



TOWN OF BLACK MOUNTAIN

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

Date: February 12, 2018 Time: 6:00 p.m.

AMENDED

Regular Session Agenda

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. 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 angela.reece@townofblackmountain.org
(828) 419-9300 / TDD (800) 735-2962

1. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Invocation – *Reverend Mike Macdonald, Black Mountain United Methodist Church*
- Announcements – *Mayor Don Collins*

2. PROCLAMATION AND AWARD RECOGNITION

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.

4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES –NONE

- A. Fire Department Annual Report by *Steve Jones, Fire Chief*
- B. Economic Development Update by *Erica Anderson, Economic & Community Dev. Director, Land of Sky*

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.

A. Adoption of Minutes

Motion: To adopt the minutes of January 4, 2018 (Agenda Session), and January 8, 2018(Regular Session).

TOWN OF BLACK MOUNTAIN- REGULAR SESSION AGENDA

February 12, 2018

- B.** Proposal to award contract to audit accounts of the Town of Black Mountain for the July 1, 2017 – June 30, 2018 time period.

Motion: *To approve terms of the contract for FY2017-18 auditing and financial reporting with Gould Killian CPA Group, P.A. of Asheville, NC in the amount of \$25,400 as presented, and to authorize the mayor and manager to execute the agreement on behalf of the Town.*

- C.** Budget Amendment to Purchase Police Equipment (from restricted ABC distribution funds) **# FY2018-06**

Motion: *To approve Budget Amendment #FY2018-06 as submitted, increasing the expenditure account 1010-5100-190 (ABC Distribution Expenditure) by \$13,000 and increasing the revenue account 1000-2990-000 (Fund Balance Appropriated) by \$13,000.*

- D.** Resolution of Support for Children and Friends Inc. to Request Grant Funding by Filing Application with SECU **#R-18-03**

Motion: *To adopt the resolution as presented.*

- E.** Text Amendment to the August 8, 2016 Board of Aldermen Regular Session Minutes

Motion: *To amend the August 8, 2016 Board of Aldermen Regular Session Minutes, Item 8B, Recommendation of Award of Solid Waste Contract to Waste-Pro USA, Inc., adding the following language to the minutes:*

The Black Mountain Board of Aldermen acknowledges and ratifies the current contract as negotiated by Town Manager Settlemyer pursuant to Board of Aldermen authorization and believes it accurately reflects the discussion from the August 8, 2016 Board of Aldermen meeting and is consistent with Aldermen Harris' motion.

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

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.*

7. UNFINISHED BUSINESS – NONE

TOWN OF BLACK MOUNTAIN- REGULAR SESSION AGENDA
February 12, 2018

8. NEW BUSINESS

A. Capital Project Ordinance Amendment (Watershed Restoration Capital Project Fund)

#O-18-01

Motion: *To approve capital project ordinance #O-18-01 for watershed restoration as presented.*

B. Budget Amendment for Capital Project Ordinance #O-18-01, Watershed Restoration Capital Project Fund

FY2018-07

Motion: *To approve Budget Amendment #FY2018-07 as submitted, increasing the revenue accounts, 6300-3700-705 (Land of Sky Grant) by \$60,000, and 6300-3700-955 (Transfer from GF) by \$20,000, and increasing the expenditure accounts, 6300-4200-040 (Prof Services) by \$5,000 and 6300-4200-730 (Capital Outlay) by \$75,000.*

C. Resolution of the Town's Intent and Desire to Accept the Offer of the Hemphill Property for Use as a Town Park and Resolving Not to accept the 1.7 Acre Non-Contiguous Parcel

#R-18-04

Motion: *To adopt Resolution #R-18-04 as presented.*

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 – Ron Sneed
- B. Town Manager – Matt Settlemyer

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

12. ADJOURNMENT



Matt Settlemyer
Town Manager

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 12, 2018

SUBJECT: Budget Amendment #FY2018-6 to Purchase Police Equipment

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number: 5C
Department: Finance
Contact: Dean Luebbe, Assistant Town Manager/Finance Director
Presenter: Matt Settlemyer, Town Manager

BRIEF SUMMARY: With recent events involving active shooters and other high risk events, the Black Mountain Police Department is taking a proactive approach in the preparation of such possible events. The department will be purchasing equipment which will better equip officers as they respond to these events. The equipment includes ballistic vests, uniforms and headsets, holsters and belts, and additional gear. The funds that will purchase these items will come from the restricted portion of the quarterly distribution from the ABC store. Currently, the police department receives \$3,700 per quarter, and at the end of FY17 this account had a balance of \$37,961. The total cost of the equipment needed will be \$25,000. Because \$12,000 was originally budgeted in the line item, a budget amendment is needed for \$13,000

MOTION FOR CONSIDERATION: To approve Budget Amendment #FY2018-06 as submitted, increasing the expenditure account 1010-5100-190 (ABC Distribution Expenditure) by \$13,000 and increasing the revenue account 1000-2990-000 (Fund Balance Appropriated) by \$13,000.

FUNDING SOURCE: Police ABC Funds.

ATTACHMENTS: Budget Amendment #FY2018-6

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

Budget Amendment # 2018-6
Fiscal Year 2017-2018

Dept.	Account #	Account Name	Debit	Credit	Comments
	1010-5100-190	ABC Distribution	13,000.00		To record expenditures
	1000-2990-000	Fund Balance		13,000.00	for police from their
					ABC Funds

Totals: 13,000.00 13,000.00

BD # _____

Entered By: _____

Journal # _____

Fiscal Yr _____

Approved By: _____

Date _____

Date _____



RESOLUTION #R-18-03

**RESOLUTION OF SUPPORT FOR CHILDREN AND FRIENDS INC. TO REQUEST
GRANT FUNDING BY FILING APPLICATION WITH SECU**

WHEREAS, the Town of Black Mountain, North Carolina desires to support Children and Friends Inc. request for grant funding from the SECU to better serve the citizens of Black Mountain and Swannanoa Valley; and

WHEREAS, the Town of Black Mountain Board of Aldermen recognize providing local child care for working parents is a major factor in economic development and;

WHEREAS, Children and Friends Inc. receiving grant funding from the SECU would help families and children in the Black Mountain Swannanoa Valley area who are in need of developmental and educational child care; and

WHEREAS, the Town of Black Mountain will consider making land available adjacent to the Town's Community Garden as per the approved Memorandum of Understanding; and

WHEREAS, the Town of Black Mountain will be responsible for the construction and maintenance of necessary public infrastructure, in the project area, that serves the good of the general public, such as sidewalks or road enhancements; and

WHEREAS, the access to the proposed Interstate 40 exchange is ideal, providing parents immediate access to the center, including those traveling I-40 from other counties surrounding Black Mountain; and

WHEREAS, the proposed location of the new center is within ½ mile of the new Avadim Technologies site which will employ 500 people, many needing access to child care; and

WHEREAS, the Board of Aldermen of the Town of Black Mountain support Children & Friend's grant application to the SECU, and express their full appreciation to the State Employees Credit Union Foundation Board and membership for their consideration of this important project; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Black Mountain, North Carolina

1. The Board of Aldermen has signed a Memorandum of Understanding supporting this project.
2. The Board of Aldermen has requested NCDOT to conduct a traffic study on Blue Ridge Road, with the understanding it will not be expanded to a 4-lane highway and implementation of safety features such as lights, buffers, or additional lanes may be appropriate. The Board further understands the Center operates from 6:30 a.m. to 5:30 p.m. with arrival and pick up times varying throughout the day so as to minimize traffic impacts in the area.
3. The Board of Aldermen understands the proposed location of the Center will be at least one block away from Blue Ridge Road. The Center will be fenced and operated as required by State rules and regulations.
4. The Board of Aldermen are already committed to the completion of sidewalks along Blue Ridge Road pending grant approval, allowing pedestrians easier access to the Community Garden and the Greenway.
5. The Board of Aldermen agree to collaborate with Center staff to develop a children's garden.

I move the adoption of the foregoing resolution:

Alderman

READ, APPROVED AND ADOPTED, by a vote of ____ to ____ this 12th day of February, 2018.

ATTEST:

Don Collins, Mayor

Angela Reece, Town Clerk

Matt Settlemyer, Town Manager

CAPITAL PROJECT ORDINANCE #O-18-01
WATERSHED RESTORATION CAPITAL PROJECTS FUND AMENDMENT

BE IT ORDAINED by the Governing Board of the Town of Black Mountain, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. The project authorized involves the watershed management plan for the Upper Swannanoa River, with this phase of the project making improvements at the library, golf course, and Church Street. The project, once completed, will remove pollutants from stormwater runoff, and ultimately improve the water quality and habitat of the Swannanoa River.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the agreement documents, and the budget contained herein.

Section 3. At this time, the following amounts have been appropriated and expended for the project:

	BUDGET	ACTUAL
Professional Services	<u>\$58,775</u>	<u>\$47,541</u>
TOTAL	<u>\$58,775</u>	<u>\$47,541</u>

Section 4. And, the following revenues have been budgeted and actuals received:

	BUDGET	ACTUAL
Pigeon River Fund Grant	\$30,000	\$30,000
Land of Sky Grant	\$13,775	\$19,035
Town Matching Fund	<u>\$15,000</u>	<u>\$15,000</u>
TOTAL	<u>\$58,775</u>	<u>\$58,775</u>

Section 5. The Town recently received a grant from the Land of Sky Regional Council for \$60,000, with the Town needing to match \$40,000. In FY17, the Town had transferred \$15,000 into the Watershed Management Capital Project Fund in anticipation of receiving this grant, and the Town received \$5,000 in additional funding from the Pigeon River Fund in May of 2017, so the Town only needs to contribute \$20,000 to this project to fulfill our match. The following Capital Projects Fund budget amendment is needed to update the Project.

EXPENDITURE BUDGET

Professional Services	\$5,000
Capital Outlay	<u>\$75,000</u>
TOTAL	<u>\$80,000</u>

REVENUE BUDGET

Land of Sky Grant	\$60,000
Town Matching Funds	<u>\$20,000</u>
TOTAL	<u>\$80,000</u>

Section 6. The Finance Officer is hereby directed to maintain within the Capital Project Fund (Fund 6300, Watershed Restoration Capital Projects Fund) sufficient specific detailed accounting records to satisfy the requirements of the funding agency and their agreements. The term of the agreement also shall be met.

Section 7. The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this capital project amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and Finance Officer for direction in carrying out this project.

Adopted this 12th day of February, 2018

Don Collins, Mayor

Matt Settlemyer, Town Manager

Dean Luebbe, Assistant Town Manager/Finance Director

ATTEST:

Angela Reece, Town Clerk

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 12, 2018

SUBJECT: Budget Amendment #FY2018-07 for Capital Project Ordinance O-18-01, Watershed Restoration Capital Project Fund

AGENDA INFORMATION

Agenda Location: New Business
Item Number: 8B
Department: Finance
Contact: Dean Luebbe, Assistant Town Manager/Finance Director
Presenter: Matt Settlemyer, Town Manager

BRIEF SUMMARY: The Town has recently received a \$60,000 grant from the Land of Sky Regional Council for the purpose of improving the quality and habitat of the Swannanoa River through removing pollutants from stormwater runoff. The Town is required to provide a \$40,000 match. In FY17, the Town transferred \$15,000 of this match and the Town received \$5,000 from the Pigeon River Fund in May of 2017, so the FY18 transfer is only \$20,000. The Town had originally budgeted the full \$40,000 transfer in the FY17-18 budget.

MOTION FOR CONSIDERATION: To approve **Budget Amendment #FY2018-07** as submitted, increasing the revenue accounts, 6300-3700-705 (Land of Sky Grant) by \$60,000, and 6300-3700-955 (Transfer from GF) by \$20,000, and increasing the expenditure accounts, 6300-4200-040 (Prof Services) by \$5,000 and 6300-4200-730 (Capital Outlay) by \$60,000.

FUNDING SOURCE: N/A

ATTACHMENTS: Budget Amendment #FY2018-7.

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

Budget Amendment # 2018-7
Fiscal Year 2017-2018

Dept.	Account #	Account Name	Debit	Credit	Comments
	6300-4200-040	Prof Serv	5,000.00		To record Capital
	6300-4200-730	Capital	75,000.00		Projects Fund Amendment
	6300-3700-705	Land of Sky/		60,000.00	to Fund 6300
	6300-3700-955	Transfer from GF		20,000.00	for Land of Sky Grant

Totals: 80,000.00 80,000.00

BD # _____

Entered By: _____

Journal # _____

Fiscal Yr _____

Approved By: _____

Date _____

Date _____

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 12, 2018

SUBJECT: Resolution of the Town's Intent and Desire to Accept the Offer of the Hemphill Property for Use as a Town Park and Resolving Not to accept the 1.7 Acre Non-Contiguous Parcel
#R-18-04

AGENDA INFORMATION

Agenda Location: New Business
Item Number: 8C
Department: Administration
Contact: Ron Sneed, Town Attorney
Presenter: Matt Settlemyer, Town Manager

BRIEF SUMMARY: The Town has been offered the opportunity to use property owned by Joe and Mary Hemphill as a town park. That property consists of three parcels, together referred to as the "Sims Property." The will of Mary Hemphill left this property to the Southern Appalachian Highlands Conservancy to be used as a park, and the Conservancy has the ability to reject this gift if the Town does not want to develop it as a park. Of the three parcels, two are contiguous, with the parcel identified on the tax maps as PIN # 0619-65-7228 and PIN # 0619-55-7327 being those parcels and being readily accessible by means of an easement from US Highway 70. The third parcel, PIN # 0619-73-7681, is a 1.7 acre parcel separated from the other two parcels and without known legal access. It is the recommendation that if the Town desires to accept the property for use as a town park by resolution, that the two contiguous parcels be accepted and that the Town reject by resolution the 1.7 acre parcel.

MOTION FOR CONSIDERATION: To approve as presented.

FUNDING SOURCE: N/A

ATTACHMENTS: Resolution #R-18-04, Sims Property Tax Map

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.



RESOLUTION #R-18-04

**RESOLUTION STATING THE TOWN'S INTENT AND DESIRE TO ACCEPT THE
OFFER OF THE HEMPHILL PROPERTY FOR USE AS A TOWN PARK AND
RESOLVING NOT TO ACCEPT THE 1.7 ACRE NON-CONTIGUOUS PARCEL**

WHEREAS, the Town of Black Mountain, North Carolina, has been offered the opportunity to develop three parcels of property known as the "Sims Property" as a park through the will of Mary Hemphill who devised the land to the Southern Appalachian Highlands Conservancy on the condition that it be used as a park; and

WHEREAS, those parcels are shown on the Buncombe County tax maps as PIN Numbers 0619-65-7228 (@ 24.95 acres), 0619-55-7327 (@ 0.81 acre), and 0619-73-7681 (@ 1.7 acres); and

WHEREAS, the 24.95 acre parcel and the 0.81 acre parcel are contiguous and accessible by an easement over other property formerly owned by Joe and Mary Hemphill but the 1.7 acre is not near the other two parcels and may lack clear legal access, so that the 1.7 acre parcel will not be useful to the Town as a park.

NOW, THEREFORE, BE IT RESOLVED, that the Town does accept the use of the 24.95 acre parcel and the 0.81 acre parcel for use as a town park, but rejects the offer of the 1.7 acre parcel so that the estate of Mary Hemphill can have other use of that parcel.

I move the adoption of the foregoing resolution:

Alderman

READ, APPROVED AND ADOPTED, by a vote of ____ to ____ this 12th day of February, 2018.

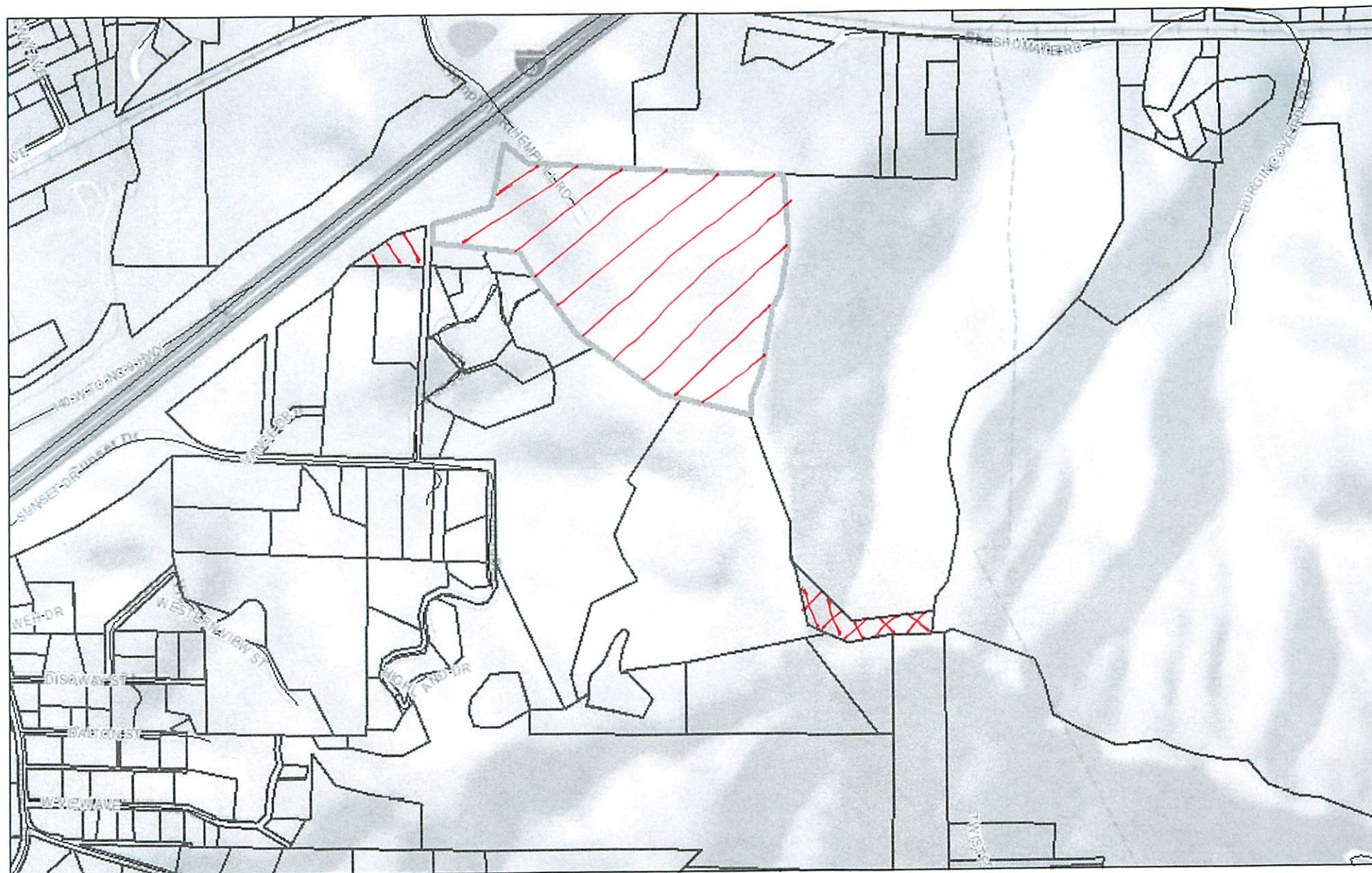
ATTEST:

Don Collins, Mayor

Angela Reece, Town Clerk

Matt Settlemyer, Town Manager

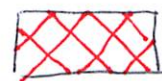
Buncombe County



February 6, 2018



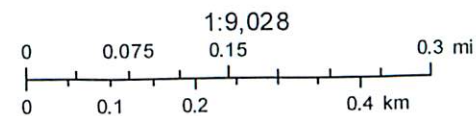
0619-65-7228



0619-73-7681



0619-55-7327



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Minutes Follow this Section



TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
AGENDA WORKSHOP MEETING MINUTES
January 4, 2018

THE BLACK MOUNTAIN BOARD OF ALDERMEN held an agenda workshop on Thursday, January 4, 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, January 8, 2018 at 6:00 p.m.

1. CALL TO ORDER

Mayor Don Collins called the meeting to order at 5:00 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

The following staff members were present:

Matt Settlemyer, Town Manager
Angela L. Reece, Town Clerk
Ronald E. Sneed, Attorney
Shawn Freeman, Police Chief
Steve Jones, Fire Chief
Jamey Matthews, Public Services Director
Casey Conner, Recreation Services Director
Jessica Trotman, Planning Director

The Board reviewed the items that were proposed for the January 8, 2018 regular session meeting and removed Item 8C, placing it on the February 2018 agenda for consideration.

Town Manager Settlemyer presented the proposed agenda to the Board of Aldermen. He stated Trent Holbert will give the invocation.

Manager Settlemyer discussed **Item 8A**, Resolution to Modify Municipal Boundaries of the Town of Black Mountain and the Town of Montreat stating this resolution will allow the Town of Montreat to construct a new town hall. Manager Settlemyer referenced to a letter included with the proposed resolution which indicates the Town of Montreat is willing to construct a sidewalk along their portion of the property which will complete the sidewalk project to the gate in Montreat. Manager Settlemyer reminded everyone that municipalities do not have the authority to annex or de-annex property and stated the resolution is a joint resolution asking the NC General Assembly to de-annex the property and modify the municipal boundaries. Manager Settlemyer stated

Black Mountain Board of Aldermen
Agenda Workshop Minutes -January 04, 2018

government facilities are an approved use and currently allowed under SR-2 zoning in the Town of Black Mountain.

Manager Settlemyer discussed **Item 8B**, Statement of Policy stating staff have worked to update their operating policies and have compiled them all into one working document which is easier for citizens to access. Manager Settlemyer stated nothing new was added to the policy but they were updated to reflect actual operations of each department. He stated this last time this was updated was in 1998.

Manager Settlemyer discussed **Item 8C**, Agreement for Transfer of Water Distribution System lines from the City of Asheville. The agreement would allow the Town of Black Mountain to take over water lines from the City of Asheville beginning with service lines to the new Avadim facility (phase I) and continuing onto residents on Allen Mountain (phase II). There is a current agreement with the City of Asheville to purchase 200,000 gallons of water per day and we will need to increase this amount to accommodate the new commerce park and additional water customers. The City requests we acknowledge a new agreement. Manager Settlemyer stated the agreement to transfer references the agreement to purchase and recommended removing this item and placing it on the February agenda for consideration once a new agreement is proposed. Alderman Ryan Stone inquired if staff has received any type of certification of the condition of the water lines and staff stated we have not and will require maintenance. Attorney Sneed stated the age of the water lines makes it attractive to the City to turn them over after years of negotiations. Mayor Collins inquired of the growth rate and Manager Settlemyer stated current usage will support 28 years of growth. ***The Board agreed to place the item on their February 2018 agenda for consideration.***

Manager Settlemyer discussed **Item 8D**, Appointment to fill vacancies on Town Boards and Commissions. Town Clerk Angela Reece stated she has received one application by the deadline and another afterward. The Board agreed to consider the application that was received by the due date and to consider the second application for any openings afterward. Ms. Reece stated she will be advertising for all the expiring terms in May.

Manager Settlemyer discussed **Item 9A**, Public Hearing to discuss approval of Resolution #R-18-01 authorizing the Town of Black Mountain to make application to the NC Local Government Commission for approval of a financing agreement stating this item is necessary to apply for a loan to purchase the property located at 304 Black Mountain Avenue. Manager Settlemyer reminded the Board that this public hearing is only to consider application for financing. Mayor Collins discussed the public hearing comment period with the Board and Attorney Sneed and it was determined a statement would be written and read aloud to guide the public on the conduct of the public hearing comments.

There was no further discussion by the Board.

There being no further discussion, Mayor Don Collins adjourned the meeting at 5:33 p.m.

ATTEST:

Don Collins, Mayor

Black Mountain Board of Aldermen
Agenda Workshop Minutes -January 04, 2018

Angela L. Reece, Town Clerk

Matt Settlemyer, Town Manager



TOWN OF BLACK MOUNTAIN

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

Date: January 8, 2018

Time: 6:00 p.m.

Regular Session Minutes

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Town Clerk Angela Reece at 419-9310, or by email at townclerk@townofblackmountain.org
(828) 419-9300 / TDD (800) 735-2962*

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 Jeremie Konegni
Alderman Carlos Showers
Alderman Ryan Stone

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. Reverend Trent Holbert of Black Mountain 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 at any time and view the most recent regular meeting of the Board.

Black Mountain Board of Aldermen
Regular Session Minutes – January 8, 2018

In his announcements Mayor Collins encouraged citizens to recycle their Christmas trees at the Dr. John Wilson Community Garden at 99 White Pine Dr. Black Mountain through January 15, 2018.

2. PROCLAMATION AND AWARD RECOGNITION

A. Proclamation by Mayor Don Collins Honoring Dr. Martin Luther King Jr.

Mayor Collins read the proclamation in honor of Rev. Dr. Martin Luther King Jr. and encouraged citizens to attend the 28th Annual Memorial Prayer Breakfast at 8:00 a.m. at Camp Dorothy Walls, Black Mountain hosted by the local Martin Luther King, Jr. Memorial Corporation.

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.*

Mayor Collins reminded citizens that comments in reference to the Public Hearing (Item 9A) should take place during the public hearing and said any other comments would be appropriate during this time. There were no citizen comments.

4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES –NONE

A. Library Board Annual Report by Attorney Ron Sneed

Attorney Sneed praised the new Library Director, Melisa Pressley and encouraged everyone to attend the upcoming events to celebrate 50 years of having the Black Mountain Library and the work citizens such as Betty Tyson put into its creation. Attorney Sneed stated he is a member of the Library Board and explained the function of that board and said the funding the Town allocates each month supports the facility maintenance. Attorney Sneed stated the current building is the most energy efficient building in the system and thanked the support of the Board of Aldermen to make this possible.

B. Police Department Semi-Annual Report by Shawn Freeman, Police Chief

Police Chief Shawn Freeman presented the semi-annual report to the Board of Aldermen. Chief Freeman praised staff for making the transition seamless. In his report, Chief Freeman stated the Black Mountain Police Department (BMPD) received 26,911 calls for service in 2017 which represents 32.15% overall increase over the last five years. Chief Freeman attributed this to a more proactive patrol, P.A.C.E. Team and motivated officers as well as a 3.78% growth in the population. Chief Freeman discussed street drug arrest totals and stated the seizures account for an

Black Mountain Board of Aldermen
Regular Session Minutes – January 8, 2018

estimate of \$274,732 street drug value which has been removed from our streets. Chief Freeman stated BMPD has received a grant from the Bureau of Justice in the amount of approximately \$11,000.00. Chief Freeman stated staff has also applied for a GCC no-match grant in the amount of \$24,500 to be used for mobile data terminals and in-car printers to reduce the cost to the town. Chief Freeman discussed ongoing community initiatives including Coffee with a Cop, community meetings, social media outreach, community policing strategies as well as the Elder Check Program. Chief Freeman stated the Elder Check program is being implemented and will allow single elderly folks to enroll who will contact BMPD each day by 11:00 a.m. to check in to let officers know they are ok. If BMPD does not receive a call from a participant they will send officers to check on the individual. Chief Freeman discussed community partnerships with local merchants and citizens which allowed BMPD staff to send much needed supplies to Collier County Florida in the wake of Hurricane Irene. He stated BMPD officers with the help if Precision Graphics staff passed out all the donated supplies and served over 700 meals to those in need. Chief Freeman expressed gratitude and pride of the merchants and citizens of Black Mountain stating that they again pulled together to collect supplies to provide 12 families with full Thanksgiving meals which included ham and all the trimmings. He stated they were also able to provide 10 elderly persons with large boxes of groceries. Chief Freeman stated he has been blessed with the work ethic of the staff and outreach of the community in Black Mountain.

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. There was no discussion on this item.

A. Adoption of Minutes

Motion: *To adopt the minutes of December 7, 2017 (Agenda Session), and December 11, 2017(Regular Session).*

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

Vice Mayor Maggie Tuttle moved to approve consent item A as presented.

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

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 – NONE

8. NEW BUSINESS

A. Resolution to Modify Municipal Boundaries of the Towns of Black Mountain and Montreat

Town Manager Settlemyer discussed the proposed resolution to de-annex property belonging to the Town of Montreat to allow them to construct a new town hall. Manager Settlemyer reminded everyone that municipalities do not have the authority to de-annex property and stated the resolution is a joint resolution asking the NC General Assembly to de-annex the property and modify the municipal boundaries. Manager Settlemyer stated government facilities are an approved use and currently allowed under SR-2 zoning in the Town of Black Mountain and stated there will be no cost or commitment to the Town. Manager Settlemyer stated the Town of Montreat has agreed to complete the remaining portion of sidewalk along this portion of their property if the boundary modification is approved. There was no discussion by the Board. **#R-18-02**

Alderman Larry B. Harris moved to adopt Resolution #R-18-02 calling on the North Carolina General Assembly to modify the municipal boundaries of the Towns of Black Mountain and Montreat as presented.

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

B. Town of Black Mountain Statement of Policy

Manager Settlemyer presented the Town of Black Mountain Statement of Policy to the Board of Aldermen and stated administrative services policies have been revised and compiled into one document for easier access and revision. Manager Settlemyer stated this policy has not been updated since 1994 and gave examples of services the town no longer offers as well as new procedures and services. Manager Settlemyer stated the adopted policy will be placed on the website. There was no discussion by the Board.

Alderman Larry B. Harris moved to adopt the revised Town of Black Mountain Statement of Policy as presented.

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

C. Appointment to fill vacancies on Town Boards and Commissions

1. **Historic Preservation Commission** – (1) vacancy/ unexpired term ending June 30, 2018

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Vice Mayor Maggie Tuttle moved to appoint Nel Ruffin to fill an unexpired term ending June 30, 2018.

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

9. PUBLIC HEARING

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.

- A.** Public Hearing to discuss approval of Resolution #**R-18-01** authorizing the Town of Black Mountain to file an application for approval of a financing agreement as Authorized by N.C.G.S. Section 160A-20 by the North Carolina Local Government Commission for the financing of the purchase of property located at [304 Black Mountain Avenue, Black Mountain, NC](#), such property being shown on the Buncombe County Tax maps as Pin #0619-34-0581.

Mayor Don Collins stated this Public Hearing (Item9A) is to authorize the Town of Black Mountain to file a financing agreement with the Local Government Commission regarding the Town's purchase of the property at 304 Black Mountain Avenue. The offer to purchase was approved by the Board of Aldermen at a called meeting on November 2, 2017. Tonight's discussion will focus solely on the financing arrangement associated with the purchase. Comments during the Public Hearing should adhere to the financing portion of this purchase. Any other comments regarding the property (or other town business) are, of course, welcome during the Citizen Comment portion of tonight's meeting.

***Alderman Carlos Showers moved to open the public hearing.
The motion was unanimously approved by a vote of 5-0.***

Charlotte McRaine of 795 Lakey Gap Rd. Black Mountain addressed the Board of Aldermen expressing her concerns of the sale of the current public services building and the terms and conditions of the proposed financing. Ms. McRaine urged the Board of Aldermen to sell the current public services property as soon as it is vacant in order to reap the maximum financial benefit.

Lisa Milton of 406 West State Street, Black Mountain addressed the Board of Aldermen asking the Board of Aldermen not to sell the current public services building property. Mrs. Milton stated the needs of the community have grown and she feels the potential uses for the property outweigh the need to sell it.

Town Manager Settlemyer advised the Board of Aldermen the bid from BB&T bank is the lowest bid to borrow \$1.5 million dollars at 3.49% interest for a 15 year term. Manager Settlemyer reminded the Board of Aldermen the financing of this property is independent of selling the current public services property and said the comments offered should be considered at a later time.

***Alderman Larry B. Harris moved to close the public hearing.
The motion was unanimously approved by a vote of 5-0.***

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Alderman Larry B. Harris stated both public comments were appreciated and will be considered at the appropriate time. Alderman Ryan Stone clarified the next steps in this process with Assistant Town Manager Luebbe stated there are a number of documents to be submitted prior to approval by the Local Government Commission but a closing date could be as early as mid-March. Alderman Larry B. Harris clarified this resolution is an intent to apply for financing to purchase the property and not the contract.

Alderman Larry B. Harris moved to adopt Resolution #R-18-01, authorizing the Town of Black Mountain to make application to the North Carolina Local Government Commission for approval of a financing agreement authorized by N.C.G.S. 160A-20 for financing the purchase of property located at [304 Black Mountain Avenue, Black Mountain, NC](#), and described on the Buncombe County Tax maps as Pin #0619-34-0581, as presented [or as amended].

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

10. COMMUNICATION FROM STAFF

- A.** Town Attorney – Attorney Ron Sneed recalled the donation of property by Mary Hemphill to the town through the Appalachian Conservancy to be used for a park stating the Planning Director and Recreation Director are putting together a preliminary plan for uses on the property. Attorney stated there are some legal considerations with the estate cash value which are being worked through before a final plan can be implemented.

Attorney Sneed also gave an update on the Watson case for non-residential building code compliance violations stating the case has been presented in Superior Court at a hearing in October 2017. Attorney Sneed stated he has filed a brief and Judge Coward stated he indicated a decision would be made soon.

- B.** Town Manager – Town Manager Matt Settlemyer followed up on the Hemphill property donation discussion stating staff is preparing to provide a list of uses of the property to the Board of Aldermen at their February meeting.

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

Alderman Jeremie Konegni stated he visited the Public Services department today and after observing and speaking with staff he believes the purchase of the Foam and Fabric building is beneficial to the Town.

Alderman Larry B. Harris thanked Police Chief Shawn Freeman and stated the Board of Aldermen are appreciative for the outreach and community support being demonstrated.

Alderman Ryan Stone thanked colleagues at the Town of Montreat for attending the meeting and stated the Board is glad to help move the Town of Montreat forward.

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Alderman Carlos Showers recognized and thanked town staff for all their efforts to help citizens in town and for their quick responses to problems.

Mayor Don Collins also thanked and praised Police Chief Shawn Freeman stating he has heard nothing but good reports from citizens in town on the police department. Mayor Collins also thanked citizens Charlotte McRaine and Lisa Milton for their comments and reminded them that the board has cut debt in half going from 14 debts to 4. Mayor Collins assured them the Board will make every effort to pay off their debts early to save the tax payers the maximum amount of money.

12. ADJOURNMENT

There being no further business, Mayor Don Collins adjourned the meeting at 7:09 p.m.

ATTEST:

Don Collins, Mayor

Angela L. Reece, Town Clerk

Matt Settlemyer, Town Manager



TOWN OF BLACK MOUNTAIN

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

AMENDED 2/12/18

Date: August 8, 2016

Time: 6:00 p.m.

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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. 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
(828) 419-9300 / TDD (800) 735-2962*

1. CALL TO ORDER

Mayor C. Michael Sobol called the meeting to order at 6:00 p.m. with the following members present:

Mayor C. Michael Sobol
Alderman Don Collins
Alderman Larry B. Harris
Alderman Carlos Showers
Vice Mayor Ryan Stone
Alderman Margaret Tuttle

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
Rob Austin, Police Lieutenant
Steve Jones, Fire Chief
Josh Harrold, Planning Director
Jamey Matthews, Public Services Director
Steve Padgett, Police Chief- Absent
Casey Conner, Recreation Services Director- Absent

Mayor C. Michael Sobol led the Pledge of Allegiance followed by the invocation given by Dr. William Henderson, Pastor, First Baptist Church Black Mountain.

Mayor Sobol 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

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www.townofblackmountain.org and click on “Town Board Video Stream” at any time and view the most recent regular meeting of the Board of Aldermen.

In his announcements, Mayor Sobol recognized Planning Director, Josh Harrold, for his participation in the Spartan Race this past week.

2. PROCLAMATION AND AWARD RECOGNITION – None at this time.

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.*

Phil Bisesi of 15 Hi View Drive Black Mountain addressed the Board of Aldermen urging them to consider a resolution in support of Cities of Peace in September. Mr. Bisesi thanked the Board for their support in previous years.

Chris Sheehan of 74 Locust Street Black Mountain addressed the Board of Aldermen with concerns regarding the invalidation of the tattoo ordinance #O-16-14 on August 5, 2016 after staff discovered a clerical error in publicizing notice of the public hearing.

Marilyn Sobanski of Rainbow Recycling addressed the Board of Aldermen and Citizens encouraging participation in the Hard-2-Recycle event which is being held on Saturday September 17 at Madden’s Ace Hardware parking lot on Highway 70 in Swannanoa from 10 a.m. to 2 p.m. More information can be obtained by contacting info@rainbowrecycling.org.

4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES

A. Black Mountain Police Department Semi-Annual Report – Rob Austin, Lieutenant

Lieutenant Rob Austin delivered the Black Mountain Police Department Semi-Annual Report stating calls for service have increased 20% in the last 6 months totaling 12,895. Lieutenant Austin stated there were 262 total arrests, 548 total arrest charges, and 20 D.W.I charges, and 186 total drug violations. Lieutenant Austin stated the increase is partially due to focused efforts to clean up high crime areas in Town. Lieutenant Austin discussed reserve hours stating the cost savings was \$11,229.20 for the past 6 months. Lieutenant Austin stated Operation Medicine Drop was very successful resulting in collection of 10,647 dosage units. Lieutenant Austin also discussed participation in Safety Saturday and youth relations at Black Mountain Primary School. Lieutenant Austin thanked the community for all their support stating it is an honor to serve the Citizens of Black Mountain.

B. Black Mountain Fire Department Semi-Annual Report – Steve Jones, Chief

Fire Chief Steve Jones delivered the Black Mountain Fire Department Semi-Annual Report stating emergency response calls for service have remained steady for the reporting period totaling 1,005. Chief Jones stated exposures totaled \$15,465,950 and property loss was \$1,492,700. Chief

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Jones stated the Fire Department performed 326 inspections and logged 15,380 hours of service. Chief Jones stated the Fire Department is now being dispatched by Buncombe County Communications which serves all emergency services in Buncombe County. Chief Jones stated the move was due to resources and would produce quicker call response times by an average of 2 minutes per call. Chief Jones spoke about community support and stated all of Black Mountain's emergency service workers are grateful for the outpouring of support from the community. Chief Jones thanked the community for their support and stated it is an honor to serve the Citizens of Black Mountain.

C. Black Mountain Swannanoa Chamber of Commerce Update – Bob McMurray, Director

Bob McMurray presented the Chamber of Commerce update to the Board of Aldermen. Director McMurray encouraged citizens to attend the 39th Annual Sourwood Festival and thanked Black Mountain Public Services, Police, Fire, EMS and volunteers for making the festival safe and pristine for citizens and their families. Director McMurray thanked Alderman Carlos Showers for his role as Ex-Officio Board Member as well as over 40 volunteers who run the center. Director McMurray stated the center has had 26,000 visitors in the past year and logged 193,398 visits on the Chamber's website. He stated the website is currently being redesigned and will be upgraded in the coming weeks to feature a mobile friendly platform. Director McMurray encouraged citizens and visitors to check out the new website <http://www.exploreblackmountain.com/> for small business information as well as relocation information and calendar of events.

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.

A. Adoption of Minutes

Motion: *To adopt the minutes of July 7, 2016 (Agenda Workshop), and July 11, 2016 (Regular Session).*

B. Call For Public Hearing to Close a Portion of an Un-Opened, Platted Right-of-Way Known as Ridgedale Avenue.

Motion: *To call for the public hearing to close a portion of an unopened, platted right-of-way known as Ridgedale Avenue to be held on Monday, September 12, 2016 at 6:00 p.m. or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue. #R-16-09*

There were no discussion on these items.

Consent Motion: *To approve consent items A-B as presented.*

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***Alderman Ryan Stone moved to approve consent item A-B as presented.
The motion was unanimously approved by a vote of 5-0.***

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

There was no unfinished business.

8. NEW BUSINESS

A. Request to Award Bid for purchase of Custom Fire Pumper Truck

Motion: To Award Contract to KME, Inc. for purchase of custom pumper truck in the amount of **\$481,000.**

Town Manager Settlemyer recommended the Board award contract to KME, Inc. for purchase of the custom pumper fire truck in the amount of \$481,000. Fire Chief Steve Jones addressed the Board of Aldermen and public stating the Town's insurance rating is a Class 4 and in order to maintain this rating each fire engine is required to have 4 firemen on it. Fire Chief Jones stated a custom truck is built to accommodate 4 firemen and their gear, is built to last longer than a commercial truck, and has better radius and roll over protection. Fire Chief Jones stated a custom truck is a better choice due to safety and accessibility on mountainous terrain. Town Manager Settlemyer reminded everyone the Town has set aside \$425,000 in the Capital Reserve Fund which would bring the total down to \$468,250 if the Board chooses to put a down payment on the truck in the current fiscal year which would produce a cost savings of \$12,750. Manager Settlemyer compared similar custom truck purchases this year by the City of Asheville at \$548,125.00, and the City of Kings Mountain at \$548,174.00 stating Fire Chief Jones and staff have done a good job at keeping the cost low with few amenities.

Alderman Don Collins moved to Award Contract to KME, Inc. for purchase of custom pumper truck in the amount of \$481,000.

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

B. Recommendation of Award of Solid Waste Contract to Waste-Pro USA, Inc.

Motion: To accept the proposal for solid waste collection from Waste-Pro USA.

Town Manager Settlemyer stated the Town received two proposals for the solid waste contract, one from Republic, and the other from Waste-Pro USA, Inc. Town Manager Settlemyer stated he and staff reviewed the proposals and and feel certain Waste-Pro USA, Inc. would be the best choice

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to continue services without additional fees or reduction of services. Manager Settlemyer stated the Town currently pays \$12.00 per customer with Republic Services. The proposal from Republic Services increased to \$25.00 per customer for the same level of service with an alternate proposal of \$17.00 with a reduced level of service. The proposal from Waste-Pro is \$15.04 per customer for the level of service.

The following representatives from Waste Pro USA Inc. addressed the Board of Aldermen: Robert Allen, Director of Government Relations; Bob TenHaaf, Regional Vice President; and Chip Gingles, Division Manager. Mr. TenHaff stated Waste-Pro has been in business since 2001 and now operates in 9 states in the south east with most business coming from municipal government. Mr. TenHaff stated the company has spent significant time and resources equipping trucks with the new third-eye camera system and air-track technology which allows safety, tracking, and communication capability for staff to monitor compliance and service delivery. Mr. Gingles stated the plan for transition would include becoming familiar with Town streets and problem areas and developing attainable solutions to ensure efficient and safe service delivery to all areas. Mr. Gingles stated Waste-Pro USA Inc. is very safety oriented. Alderman Larry B. Harris clarified the timeframe for the transition would be October 1, 2016 which is the end date for the contract with Republic Services. Mayor C. Michael Sobol inquired about disposal fees in the proposal and the difference between this fee and the tipping fee the Town pays at the land fill. Town Manager Settlemyer stated the RFP did not require the tipping fee to be included as part of the proposal. Mr. TenHaaf stated Waste-Pro USA Inc. would eliminate the disposal fee as discussed. This results in an \$11.46 per customer proposal. Alderman Carlos Showers clarified the current cost of service and Consumer Price Index (CPI) adjustment. Town Manager Settlemyer stated the cost of the contract can increase or decrease based on CPI and landfill fees in the future.

Alderman Larry B. Harris moved to authorize the Town Manager to approve the proposal for solid waste collection from Waste-Pro USA at \$11.46 as discussed for a four year term.

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

These minutes were amended by the Black Mountain Board of Aldermen at their regular session meeting on Monday, February 12, 2018 to include the following language:

The Black Mountain Board of Aldermen acknowledges and ratifies the current contract as negotiated by Town Manager Settlemyer pursuant to Board of Aldermen authorization and believes it accurately reflects the discussion from the August 8, 2016 Board of Aldermen meeting and is consistent with Aldermen Harris' motion.

9. PUBLIC HEARING

The chair will recognize individuals requesting to address the Board 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.

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10. COMMUNICATION FROM STAFF

- A. Town Attorney – Ron Sneed – None at this time.
- B. Town Manager – Matt Settlemyer – None at this time.

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

Alderman Larry B. Harris expressed thanks to the Black Mountain Police and Fire Department staff for their service and thanked staff for their time and effort putting together the waste disposal contract.

12. CLOSED SESSION

*Alderman Maggie Tuttle moved to enter into closed session to discuss litigation matters as permitted in NCGS 143-318.11(a)(3) at 7:12 p.m.
The motion passed unanimously by a vote of 5-0.*

*Alderman Larry B. Harris moved to return to open session at 7:37 p.m.
The motion passed unanimously by a vote of 5-0.*

13. ADJOURNMENT

There being no further business, Mayor C. Michael Sobol adjourned the meeting at 7:40 p.m.

ATTEST:

C. Michael Sobol, Mayor

Angela L. Reece, Town Clerk

Matt Settlemyer, Town Manager