



## TOWN OF BLACK MOUNTAIN

Town Hall, 160 Midland Avenue, Black Mountain, NC 28711

Date: **May 14, 2018** Time: **6:00 p.m.**

**Regular Session Minutes**

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*The agenda and all related documentation may be accessed electronically via Wi-Fi in Town Hall. From your laptop or smartphone, access the Town's website at [www.townofblackmountain.org](http://www.townofblackmountain.org). Click on **Town Government** and select **Mayor and Board of Alderman** to download materials for all Town board meetings.*

 **Conserve resources; print only when necessary.**

*The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act (ADA). Hearing assistive devices are available at the door.*

*Should you need other assistance or accommodation for this meeting, please contact  
Town Clerk Angela Reece at 419-9310, or by email at [townclerk@townofblackmountain.org](mailto:townclerk@townofblackmountain.org)  
(828) 419-9300 / TDD (800) 735-2962*

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### 1. CALL TO ORDER

***Mayor Don Collins called the meeting to order at 6:00 p.m. with the following members present:***

Mayor Don Collins  
Vice Mayor Maggie Tuttle  
Alderman Larry B. Harris  
Alderman Ryan Stone  
Alderman Carlos Showers  
Alderman Jeremie Konegni - absent

The following staff members were present:

Matt Settlemyer, Town Manager  
Dean Luebbe, Assistant Town Manager/Finance Director  
Angela Reece, Town Clerk  
Ron Sneed, Town Attorney  
Shawn Freeman, Police Chief  
Steve Jones, Fire Chief  
Jessica Trotman, Planning Director  
Jamey Matthews, Public Services Director  
Casey Conner, Recreation Services Director

Mayor Don Collins welcomed everyone and led the Pledge of Allegiance. Public Works Director Jamey Matthews gave the invocation.

Mayor Collins thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. The re-broadcast of each regular meeting is shown throughout the month on Charter Cable's Buncombe County Channel 192 at 8:00 p.m. on Sundays. Meetings initially air the same week in which they occur and are shown weekly until the next regularly scheduled meeting. Citizens may also go to the Town website [www.townofblackmountain.org](http://www.townofblackmountain.org) at any time and view the most recent regular meeting of the Board.

Black Mountain Board of Aldermen  
Regular Session Minutes – May 14, 2018

In his announcements Mayor Collins announced he was pleased to meet with Black Mountain Primary students, Ready Recyclers to discuss ways to keep the planet green for future generations. Mayor Collins stated he appreciated the time the students took to come meet with him.

## 2. PROCLAMATION AND AWARD RECOGNITION

### A. Life Saving Award

Black Mountain Police Chief Shawn Freeman presented a Life Saving Award to Sgt. Chris Staton. The Black Mountain Mayor and Board of Aldermen praised Sgt. Staton for his efforts which resulted in saving the life of a Black Mountain resident.

## 3. CITIZEN COMMENTS

*Individuals wishing to address the Board 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 Board. 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.*

*Dan Stint of Tomahawk Ave., Black Mountain addressed the Board of Aldermen expressing his concerns over pit bull dogs in public places. Mr. Stint stated he has been charged by a pit bull on a leash while walking at Lake Tomahawk. Mr. Stint stated the leash did not prevent the incident and asked the Board of Aldermen to outlaw pit bull dogs at Lake Tomahawk among other suggestions.*

## 4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES



At home viewers can view the video presentations by clicking [here](#).

### A. Citizens Academy – Angela Reece, Town Clerk

The Town Clerk, Angela Reece presented Black Mountain's first Citizen Academy stating the Academy will begin on September 13 and continue through November 2 consisting of seven sessions held on Thursday evenings. Ms. Reece stated the free classes begin at 5:30 p.m. and go until approximately 9 p.m. and include a light evening meal. Classes are located in Town Hall's Board Room at 160 Midland Ave. unless otherwise indicated. Class sizes are limited to 20 participants. Applications are due to the Town Clerk by July 30<sup>th</sup> or until the seats have been filled. Citizens who are interested should visit the Town's website to obtain the application and materials.

### B. Rainbow Recycling – Marilyn Sobanski

Marilyn Sobanski stated she is proud to announce the 10<sup>th</sup> Annual Rainbow Recycling flower pot recycling event which will be held on Saturday, May 19<sup>th</sup> at the Black Mountain Library parking lot. Ms. Sobanski encouraged citizens to attend.

Black Mountain Board of Aldermen  
Regular Session Minutes – May 14, 2018

**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.*

Town Manager Settlemyer presented the consent agenda to the Board of Aldermen.

**A. Adoption of Minutes**

**Motion:** *To adopt the minutes of April 8, 2018 (Agenda Session), April 9, 2018 (Regular Session), April 19, 2018 (Budget Workshop), April 23, 2018 (Water Workshop), and April 30, 2018 (Budget Workshop).*

**B. Budget Amendment for Irrigation System at Town Square**

**#FY2018-10**

Manager Settlemyer stated this amendment reflects reimbursement from the Parks and Greenways Foundation to install an irrigation system at Town Square.

**Motion:** *To approve Budget Amendment #FY2018-10 as submitted, increasing the expense account 1000-5000-734 (Capital Outlay – Town Square) by \$27,500 and the revenue account 1000-3310-300 (Reimbursement – BMPR – Town Square) by \$27,500.*

**C. Budget Amendment for Asheville Design Center Contract**

**#FY2018-11**

Manager Settlemyer stated this amendment reflects reimbursement from Children and Friends Inc., and the Parks and Greenways Foundation for the conceptual master plan design of Veterans Park which could be the future site of a day care center.

**Motion:** *To approve Budget Amendment #FY2018-11 as submitted, increasing the expense account 1080-6190-040 (Professional Services) by \$7,600 and the revenue account 1000-3300-300 (Activity Donations) by \$5,600, and the revenue account 1000-3905-900 (Fund Balance Appropriated) by \$2,000.*

**D. Black Mountain Travel Reimbursement Policy**

Manager Settlemyer stated this policy amendment reflects the Board of Aldermen's preference to include a \$150.00 per night maximum for hotel travel reimbursement.

**Motion:** *To adopt the Black Mountain Travel and Expense Reimbursement Policy as presented.*

**E. Call for Public Hearing for FY2018-19 Budget**

**#O-18-02**

**Motion:** *To call for the Budget Public Hearing for the FY2018-19 Budget, to be held on Monday, June 11, 2018 at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.*

**Consent Motion:** *To approve consent item A-E as presented.*

Black Mountain Board of Aldermen  
Regular Session Minutes – May 14, 2018

Alderman Larry B. Harris stated it is important to note the significant community contributions for the sprinkler system at Town Square and the collaboration and contributions from Children and Friends and the Parks and Greenways Foundation.

Alderman Carlos Showers stated the suggestions to amend the travel reimbursement policy were to bring Black Mountain in line with other municipalities. Alderman Ryan Stone suggested incorporation of similar provisions in the Buncombe County Travel Policy such as requiring preapproval by the Mayor or Vice Mayor for travel by appointed positions such as the Town Manager, Finance Officer, and Town Clerk as well as pre-authorization for any out of state travel. Town Manager Settlemyer suggested moving this item to New Business for further discussion.

*Alderman Ryan Stone moved to remove Item 5D from the Consent Agenda to be brought back with added recommendations at a later date.*

*The motion was approved by a vote of 4-0.*

*Alderman Larry B. Harris moved to approve Consent Items A,B,C and E as submitted.*

*The motion was approved by a vote of 4-0.*

**6. CITIZEN COMMENTS**

*The chair will recognize individuals requesting to address the Board regarding the specific New Business or Unfinished Business items below. 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.*

There were no citizen comments.

**7. UNFINISHED BUSINESS**

**#R-18-06**

**A. Motion:** *To approve the agreement and resolution #R-18-06 for Transfer of Water Distribution System from the City of Asheville.*

Manager Settlemyer stated this proposal is to transfer 13 miles of water line and 600 customers into the Town of Black Mountain. He stated this will be conducted in two phases beginning with 300 customers and 6 ½ miles of water lines on January 1, 2019. This phase will include neighborhoods surrounding Blue Ridge Road and Highway 70. Manager Settlemyer recalled receiving an EDA Grant to fund this project and a new pumping station which makes it possible. He stated the second phase will encompass neighborhoods on Allan Mountain and will begin in 2020. Manager Settlemyer reminded the Board and public that some of the infrastructure is in fact old but stated AMR's (automatic meter readers) have already been paid for and installed which will be a cost savings to the Town. Manager Settlemyer stated water customers would save on their monthly bills due to lesser fees.

*Alderman Larry B. Harris moved to approve the agreement resolution #R-18-06 for Transfer of Water Distribution System from the City of Asheville as presented.*

*The motion was approved by a vote of 4-0.*

Black Mountain Board of Aldermen  
Regular Session Minutes – May 14, 2018

Alderman Larry B. Harris reminded the public that the Board intends to address the capacity to purchase in the Water Purchase Agreement in a near future meeting stating the Town will require additional capacity to service the Commerce Park.

**8. NEW BUSINESS - NONE**

**9. PUBLIC HEARING -NONE**

*The chair will recognize individuals requesting to address the Board regarding the specific topic of the public hearing. Public hearing comments by any on 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.*

**10. COMMUNICATION FROM STAFF**

- A. Town Attorney – Attorney Sneed referred to the litigation on the Watson case and stated their attorney filed a motion to request the Town pay their attorney fees and it was denied.
- B. Town Manager – Manager Settlemyer stated the Fire Department will be burning a house on Montreat Rd. near the gate beginning at 6:00 p.m.

**11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN**

Alderman Larry B. Harris encouraged citizens to attend the Black Mountain Beautification Annual Garden Sale, Safety Saturday, and the Shred Event along with the Recycling Event on Saturday May 19<sup>th</sup>.

*Alderman Ryan Stone moved to enter into closed session to discuss personnel matters, as permitted in NCGS § 143.318.11(a)(6) at 6:30 p.m.*

*The motion was unanimously approved by a vote of 4-0*

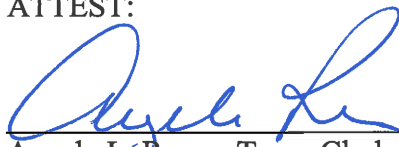
*Alderman Larry B. Harris moved to return to open session at 7:51 p.m.*

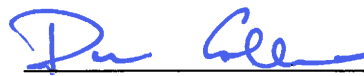
*The motion was unanimously approved by a vote of 4-0.*

**12. ADJOURNMENT**

*There being no further business, on a motion made by Vice Mayor Maggie Tuttle and with a vote of 4-0, Mayor Don Collins adjourned the meeting at 7:51 p.m.*

ATTEST:

  
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Angela L. Reece, Town Clerk

  
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Don Collins, Mayor