



# TOWN OF BLACK MOUNTAIN TOWN COUNCIL

February 9, 2026

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. Black History Month Resolution**

**3. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES**

**3.A. Active Mobility Commission Annual Report**

**3.B. Police Department Annual Report**

**3.C. Presentation by Black Mountain Community Emergency Response Team (CERT)**

**4. 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.

**5. COMMUNICATION FROM MAYOR AND TOWN COUNCIL**

**6. COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER**

**7. 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.

**7.A. Adoption of Meeting Minutes- April 23, December 15, 23, 31, 2025 and January 5, 8, 12, 21 & 23, 2026. - Wesley Barker, Town Clerk**

Motion: Motion to approve meeting minutes as presented.

**7.B. Monthly Tax Collector Report - Laurel Mabery, Accountant**

Motion: Approve the tax collector report as presented.

**7.C. Call for Public Hearing for Voluntary Annexation of Property Owned by Givens Highland Farms - Michelle Kennedy, Planning Director**

Motion: To call for a public hearing for voluntary annexation for one parcel known as Buncombe County PIN #0609-46-7498.00000 to be held on Monday, March 9, 2026, at 6:00 p.m. or as soon thereafter as possible, in the Council Room of Town Hall, 160 Midland Avenue.

**7.D. Call for Public Hearing to Rezone 318 Tabernacle Road from R-1 to OI-6 -**

Michelle Kennedy, Planning Director

Motion: To call for a public hearing to rezone 318 Tabernacle Road (PIN #0609-46-7498.00000) from R-1 (Buncombe County zoning) to OI-6 (office and institutional) to be held on Monday, March 9, 2026, at 6:00 p.m., or as soon thereafter as possible, in the Council Room of Town Hall, 160 Midland Avenue.

- 7.E. Call for Special Meeting on March 5, 2026 at 5:00 p.m. to hear an appeal from an order to take corrective action for 850 Blue Ridge Rd.** - Michelle Kennedy, Planning Director

Motion: Motion to call for special meeting on March 5, 2026 at 5:00 p.m. at Black Mountain Town Hall, 160 Midland Ave., to hear an appeal for a Building Inspector's issued order to take corrective action for 850 Blue Ridge Rd.

- 7.F. Consideration of Resolution to Apply for State Revolving Fund (SRF): Hurricane Helene Funding Administered by NC Division of Water Infrastructure (NCDWI) to Support Water Supply Improvements & Water Storage Tank Improvements.** - Jessica Trotman, Assistant Town Manager

Motion: Motion to approve the resolution authorizing the application for the SRF Hurricane Helene Funding with NCDWI.

## **8. 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.

## **9. CITIZEN COMMENTS**

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## **10. UNFINISHED BUSINESS**

- 10.A. Approval of the Revised MOU between the Town and the Black Mountain Beautification Committee (BMBC) -**

Motion: Motion to approve the resolution for the revised MOU with Black Mountain Beautification Committee as presented.

- 10.B. Consideration of Town Code of Ordinances Amendment for Lake Tomahawk & Town Square Parks Operational Hours (Chapter 33, Article I, Sec. 33-3) -** Steve Parker, Police Chief, Wesley Barker, Town Clerk

Motion: Motion to approve the Town Code Amendment amending hours of operation for Lake Tomahawk and Town Square Parks as recommended.

## **11. NEW BUSINESS**

- 11.A. Proposal for Financial Consultant Assistance with NC League of Municipalities (Amendment to Disaster Recovery Services MOA) - Richard Hicks, Interim Town Manager**

Motion: I move that Council authorize the Interim Town Manager to execute Disaster Recovery Services Memorandum of Agreement with the NC League of Municipalities.

- 11.B. Consideration of Golf Course Equipment Lease Proposal - Richard Hicks, Interim Town Manager**

Motion: I move that Council authorize the Interim Town Manager to enter into a Lease Agreement or Installment Purchase Agreement for the Purchase of Equipment for the Golf Course.

- 11.C. Approval of Conceptual Feasibility Study – Golf Course Maintenance Building - Richard Hicks, Interim Town Manager**

Motion: Approval of the Conceptual Feasibility Study for the proposed Golf Course Maintenance Building and authorize staff to proceed with next steps including, design phase, refinement of scope, identification of funding options, and future budget consideration.

- 11.D. Consideration of Fireworks Proposals - Richard Hicks, Interim Town Manager**

Motion: Council should discuss these quotes. If agreeing to move forward, the motion would be to authorize the Interim Town Manager to execute the agreement for the July 4, 2026 fireworks display with \_\_\_\_ company.

- 11.E. Request to Use System Development Fees (SDF) to Relocate Water Line - Jamey Matthews, Public Works Director**

Motion: Motion to approve System Development Fees (SDF) funds to relocate waterline as presented.

- 11.F. Consideration of Ordinance Regulating Representation of Third-Party Fire Inspection Reporting Fees - John Coffey, Fire Chief**

Motion: Motion to approve creating an Ordinance Regulating Representation of Third-Party Fire Inspection Reporting Fees as presented.

- 11.G. Discussion of Town Council Retreat - Richard Hicks, Interim Town Manager**

Motion: Council should discuss and can make a motion to set a date for a Council retreat.

- 11.H. Discussion of Norfolk Southern Railroad Lease - Richard Hicks, Interim Town Manager**

Motion: Discussion item. Council may make a motion based on the lease

discussion, if applicable.

**11.I. Discussion of Interim Town Manager to Hire Staff Vacancies - Richard Hicks, Interim Town Manager**

Motion: Discussion item. Council may choose to make a motion based on discussion if applicable.

**12. CLOSED SESSION- PURSUANT TO N.C.G.S. 143-318.11 (A)(3) - ATTORNEY-CLIENT PRIVILEGE.**

**13. ADJOURNMENT**