonnie Edgar Robinson, Black Mountain News
Gary & Sally Biggers, Black Mountain Video Productions

Mayor Begley thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. The meeting was duly constituted and open for the transaction of business. The following business was transacted:

II. ADOPTION OF THE AGENDA

The agenda was amended with the following changes:

Under VI, add "E" – Land of Sky Report and Bus Service Update – Alderman Joan Brown.

With these changes the agenda was approved with a 5-0 vote on a motion by Vice Mayor Harry Adams.

III. CONSENT AGENDA

With the adoption of the agenda for the June 11, 2001 Regular Session Meeting, the following actions were approved:

A. Adoption of the Minutes

Motion: To adopt the minutes of the meetings of May 14, 2001 - Agenda Meeting & Regular Session, May 14, 2001 – Executive Session, May 21, May 24, & May 25, 2001 – Budget Workshops

B. Adoption of Budget Amendment #12

Motion: To adopt budget amendment #12 as submitted.

IV. COMMUNICATIONS FROM THE MAYOR

A. Proclamation Honoring Renae Brame, Superintendent, Black Mountain Correctional Center for Women

Mayor Begley read a Proclamation honoring Renae Brame, Superintendent of the Black Mountain Correctional Center for Women, for her contributions to the Town as well as to the lives of the inmates at the center. Ms. Brame retired in May. Ms. Brame was present at the meeting and was commended by members for her service.

B. Certificate Recognizing Achievement of Brad Daugherty

Mayor Begley read a Certificate honoring Brad Daugherty for his remarkable ten-year NBA career and most recently his induction into the North Carolina Sports Hall of Fame. Mayor Begley remarked that Brad has admirably represented the Town of Black Mountain, and his accomplishments are a reflection of his home-town community.

V. COMMUNICATIONS FROM THE TOWN MANAGER

A. Review of Consent Agenda

Town Manager, Tony Caudle, reviewed the action that was taken under the consent agenda with the adoption of the agenda.

B. Projects Update

1. Town Water Improvements Project – Mr. Caudle reported he and Bob Watts had a meeting with the engineering firm who is overseeing the water improvements project. They are in the process of finalizing drawings. It is hoped the bidding process will begin within the next 90 days. The project will be bid out in three separate phases, water line work, tank site preparation, and tank site construction. A suitable time frame will be set to establish structured goals and objectives.

2. MSD Sewer Improvements Project – Mr. Caudle reported MSD has completed the major portion of the downtown sewer improvements. They have completed State and Cherry Streets and Montreat Road and are progressing up Church Street.

C. 4th of July Fireworks – Mr. Caudle noted the fireworks display will be held on Wednesday, July 4 and will be visible from the downtown business district.

D. Construction of Restrooms – Work is progressing on the construction of the restrooms at Lake Tomahawk and on the golf course. Construction should be completed within the next two weeks.

E. Lobbying Effort – Mr. Caudle reminded the Board of Aldermen of a lobbying effort that is being coordinated by the Land of Sky Regional Council in association with an effort to get the state legislature to provide payments in lieu of reimbursement from state shared funds to local governments. This has been of grave concern to all municipalities during the past months. North Carolina's governor froze the reimbursements to the local governments for the last half of the current fiscal year, and there is great discussion as to what will happen with those reimbursements in the coming fiscal year. There are efforts underway to make the legislature aware of the need for those funds. This will be accomplished in a region-wide lobbying effort which will take place at the West Buncombe Volunteer Fire Department on Wednesday, June 13, 2001 at 10:00 a.m. All Town officials and interested citizens are urged to attend. Media representatives will also be present.

F. Historic Preservation Commission – Russ Cochran announced the Town has received the annual Griffin award from the Preservation Society of Asheville and Buncombe County in the area of leadership. In 1993 the Town of Black Mountain also received the Griffin award for the book, The History of Black Mountain.

VI. COMMITTEE/BOARD REPORTS

A. Asheville-Buncombe VISION, Benchmarks Report – Ms. Sara Marcia Rafter, Ms. Leslie Burnside, and Carolyn Wallace

Ms. Rafter presented a progress report from the Asheville-Buncombe VISION Group. The Board was given a copy of the VISION Benchmarks Report for their review and input. Ms. Rafter thanked the Board for the financial contribution to Asheville-Buncombe Vision in the 2001-02 budget.

B. Greenways, Walkability, and Biking Task Force - Mike Sobol, Chair

Mr. Sobol reported the Task Force met last month for the first time. The general consensus and mission of the Task Force is to reconnect the Town using ideas of education, safety, and health as some of the foundations to start the process to connect from the ball fields at Black Mountain Park to Montreat and up to Ridgecrest. These plans will be presented in approximately three months at the Black Mountain Library for the community to review. If there is a system of trails, walking paths, and biking trails to connect the town to different recreational

centers, the children, as well as all citizens, could get around in a safe environment. The Task Force wants input from all the citizens in the community to find ways to accomplish this. Mayor Begley thanked Mr. Sobol for his leadership on this Task Force.

C. Appointments to Boards/Commissions:

1. ABC Board Appointment (1)

Mayor Begley stated there is one opening on the ABC Board. Vice Mayor Adams nominated O. L. Sherrill for reappointment to a three-year term. *On a motion by Vice Mayor Adams, the Board voted 5-0 to accept the nomination for reappointment by acclamation.*

2. Board of Adjustment Appointments (3)

Mayor Begley stated there are three openings on the Board of Adjustment. Alderman Brown nominated Teresa Tatham and Cynthia Weaver for reappointment to three-year terms and nominated John Kornya, alternate member, for full membership. The Board agreed to take action in the near future to appoint another alternate. *On a motion by Vice Mayor Adams, the Board voted 5-0 to accept the nomination for reappointments by acclamation and to appoint another alternate at a later date.*

3. Housing Commission Appointments (3)

Mayor Begley stated there are three openings on the Housing Commission. Alderman Kennedy nominated Margaret Gragg, William McLean, and Violet Miller for reappointment to three-year terms. *On a motion by Alderman Kennedy, the Board voted 5-0 to accept the nomination for reappointments by acclamation.*

4. Planning Board Appointments (3)

Mayor Begley stated there are three openings on the Planning Board. Alderman Brown nominated Maury Hurt and Ruth Norton for reappointment to three-year terms and nominated Ray Lamm to fill the vacancy of Jim Buckner. *On a motion by Vice Mayor Adams, the Board voted 5-0 to accept the nomination for reappointments by acclamation.*

5. Recreation Commission Appointments (3)

Mayor Begley stated there are three openings on the Recreation Commission. Alderman Brown nominated Pam Norton and Bob Plemmons for reappointment to three-year terms and nominated Jim Halvorson to fill the vacancy of Terry McElrath. *On a motion by Vice Mayor Adams, the Board voted 5-0 to accept the nomination for reappointments by acclamation.*

6. Urban Forestry Appointments (5)

Mayor Begley stated there are five openings on the Urban Forestry Commission. Alderman White nominated Charles Chilton, Walter Hoffman, Theresa Howachyn, and Pablo

Stone for three-year terms and nominated Dr. John Wilson to fill the vacancy of Jim Hughes. *On a motion by Vice Mayor Adams, the Board voted 5-0 to accept the reappointments by acclamation.*

D. Comprehensive Plan Steering Committee

Mr. Caudle reported the Board of Aldermen has discussed the development of a Comprehensive Plan in the coming fiscal year. He felt this process needs to get started as early as possible by holding some public hearings, hopefully in the latter part of the summer, in order to take input for the Comprehensive Plan. From the staff perspective Mr. Caudle feels it would be beneficial to have a Steering Committee to oversee the development of this plan. Mr. Caudle asked the Board for authorization to go ahead with the advertisement procedure for the appointment of such a committee. The committee should be made up of a cross-section of representation, i.e., people who represent several different interest groups, people who represent all ages, both sexes, all races, as well as geographic location. A broad range of diversity is required.

Mr. Caudle asked for guidance from the Board as far as a deadline for accepting applications and whether the Board would like representation from outside the corporate boundaries. After discussion, Mayor Begley stated applicants should respond by the end of the month but not to have that as a set deadline.

The Mayor urged all interested people who would like to serve on this Committee to fill out an application form from Town Hall. *Vice Mayor Adams made a motion that applicants for the Steering Committee should respond by the end of the month but that applications can continue to be received beyond that time. The motion passed with a vote of 5-0.*

Alderman Kennedy stated that two years ago the Board authorized a study of the organization of the Town. Many of the recommendations from this study have been implemented. One of the needs identified was to stress planning, and it was then a planner was hired. Mr. Caudle is also a specialist in planning. This is a culmination of several years of thinking about how we can look at the long-range future and put everything in the same kind of framework. Some departments have already started looking ahead ten years, i.e., Recreation & Parks Department is working on a master plan, and also most of the other departments are planning and budgeting for some years ahead. This will help us to get a broader vision for a longer-range future into which the different parts will fit.

Alderman Brown stated this Steering Committee is an opportunity for the people in the community to take part in the planning of the Town. It is hoped the Board will receive applications from a diverse group of people.

Alderman White noted that people have expressed concerns about the growth of our Town and the quality of life. It is important this Steering Committee is represented by every interest in the Town.

Discussion then followed concerning the boundaries which are to be included. *After discussion, Alderman Kennedy made a motion to accept applications from residents of the Black Mountain Township and Montreat Township. The motion passed with a vote of 5-0.*

E. Land of Sky – Alderman Joan Brown

Alderman Brown reported the Land-of-Sky Council commended the Town of Black Mountain for the part the Town played in the Environmental Well Head Protection project and for receiving the award. Other communities are using the Town of Black Mountain as a model to institute clean water projects.

VII. OLD BUSINESS

A. PUBLIC HEARING – Fiscal Year 2001-02 Budget Ordinance

Mr. Caudle presented a powerpoint summary of the proposed Fiscal Year 2001-02 budget and highlighted those areas of the budget he felt to be significant.

- No Ad Valorem tax increase
- Development of CIP in the fall
- \$25,000 earmarked for bus service
- Includes levy of \$5 vehicle license fee
- 3% COLA increase
- Merit awards effective 4/02
- 9.5% increase in health insurance expense with some reduction in benefits
- 5% contribution to 401K
- Changed part-time administrative assistant position in Planning & Zoning Department to full time

Mayor Begley then opened the floor for public comment.

Phil Bisesi noted he was told Federal money was cancelled for sidewalks and wondered if this is true. Mayor Begley informed him he was not aware of any money cancelled. Mr. Bisesi asked if someone could go to Washington and ask for block grants or stop taxing us so we can solve our own problems with our own money. He says we cannot do anything in this Town unless we get a Federal or State grant to pay for it. Mayor Begley responded that several projects for walkability and transportation come through the gasoline tax reimbursement and would be difficult to collect if it weren't collected as a Federal tax and rerouted back through the state. Mr. Bisesi says there is a Program Grant for improving public buildings. He would like to see better walkability on North Fork and Montreat Road. He feels the Clubhouse building and Carver Center need renovating. He also wants to know what we can do to maintain the quality of our infrastructure. He doesn't see anything in the budget for this.

Steve Stackhouse commended the Town Manager, the staff, and Board for a balanced budget. He would like to caution the Board to use the fund balance only for capital projects and not for ongoing operations. Mayor Begley responded saying some of the increase in the fund

balance is generated from funds left over from the current year budget. There is an awareness and responsibility of this Board to very carefully tap into the fund balance knowing that at least the primary purpose for that Fund is to protect the Town in the event of any kind of economic or financial crises.

Mr. Caudle noted items that are funded with fund balance are either contingency line items or capital line items.

Ruth Brandon commended the Manager for a very professional budget presentation. She thanked the Town Manager for offering the "no frills" budget. Ms. Brandon commended the Board for following through with this proposed budget. She was always uncomfortable with other budgets in the past. With the property revaluation in process more money will be coming into the Town, she feels the Board will not need to raise taxes on next year's budget.

With no further public comment, Mayor Begley closed the public hearing and asked for Board discussion.

Vice Mayor Adams made a motion to adopt the Fiscal Year 2001-02 Budget Ordinance. Tony Caudle and Mayor Begley thanked the staff for all the effort in putting the budget together.

During the discussion Alderman Kennedy summarized some of the highlights of the proposed 2001-02 budget. Alderman Brown noted the staff and Board worked very hard in preparing the proposed budget in order to provide the same level of service the citizens expect.

With no further discussion, Mayor Begley closed the public hearing. *The Board voted 5-0 to approve the Fiscal Year 2001-02 Budget Ordinance.*

B. Acquisition of Love Parking Lot Property

Alderman Brown made a motion to adopt a Resolution approving the financing for the purchase of the Love parking lot property on Broadway through BB&T Government Finance and approve budget amendment #13 allocating funds for this purchase. The motion passed with a vote of 5-0.

Mayor Begley advised the Board would now take Citizen Comments.

IX. CITIZEN COMMENTS (at 8:00 p.m. if all preceding items on the agenda have not been finished by then)

Carolyn Copeland, daughter of Mrs. Inez Dougherty, wants to know when the Town is going to fix her mother's driveway. Ms. Copeland advised the Board the property is in her name and not Mrs. Dougherty's name. Mayor Begley requested Mr. Caudle to meet with Ms. Copeland in regard to the driveway situation.

There being no further Citizen Comments, the Board continued with New Business.

VIII. NEW BUSINESS

A. Consideration of Proposals for Lease of 19th Hole Snack Shop at the Black Mountain Municipal Golf Course

Mayor Begley advised two proposals for the 19th Hole Snack Shop have been received, and there are at least two other parties who are interested. The Board discussed whether or not to extend the bid period until June 19, 2001 at 5:00 p.m. The two proposals which have been received can be amended if desired. The Board has suggested meeting on Friday, June 22 at 8:30 a.m. to make a final decision on awarding the lease for the 19th Hole Snack Shop. *After discussion, Alderman Garrison made a motion to hold open the bid proposal for the 19th Hole Snack Shop Lease until 5:00 p.m. on Tuesday, June 19, 2001 and meet at 8:30 a.m. Friday, June 22, 2001 to make a decision. The motion passed with a vote of 5-0.*

B. Final Plat Approval for Cheshire TND, Phase II

Because of Mayor Begley's professional association with the developer of Cheshire TND, he excused himself from the proceedings and Vice Mayor Adams presided. Planning Director, Russ Cochran, explained the process for plat approval and noted the Planning Board has reviewed the plans for Phase II of the development.

Alderman Joan Brown made a motion to approve the Final Plat, Phase II, for Cheshire TND as recommended by the Planning Board. The motion passed with a vote of 5-0.

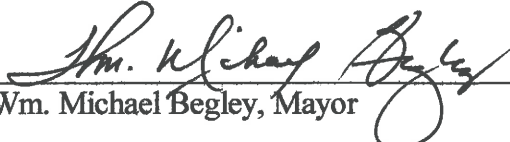
C. CALL FOR PUBLIC HEARING – An Ordinance to Amend Title XV, Land Usage, Chapter 153.072.1 and 153.079 of the Code of Ordinances of the Town of Black Mountain to add the “Mixed Use Zoning District”

Russ Cochran, Planning Director, stated the Planning Board has been working on a “Mixed Use Zoning District” for the past year. The purpose of this district is to provide a zone where low impact commercial businesses can operate in harmony with residential development. The primary focus of such areas will be to retain the residential character while allowing businesses with low impact in noise, light, and traffic. New buildings built should strive to retain this residential character by both appearance and scale.

There being no further discussion, Vice Mayor Adams made a motion to Call for a Public Hearing on July 9, 2001 to Consider Adoption of an Ordinance to Amend Title XV, Land Usage, Chapter 153.072 of the Code of Ordinances of the Town of Black Mountain to add the “Mixed Use Zoning District” as Recommended by the Planning Board. The motion passed with a vote of 5-0.

X. ADJOURNMENT

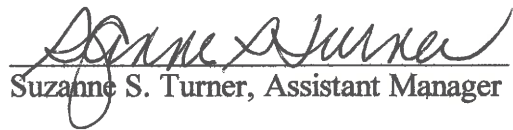
With no further business, Alderman Garrison made a motion to adjourn the meeting at 8:15 p.m.



Wm. Michael Begley, Mayor



Anthony N. Caudle, Town Manager



Suzanne S. Turner, Assistant Manager

/sr

§ 159-15. Amendments to the budget ordinance.

Except as otherwise restricted by law, the governing board may amend the budget ordinance at any time after the ordinance's adoption in any manner, so long as the ordinance, as amended, continues to satisfy the requirements of G.S. 159-8 and 159-13. However, except as otherwise provided in this section, no amendment may increase or reduce a property tax levy or in any manner alter a property taxpayer's liability, unless the board is ordered to do so by a court of competent jurisdiction, or by a State agency having the power to compel the levy of taxes by the board.

If after July 1 the local government receives revenues that are substantially more or less than the amount anticipated, the governing body may, before January 1 following adoption of the budget, amend the budget ordinance to reduce or increase the property tax levy to account for the unanticipated increase or reduction in revenues.

The governing board by appropriate resolution or ordinance may authorize the budget officer to transfer moneys from one appropriation to another within the same fund subject to such limitations and procedures as it may prescribe. Any such transfers shall be reported to the governing board at its next regular meeting and shall be entered in the minutes. (1927, c. 146, s. 13; 1955, cc. 698, 724; 1971, c. 780, s. 1; 1973, c. 474, s. 12; 2001-308, s. 3; 2002-126, s. 30A.2.)