



**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
AGENDA WORKSHOP MEETING MINUTES
March 8, 2018**



THE BLACK MOUNTAIN BOARD OF ALDERMEN held an agenda workshop on Thursday, March 8, 2018 at 5:00 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of the meeting was to review the agenda for the regular monthly meeting scheduled for Monday, March 12, 2018 at 6:00 p.m.

1. CALL TO ORDER

Mayor Don Collins called the meeting to order at 5:03 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry B. Harris
Alderman Jeremie Konegni
Alderman Carlos Showers
Alderman Ryan Stone – arrived at 5:15 p.m.

The following staff members were present:

Matt Settlemyer, Town Manager
Angela L. Reece, Town Clerk
Ronald E. Sneed, Attorney
Shawn Freeman, Police Chief
John Wilson, Deputy Fire Chief
Jamey Matthews, Public Services Director
Casey Conner, Recreation Services Director

The Board reviewed the items that were proposed for the March 12, 2018 regular session meeting and ADDED New Item 2E, Law Enforcement Certification Awards.

Town Manager Settlemyer presented the proposed agenda to the Board of Aldermen. He stated Pastor Dan Snyder of the First Baptist Church in Swannanoa will give the invocation. Manager Settlemyer advised the Board Police Chief Freeman has asked to add award recognition for two officers, Jacob Calvert and Joe Moore for achieving their intermediate law enforcement certificate from the State of North Carolina. The Board agreed to add the item to the agenda as Item 2E.

Manager Settlemyer discussed **Item 5B**, Budget Amendment to Purchase Police Vehicles stating one of the vehicles is out of operation and said it is cost prohibitive to attempt to repair it due to transmission issues. Manager Settlemyer stated Chief Freeman has proposed using police forfeiture funds to purchase a new vehicle at this time. Manager Settlemyer reminded the Board that the forfeiture funds can only be used for police purposes. Chief Freeman confirmed the inoperable vehicle will be placed on Govdeals to attempt to recoup some of the cost.

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Manager Settlemyer discussed **Item 5C**, Budget Amendment to Purchase Property Located at 304 Black Mountain Avenue stating staff has closed on the property on February 20, 2018 and said this budget amendment is necessary to reflect the transfer of the down payment to BB&T Bank in the amount of \$500,000.00 on the agreement to borrow the remaining \$1.5M. Manager Settlemyer stated the down payment was comprised of \$250,000 from the General Fund and \$250,000 from the Water Fund. Manager Settlemyer stated this is a 15 year loan at 3.49% interest and said the principal payment would be approximately \$50,000 annually and the Board could pay it off early without penalty if they choose to in the future. Alderman Harris confirmed the annual payments would be split between the Water and General Funds.

Manager Settlemyer discussed **Item 5D**, Request for Proposal to Provide Legal Services stating an RFP for Attorney services has not been sent out in a few years. Manager Settlemyer stated this is a function of the Board of Aldermen to approve and select a candidate to serve as Town Attorney.

Alderman Larry B. Harris stated he has been working with the Land of Sky Executive Committee on employment issues and said he would feel comfortable if the Town had an attorney available who specializes in HR law in the event they were to be needed. Alderman Harris stated HR issues are sensitive and time dependent when they arise and he feels it would be a best practice to have specialized representation in the event they were needed.

Manager Settlemyer stated the RFP process should cover this type of need and asked for clarification if the Board is seeking a contractual type agreement. Alderman Harris insisted on having a separate attorney who specializes in employment law and recommended approaching Roberts & Stephens Law Firm for employment law council as needed. Alderman Harris stated he believed there would be no contractual agreement needed.

Attorney Sneed stated his job (as town attorney) is required by statute and is one appointed by the Board of Aldermen. He said there is merit to having outside council dealing with personnel issues and in fact the practice is recommended by the School of Government. Attorney Sneed stated the question would be whether or not the Board should retain an attorney to provide this service. He stated direction is needed by the Board to the Town Manager.

Alderman Larry B. Harris moved to direct the Town Manager to request the Roberts & Stevens Law Firm to provide legal counsel for employment law matters.

The motion passed by a vote of 5-0.

Manager Settlemyer discussed **Item 8A**, Resolution to Approve Matching Funds for the Riverwalk Phase II Greenway Project #R-18-05 recalling receiving a grant from Federal Highway Administration for \$2M and saying the budget has now increased as the approvals from Norfolk Southern and NCDOT have come in making the project more expensive. Manager Settlemyer stated the Federal Highway Administration through NCDOT has an open process through the end of March 2018 to accept additional requests for funding. Manager Settlemyer stated the total budget is approximately \$4M and staff is requesting an additional \$2.25M in funding. Manager Settlemyer stated the town has spent close to \$200,000 to date on engineering and permitting and the town will need to ask for additional funding.

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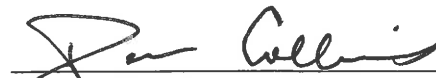
Manager Settlemyer reminded the Board this is a reimbursement grant and said there are opportunities with the purchase of the new building and the addition of the hotel downtown to extend the greenway from Flat Creek to The Oaks. Manager Settlemyer stated this resolution also asks for funding to connect the greenway to the downtown area. The total amount of the improvements is an additional \$2.25M. We are responsible for 20% match which is \$450,000. He stated the construction timeline reflects a completion date in 2021. Manager Settlemyer advised the Board as of July 1, 2018 we will have \$240,000 set aside in CIP to begin the project. Manager Settlemyer said this is a three year design and construction project and there is no harm in asking for additional funding but cautioned this is a financial commitment. Manager Settlemyer stated alternate funding sources are Buncombe County, Fonta Flora, and TDA and said the project timeline can be extended depending on funding coming in. Manager Settlemyer stated he preferred initially rounding the project cost up and not having to come back to MPO to ask for additional monies.

There was no further discussion by the Board.

There being no further discussion, Mayor Don Collins adjourned the meeting at 5:37 p.m.

ATTEST:


Angela L. Reece, Town Clerk


Don Collins, Mayor


Matt Settlemyer, Town Manager