TOWN OF BLACK MOUNTAIN
TOWN COUNCIL

July 13, 2026 | **REGULAR SESSION AGENDA** | **Time: 6:00 PM**

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Agendas and agenda packets may be accessed electronically from your laptop or smartphone. Visit the Town's website at www.townofblackmountain.org. **Click** on **Government** and select **Town Council** to access agenda materials for Town Council meetings. You can also scan this QR code with your smartphone to access agenda materials.

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 Wesley Barker at: town.clerk@tobm.org, or **(828) 419-9300 / TDD (800) 735-2962**

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. ORGANIZATIONAL MEETING

2.A. Appointment to Fill the Vacant Seat on the Town Council

2.B. Administration of the Oath of Office to the Appointed Council Member

2.C. Appointment to the Black Mountain-Swannanoa Chamber of Commerce Executive Board- Primary Member

2.D. Appointment to Land of Sky Regional Council Board of Directors - Alternate Delegate

2.E. Appointment to the Friends of Fonta Flora State Trail Board of Directors - Alternate Delegate

3. PROCLAMATIONS, AWARDS, RECOGNITIONS, SPECIAL RESOLUTIONS

3.A. Resolution Recognizing Doug Hay for his service to the Town of Black Mountain

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

4.A. Salvation Army of Buncombe County Presentation

4.B. Update on the BearWise Recognized Community Program - Michelle Kennedy, Planning Director

Motion: n/a- presentation and update only.

4.C. Presentation on the Fairway Dr. / Tomahawk Ave. Stormwater Project - Matt Begley, Recovery & Capital Programs Director

Motion: n/a- presentation only.

5. 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.

6. COMMUNICATION FROM MAYOR AND TOWN COUNCIL

7. COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER

8. 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.

8.A. Adoption of Meeting Minutes: May 7, 11, 20, 21, 27, 28, 2026 and June 1, 4, 2026.

8.B. Monthly Tax Collector Report

8.C. Resolution to Adopt 2026 Buncombe Madison Hazard Mitigation Plan - Michelle Kennedy, Planning Director

Motion: I move to adopt the resolution to adopt the 2026 Buncombe Madison Hazard Mitigation Plan.

8.D. Call for Public Hearing for One-Year Moratorium for Street Dedications to the Town - Michelle Kennedy, Planning Director

Motion: To call for a public hearing to amend Chapter 3, Section 3.6.3, of the Land Use Code to impose a one-year moratorium on the dedication of streets to the town, to be held on Monday, August 10, 2026, at 6:00 p.m. in the Council Room of Town hall, 160 Midland Avenue, N.C. or as soon thereafter as possible.

8.E. Resolution to Award Town Drinking Water Resiliency Improvements Project A&E to McGill Associates - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to approve the resolution to award Town Drinking Water Resiliency Improvements Project A&E to McGill Associates

8.F. Resolution Authorizing Town Staff to Pursue the Design for Decommissioning the Lower Watershed Dam - Matt Begley, Recovery & Capital Programs Director

Motion: Motion to Approve the Resolution Authorizing Town Staff to Pursue the Design for Decommissioning the Lower Watershed Dam.

9. PUBLIC HEARING - NONE

10. 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.

11. UNFINISHED BUSINESS - NONE

12. NEW BUSINESS

12.A. **Request from Baptist on Mission for One-Year Extension of Temporary Use Emergency Housing at 1114 Montreat Road** - Michelle Kennedy, Planning Director

Motion: I move to grant a one-year extension to Baptist on Mission for temporary use of emergency housing at 1114 Montreat Road.

12.B. **Consideration of Resolution Approving the Financing Terms for the Purchase of a Fire Truck** - Richard Hicks, Interim Town Manager

Motion: Motion to adopt the resolution approving the financing terms for the purchasing of a fire truck as presented.

12.C. **Technical Response Regrading Alleged Use of Email Draft Folders to Avoid Public Records Request** - Richard Hicks, Interim Town Manager

Motion: Motion to approve conducting a limited, well-scoped Microsoft 365 Technical Review as presented.

12.D. **Consideration of Award of Bid for Highway 70 Waterline Project** - Richard Hicks, Interim Town Manager

Motion: I move that Council award the bids for the Highway 70 Waterline Project to Cooper Construction Company, Inc. in the amount of $796,345.

12.E. **Concur with NCDOT Award of Bid for Ninth Street Bridge Project** - Richard Hicks, Interim Town Manager

Motion: I move that Council concur with the award of bids on the Ninth Street Bridge Project to Kemp Sigmon Construction in the amount of $1,184,032.

12.F. **Update on Reactiviating Town Wells** - Richard Hicks, Interim Town Manager

Motion: Motion to approve the initial testing of the two (2) inactive wells.

12.G. **Advisory Boards & Commissions Appointments**

1) ABC Board Appointment & ABC Board Chair Appointment

2) Planning Board Appointment

3) Board of Adjustment Appointments

4) Active Mobility Commission Appointments

5) Historic Preservation Commission Appointment

13. CLOSED SESSION - NC GENERAL STATUTE 143-318.11(A)(3) TO CONSULT WITH AN ATTORNEY EMPLOYED OR RETAINED BY THE PUBLIC BODY IN ORDER TO PRESERVE THE ATTORNEY-CLIENT PRIVILEGE BETWEEN THE ATTORNEY AND THE PUBLIC BODY, WHICH PRIVILEGE IS HEREBY ACKNOWLEDGED., AND N.C.G.S. 143-318.11 (A)(6): TO CONSIDER THE QUALIFICATIONS, COMPETENCE, PERFORMANCE, CHARACTER, FITNESS, CONDITIONS OF APPOINTMENT, OR CONDITIONS OF INITIAL EMPLOYMENT OF AN

INDIVIDUAL PUBLIC OFFICER.

14. ADJOURNMENT

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER: Wesley Barker, Town Clerk **MEETING DATE:** July 13, 2026

AGENDA SECTION: Organizational Meeting **DEPARTMENT:** Administration

TITLE OF ITEM: Appointment to Fill the Vacant Seat on the Town Council

SUGGESTED MOTION(S):
Council will review applications received to fill this vacant Council seat and will then either nominate a candidate and vote, or use a ballot method to cast votes on a candidate, and then officially appoint the new member.

SUMMARY:

Former Council Member Doug Hay resigned from the Town Council effective June 30, 2026. This leaves a vacant seat on the Town Council.

The Town Charter states:

SECTION 2.2. FILLING OF VACANCIES
If the elected mayor or an elected councilmember shall fail or refuse to be qualified, or if the holder of any elective office is unable to discharge the duties of such office, or if a vacancy shall otherwise occur in any elective office, such vacancy shall be filled by the remaining members of the council. In the event such vacancy occurs within 135 days of the next general election, the person appointed by the council to fill the vacancy shall serve the remainder of the unexpired term. Otherwise, a successor shall be elected at the next general election and the person appointed to fill the vacancy shall serve only until the elected successor takes office. The elected successor shall then serve the remainder of the unexpired term.

***based on the charter and the date when the council vacancy occurred (6/30/26) until the next general election (11/3/26), the number of days was within 135 days of the next general election, therefore the person appointed to fill this vacancy shall serve the remainder of this unexpired term which expires December 2028.*

Previously, when a vacancy occurred on the Council, the remaining Council members decided to advertise the vacant seat and invited interested citizens to apply for this vacant seat. The only three requirements for appointing an individual for a Council seat are that they must be 1) a registered voter in Buncombe County, 2) live in the municipal limits of Black Mountain, and 3)

be 21 years of age or older. Once the applications were received, Council would review and, in an open meeting, the applicant would be chosen by nomination, or via ballot voting method, with the majority vote being the nominee of consideration for appointment.

The Town Council directed the Town Clerk to advertise for this vacancy and seek interested applicants, with the application period open from June 30th through July 10th, 2026. The following citizens submitted an application, or those who applied for the vacant seat in May 2026, requested their application be considered once again (in alphabetical order):

- Paul Haynes
- Shane Lunsford
- Lawrence Deon Lytle
- Debra Norman
- Cheryl Milton
- Lisa Raleigh
- John Richardson
- Michael Roberts
- Sharon Tabor
- Brittany Williams

Applicant applications are attached as part of this agenda packet. Council will discuss and consider the appointment. The Town Clerk will provide voting ballots to the Council. If the person who is appointed is present at this meeting, they will be issued the oath of office and will join the dais for the remainder of the Council meeting as a full voting member. If the appointee is not present, they will be given the oath of office at the next Council meeting.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. Paul_Haynes_Black_Mountain_Town_Council_Application_July_9_2026
2. Shane Lunsford - Council Application
3. Lawrence Lytle - Council Application

4. Cheryl Milton_Black_Mountain_Council_Vacancy_Application
5. Debra Norman - Council Application
6. Lisa_Raleigh_Black_Mountain_Council_Vacancy_Application_and_Resume
7. John Richardson_Town.council.app.5.6.2026
8. Michael Roberts - Council Application
9. Sharon Tabor_Black_Mountain_Council_Vacancy_Application
10. Brittany Williams_TOBM_Council_Appilcation

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2028

Application Deadline: Friday, July 10, 2026 at 12:00 PM

Scheduled Appointment Date: July 13, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: Paul Legal Last Name: Haynes

Residential Address: 106 Joy Ridge Drive

City: Black Mountain State: NC Zip Code: 28711

Mailing Address (if different): _____

Primary Phone: (770) 265-6767

Other Phone: _____

Email Address: haynes.paul@gmail.com

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☒ Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☒ Yes ☐ No
3. Are you 21 years of age or older? ☒ Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

Black Mountain has a strong sense of place, history, and community that deserves thoughtful stewardship. I want to serve because local government should be transparent, fiscally responsible, and responsive to residents. My goal is to preserve the Town's character while strengthening infrastructure, resilience, local business, and responsible planning for future generations.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

I bring more than twenty years of experience leading strategy, finance, operations, and governance in complex organizations. My work has required facts, accountability, calm judgment, and consensus across diverse stakeholders. I have also owned and managed residential properties and understand the concerns of homeowners, businesses, and neighborhoods. I would bring practical leadership, financial discipline, and a long-term community focus to the Council.

Throughout my career, I have helped organizations simplify complex problems, build trust among diverse stakeholders, and create transparent processes that lead to better long-term decisions.

3. Describe your understanding of the Council-Manager form of government.

The Council sets policy, establishes priorities, adopts the budget, and represents the community, while the Town Manager implements those policies and directs daily operations. Effective council members provide strategic oversight, ask thoughtful questions, respect professional staff, and remain accountable to residents without managing day-to-day administration.

4. What are the most important elements in developing a municipal budget?

A responsible municipal budget should reflect community priorities and long-term financial health. It should balance core services, public safety, infrastructure, parks, resilience, and economic vitality with realistic revenue forecasts, healthy reserves, and capital planning. Every dollar should have a clear purpose, measurable value, and transparent public explanation.

5. How would you ensure all voices in the community are represented?

Representation begins before a vote is taken. I would meet people where they are and seek input from residents, business owners, nonprofits, educators, seniors, young families, and people who rarely attend meetings. I would listen respectfully, communicate openly, and weigh differing perspectives fairly while making decisions for the long-term good of the whole community.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: _____ **Date:** July 9, 2026

Submission Information

To be considered for appointment at the July 13, 2026 Council meeting, applications must be received by Town Clerk Wesley Barker **by 12:00 pm on Friday, July 10, 2026** in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the July 13, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2026

Application Deadline: Wednesday, May 6, 2026 at 5:00 p.m.

Appointment Date: May 11, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: Shane Legal Last Name: Lunsford

Residential Address: 19 Timber Park Drive

City: Black Mountain State: NC Zip Code: 2871

Mailing Address (if different): Same

Primary Phone: 828-280-9639

Other Phone: _____

Email Address: shane.lunsford@gmail.com

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☑ Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☑ Yes ☐ No
3. Are you 21 years of age or older? ☑ Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

I am motivated by a deep love for Black Mountain and a desire to serve during a season when steady, thoughtful leadership matters. My family and I live in the Timber Park neighborhood, previously lived near Lake Tomahawk, and have been connected to Black Mountain Presbyterian Church since 2016. I see the town not from a distance, but as someone who lives here, worships here, shops here, raises a family here, and wants Black Mountain to remain a place where neighbors know and help one another.

Hurricane Helene reinforced that commitment. Through Black Mountain Presbyterian Church, I helped launch meal and supply efforts that grew into regional meal service at the Railyard and ultimately supported many area residents in a time of need. I also worked with the town and others to help coordinate supplies, funding, food-service employment, restaurant reopening logistics, temporary water needs, and

recovery support. That experience showed me how much depends on coordination between residents, churches, businesses, town staff, public safety, county partners, state agencies, and FEMA.

I believe Black Mountain can protect its small-town character while making practical decisions about recovery, infrastructure, public safety, parks, economic vitality, and responsible growth. I would be honored to serve with humility, listen carefully, and help the town move forward with trust, transparency, and common sense.

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

I bring municipal board experience, executive leadership, state and federal systems experience, small business perspective, and a strong commitment to community service. I previously served for several years as Chair of the Parks and Recreation Board for the Town of Fletcher. During that time, we helped create a 10-year parks and recreation master plan, developed two greenways, grew large community events, supported recreation programming, and focused on long-term capital improvement planning, repair and replacement needs, new revenue streams, and grant funding.

I also have direct Black Mountain community project experience. I led the KaBOOM! grant effort for Black Mountain Primary School's playground, helping raise more than $85,000 and coordinate over 300 volunteers for the community build. That project reflected what I love about Black Mountain: people showing up, working together, and creating something lasting for children and families.

Professionally, I have led complex organizations, managed budgets, built partnerships, worked with NC DHHS, Medicaid, and other state-connected systems, served as a principal investigator/project director for state and federal grants, reviewed grants for SAMHSA and HRSA, and written more than $20 million in successful federal, state, and foundation grants. That experience would help me ask informed questions about grants, compliance, timelines, recovery funding, and intergovernmental partnerships without overstepping the Council's role.

I should be selected because I would bring a steady, service-first approach, respect for the Council-Manager form of government, and a willingness to listen before forming conclusions. I believe Black Mountain needs leaders who can help rebuild trust, support accountability, pursue recovery resources, and make practical decisions that serve the whole community.

3. Describe your understanding of the Council-Manager form of government.

My understanding is that the Town Council sets policy, adopts the budget, establishes priorities, represents the public, and provides oversight, while the Town Manager is responsible for day-to-day administration and implementation. Council members should not manage staff directly or interfere in daily operations. Instead, the Council should provide clear direction through policy, budget decisions, ordinances, planning priorities, and strategic goals.

This form of government works best when Council members respect roles, ask informed questions, communicate clearly, and hold the organization accountable without micromanaging. Especially during a

time of recovery and transition, I believe Council's role is to listen to residents, set expectations, support transparency, ensure responsible use of public funds, and help create the conditions for town staff to serve the public well.

4. What are the most important elements in developing a municipal budget?

The most important elements are public priorities, essential services, long-term financial sustainability, transparency, and disciplined tradeoffs. A municipal budget should fund core services such as public safety, public works, sanitation, infrastructure, parks, planning, administration, and community facilities while also preparing for future capital needs, emergency response, and maintenance obligations.

In Black Mountain, the budget also has to reflect the realities of Hurricane Helene recovery, infrastructure repair, flood mitigation, grant compliance, utility needs, and affordability for residents. My experience with state and federal grants, large budgets, program development, and recovery work would help me review budget priorities carefully and ask practical questions about sustainability, compliance, and long-term impact.

A good budget should be understandable to the public, realistic for staff to implement, and responsible both today and years from now. It should protect essential services, pursue outside funding where appropriate, maintain adequate reserves, and reflect the values and needs of the community.

5. How would you ensure all voices in the community are represented?

I would work to ensure residents feel heard before decisions are made, not just after. That means being accessible, attending community events, listening to people who may not regularly come to Town Hall, and seeking input from families, seniors, business owners, faith communities, renters, homeowners, workers, youth, visitors, and all residents.

I also believe representation requires listening across disagreement. In a small town, decisions can feel very personal, especially when they involve property, business, recovery, growth, taxes, infrastructure, or public safety. I would try to approach those conversations with humility, ask who is missing from the discussion, and weigh decisions based on the long-term good of Black Mountain rather than only the loudest voices in the room.

Trust is built through consistency, transparency, and follow-through. I believe rules should be clear, consistently applied, and communicated early enough that residents and businesses can comply without unnecessary harm. My goal would be to help the town move forward in a way that is fair, practical, transparent, and rooted in the public interest.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: _____ **Date:** 5/6/2026

Submission Information

Submit applications to Town Clerk Wesley Barker by 5:00 pm on Wednesday, May 6th, 2026 in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the May 11th, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2026

Application Deadline: Wednesday, May 6, 2026 at 5:00 p.m.

Appointment Date: May 11, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: Lawrence Legal Last Name: Lytle

Residential Address: 57 Laurel Lane

City: Black Mountain State: NC Zip Code: 28711

Mailing Address (if different): _____

Primary Phone: 912-677-9685

Other Phone: _____

Email Address: lytle82@gmail.com

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☑ Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☑ Yes ☐ No
3. Are you 21 years of age or older? ☑ Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

To be a voice for all residents in Black Mountain. To be able address concerns of every citizen in Black Mountain. To lead and establish policies that will ultimately make the town successful in future endeavors.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

I have a Masters Degree in Public Administration. My current employment is related to contract management. I have also recently completed the Town of Black Mountain 2025 Citizen Academy.

3. Describe your understanding of the Council-Manager form of government.

Administrative Responsibility and authority relied upon a Town Manager; with legislative and policy decisions given to the Town Council.

4. What are the most important elements in developing a municipal budget?

Understanding all revenue sources and expenditures within the General Fund. All municipalities in NC adopts its budget in accordance with the Local Government Budget and Fiscal Control Act. Another integral part of developing the budget is public input - what does the citizens view as their major concerns and development for the town.

5. How would you ensure all voices in the community are represented?

Being open to hear all concerns whether through emails or Town Hall meetings, Addressing the public as a cohesive unit (Town Council). Ensuring that the Council reviews the concerns of it's citizens and provides an appropriate response within the designated timeframe.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: Lauren D. Lytle **Date:** 5/6/2026

Submission Information

Submit applications to Town Clerk Wesley Barker by 5:00 pm on Wednesday, May 6th, 2026 in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the May 11th, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2028

Application Deadline: Friday, July 10, 2026 at 12:00 PM

Scheduled Appointment Date: July 13, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: Cheryl Legal Last Name: Milton

Residential Address: 202 Mountain St

City: Blk Mtn State: NC Zip Code: 28711

Mailing Address (if different): _____

Primary Phone: 828-674-9863

Other Phone: _____

Email Address: Bullmilt@aol.com

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☒Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☒Yes ☐ No
3. Are you 21 years of age or older? ☒Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

I have experience running multiple businesses as well as having worked in Mission Hospital, each having mid to large budgets with heavy expenditures. I have for decades been involved each election cycle with different canidates campaigns and have followed our town budgets and voting practices for many years

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

I served as the chair of the ZBA for 6 years and was always able to put my personal feelings aside and vote only using the laws we were instructed to follow. I feel I have a lot to add as a council member remembering that we to serve the citizens and not have a personal agenda to make happen

3. Describe your understanding of the Council-Manager form of government.

Council Town mgr form of government mean strong mgr and weak council. Mgr does all hiring other than town atty and themselves so as a council member you cannot force the mgr to hire or fire anyone

4. What are the most important elements in developing a municipal budget?

A budget has to be balanced each year and do the best at meeting the needs of the town departments without putting too much strain on the citizens. Each expenditure has to be looked at carefully and weighed as to its importance

5. How would you ensure all voices in the community are represented?

Communication with the citizens and making yourself available to them. Holding quarterly town hall meeting where anyone can come and at least be heard

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: Cheryl Lewis Milton _____ **Date:** _____

Submission Information

To be considered for appointment at the July 13, 2026 Council meeting, applications must be received by Town Clerk Wesley Barker **by 12:00 pm on Friday, July 10, 2026** in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the July 13, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2026

Application Deadline: Wednesday, May 6, 2026 at 5:00 p.m.

Appointment Date: May 11, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: Debra Legal Last Name: Norman

Residential Address: 230 N Fork Rd

City: Black mountain State: NC Zip Code: 28711

Mailing Address (if different): _____

Primary Phone: 919-410-1363

Other Phone: N/A

Email Address: debinormannc@gmail.com

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☑ Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☑ Yes ☐ No
3. Are you 21 years of age or older? ☑ Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

Please see attached

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

Please see attached

3. Describe your understanding of the Council-Manager form of government.

Please see attached

4. What are the most important elements in developing a municipal budget?

Please see attached

5. How would you ensure all voices in the community are represented?

Please see attached

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: Debra Dillman **Date:** 30 Apr 26

Submission Information

Submit applications to Town Clerk Wesley Barker by 5:00 pm on Wednesday, May 6th, 2026 in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the May 11th, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

Application to Fill Vacant Town Council Seat

Debra J. Norman

30apr26

#1 What motivates you to serve as a member of the Black Mountain Council?

I was massively depressed after the death of my parents and other life difficulties. I needed to make some life changes, but did not know what they were. I had never heard of Black Mountain and moving here was certainly not on my radar. January 2020, I came to visit a friend in Asheville; had lunch in Black Mountain and was overwhelmed by the feeling that I needed to move here. February 20, 2020, I closed on a house that I looked at once for about five minutes. Then COVID and lockdown hit. I spent lockdown walking around Lake Tomahawk, my neighborhood, down town and the town park. I quickly fell in love with Black Mountain and slowly healed.

In order to give back to the "Little Town that Rocks" I became part of the Historic Preservation Commission in 2024. In 2025 I joined the Fire Department's CERT Team (Community Emergency Response Team).

Helene hit all of our community hard and continues to affect us. Just like Black Mountain helped me heal, I want to work towards helping Black Mountain heal. I want to help work on our infrastructure, public safety and local services. I want to be involved in shaping our future growth and make a positive difference in our community and build resilience.

#2 Describe any relevant experience you may have and why you should be selected to fill this vacancy?

I am a retired nurse with plenty of free time to work on helping to make Black Mountain continue to be a great place to live for all ages, races and political views.

For 10 years I was a travel nurse. This involved changing locations multiple times a year. The one thing I took from these experiences is there are 100's of ways of doing the same thing, and all of them can be right. I learned to be much more flexible and work with people from different backgrounds and beliefs. I learned to listen to what my patients, their family members and co-workers actually meant instead of what they were sometimes saying.

Most of the time I worked Labor and Delivery, Intensive Care or Emergency. From this I learned to handle fluid situations when everyone around me was stressed and time was of the essence.

For five years I owned my own business. I managed 6 nurses who consulted in assisted living facilities and skilled nursing homes across North Carolina, Virginia and South Carolina. I

handled all the marketing, budgeting and payments, scheduling, working with the clients, human resources, developing policies and procedures and clean up when things did not go as expected.

I used the knowledge I gained from working as a travel nurse and owning my own business when I transitioned to becoming a nurse consultant for a pharmacy that serviced assisted living facilities and skilled nursing facilities. As the nurse consultant I was response for developing the policies and procedures that allowed the pharmacy to bill Medicare and Medicaid. I also developed and conducted training programs for pharmacy staff and staff in our client facilities. I was responsible for developing and implementing the budgets for the programs. I was also responsible for conducting Medicaid required audits or the pharmacy.

In addition to my nursing degrees, I have a degree in Communications. While I was in college I was on the speech and debate teams and hold multiple national awards for speech and debate.

In addition, throughout my career I have been involved in public speaking, including being the Key Note Speaker at several conventions.

I am very active in the community including being a member of the Friends of Library, CERT Team, active in the Lakeview Center, serve on the Historic Preservation Commission and I am a member of Black Mountain Presbyterian Church. For the Presbyterian Church I am on the Congregational Living committee and am a member of the security team.

I am currently taking a grant writing course at Asheville Tech and if permitted, would like to work on writing grants for projects that will benefit the community.

I attend or watch on line every Council Meeting. I have made public addresses to the council, including speaking on behalf of parking for Lakeview Center.

#3 Describe your understanding of the Council-Manager form of government.

The council is an elected body. The Manger is appointed by the council and is responsible to the council.

The council develops the budget based on income, community goals and needs. The council is also responsible for passing policies and laws

The manager manages the day-to-day operations of the town administration. The manager advises the council and makes budget recommendations based on income and needs.

#4 What are the most important elements in developing a municipal budget?

The budget should be developed within the income available.

Strategic planning is utilized to develop a list of needs.

After reviewing the needs of the community, the needs are prioritized and short-term and long-term goals are developed.

After these actions have taken place, a budget is developed.

Budgeting a circle. Once the budget has been developed, project management and review must be conducted.

#5 How would you ensure all voices in the community are represented?

I have become very active in the community. I am a member of the Friends of the Library and will be assisting at their booth at the Market on Saturdays. This will me to talk directly with members of the community.

My other community activities (please see above) will allow me to be out in the community talking directly with our citizens. In addition, I will conduct town hall type of meetings at the local churches, and venues such as Peri Social.

Thank you for your consideration!

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2028

Application Deadline: Friday, July 10, 2026 at 12:00 PM

Scheduled Appointment Date: July 13, 2026 Regular Monthly Council Meeting* Applicant

Information

Legal First Name: **Lisa** Legal Last Name: **Raleigh**

Residential Address: **21 Dyer Drive**

City: **Black Mountain** State: **NC** Zip Code: **28711**

Mailing Address (if different): **N/A**

Primary Phone: **970.274.2012**

Other Phone: **N/A**

Email Address: **lisaraleigh@gmail.com**

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? **X Yes** □ No
2. Do you live within the municipal limits of Black Mountain? **X Yes** □ No
3. Are you 21 years of age or older? **X Yes** □ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

I feel incredibly grateful to live in Black Mountain. The geography and setting are simply spectacular. The breadth, depth and variety of the entrepreneurial businesses are amazing for a town of our size. And the resilience our community has shown in our post-Helene world gives me hope for a bright future.

I am motivated to serve on the Town Council to champion and celebrate all that is good and to help create a culture of positive intentions and collaborative solutions through tone and actions. I understand this is a pivotal moment for our Town. Council has been working to close real budget

gaps, address deferred maintenance on our aging Public Safety Building, and support our local businesses as we rebuild trust after a difficult year. I believe my background, style and passion would be an asset in this moment.

I would also like to support the incoming Town Manager to ensure they flourish in their role, including bringing some much-needed stability to this position and senior leadership and helping create a positive environment where colleagues want to stay and are excited and proud to represent the Town.

While it is easy to stand on the side and be critical, I would like to challenge myself to be part of the solution and give my time, talents and service to our community. I am willing to step into this recent vacancy/appointed role and get to work.

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

For the past five years, I have been the Executive Director of RiverLink, a 40-year-old conservation organization serving the French Broad River watershed. We have a unique mission to promote both the environmental and economic vitality of the region, and I have been successfully leading our organization in both those sectors. I understand the critical importance of a thriving economy in conjunction with advocating for our natural resources and flood resilience, and I am personally familiar with the Helene recovery landscape and many of the state, federal, and private funding opportunities that still remain.

I am a quick study, with a PhD in Environmental Science, decades of public relations and marketing experience, and a track record as a skilled fundraiser and grant writer. I oversee a balanced $2M+ annual budget at RiverLink.

I am also fortunate to hold meaningful relationships with many Buncombe County leaders, both elected and senior staff, and often partner with the Land of Sky Regional Council, Explore Asheville/TDA and the Chamber of Commerce on grants and initiatives. I also just served a three-year term on the Black Mountain Active Mobility Commission, where I greatly enjoyed working with both the Commission members and staff liaisons.

I am comfortable speaking in all settings (including a recent TEDx Talk on the importance of resilient rivers in our region post-Helene) and my passion and commitment are often contagious. I believe in creating a dynamic work environment where people feel supported and empowered to carry their work forward with integrity, passion, and excellence.

I believe I could be an asset to the Town Council.

3. Describe your understanding of the Council-Manager form of government.

Based on my research, it can be simply stated: "The Council decides what to do; the Manager decides how to do it."

I understand that Council is an elected body that sets policy, passes ordinances, adopts the budget, and establishes the overall vision and priorities for the Town. The Town Manager is employed by the Council and handles day-to-day operations including managing staff, implementing Council policy, preparing budget recommendations, and overseeing departments.

As an Executive Director working with a large, engaged, and dynamic Board of Trustees, I have firsthand experience navigating this dynamic. I understand that the relationship works best when the board sets clear direction and then trusts staff to execute and that it could break down if that line is blurred, whether a board member reaches too far into daily operations or staff drift from board-set priorities.

With a new incoming Town Manager, I believe there is significant value in a Council that helps establish this relationship from day one, with clear expectations, mutual trust, good intentions, and respect for each other's role, so the Town can move forward with stability and hit its economic stride.

4. What are the most important elements in developing a municipal budget?

I again see clear parallels between running a financially audited nonprofit and managing a municipal budget, including that both start by reflecting the organization's or Town's priorities in a fiscally responsible, legally compliant way. I understand what it takes to achieve a balanced budget, including the hard decisions that often come with a shortfall, but making those decisions in a way that still honors community priorities, safety and wellbeing, with a longer-term view rather than just a stop-gap measure. I am strategic by nature, and I thrive on identifying diverse, offsetting revenue streams that provide additional financial stability, and I have a successful track record doing exactly this post-Helene. I also recognize the importance of transparency and integrity throughout the process, from community input and work sessions to final approval.

In summary, I believe the most important elements are:

- **Fiscal responsibility rooted in priorities;**
- **Hard decisions with a long-term, values-driven lens;**
- **Diverse, offsetting revenue streams; and**
- **Transparency and integrity throughout the process.**

5. How would you ensure all voices in the community are represented?

Ensuring representation is a key part of my role as RiverLink's Executive Director. For example, across our programming from youth education to addressing unmitigated stormwater issues, we understand the importance of ensuring all community members are served, not just those with the time, privilege, or confidence to attend a public meeting. I understand the effort it takes to keep the loudest voices from drowning out those with less agency, especially during an ongoing recovery where renters, the elderly, and lower-income families often have the fewest resources to advocate for themselves.

I believe it takes commitment and thoughtful processes that strive for equity and the greatest representation of all community members, including going where people are, partnering with trusted community partners, recognizing language or communication barriers, and creating opportunities that work for people who might not be able to attend a 6pm meeting on a Monday evening. My time on the Black Mountain Active Mobility Commission reinforced this, highlighting some of the access issues that affect people differently depending on age, mobility, and vehicle ownership — and that those most impacted are often least likely to show up and say so. If appointed, I'd bring that same intentionality to the Town Council, helping lower barriers for input and arriving at decisions that reflect the full spectrum of folks who call Black Mountain home.

Thank you for considering my application. I would be honored to serve Black Mountain and to bring my experience, energy, and commitment to this next chapter for our Town.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: Lisa Raleigh **Date: July 3, 2026**

Submission Information

To be considered for appointment at the July 13, 2026 Council meeting, applications must be received by Town Clerk Wesley Barker **by 12:00 pm on Friday, July 10, 2026** in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m. 2) Via email:

wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the July 13, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

LISA RALEIGH, PHD

970-274-2012 lisaraleigh@gmail.com linkedin.com/in/lisaraleighphd

Profile

I am a lifelong learner with a passion for the environment, education and social justice. My work is strategic, creative and goal-oriented. I enjoy strong written and oral communication skills with significant experience in nonprofit leadership, fundraising, public relations, communications and public speaking.

Experience

Executive Director, RiverLink, Asheville, NC (2021 – present)
Overseeing all aspects of this 40-year-old conservation organization and land trust committed to the environmental and economic vitality of the French Broad River watershed and the communities that live alongside her. Organizational partnerships include municipalities and counties (staff and elected officials), donors and grantors, and broad community support.

Independent Development Consultant, Lisa Raleigh Unlimited, Redstone, CO (2019 - 2021)
Igniting ideas, generating results and exceeding expectations by partnering with like-minded organizations, elevating and delivering fundraising, strategic planning initiatives and results.

Director of Advancement, Colorado Rocky Mountain School, Carbondale, CO (2010 - 2019) and Director of Communication (2008 - 2010)
Directed the school's robust development and marketing operation, overseeing all aspects of annual, capital, endowment and planned giving, including a successful $11M capital campaign and annually raising $1M+ with a dynamic and collaborative team.

Associate Publisher, Big Stone Publications, Carbondale, CO (2003 – 2007)
Led the advertising and marketing effort for this agile and authentic group of outdoor titles including *Rock & Ice* and *Trail Runner,* in addition to partnering and delivering creative revenue streams beyond traditional print advertising.

Founding Partner, Backbone Media, Carbondale, CO (1997 - 2003)
Backbone Media was born out of a passion and love for the outdoors with the goal to provide dedicated, authentic and impactful public relations and media buying expertise for outdoor specialty brands. What began as a humble entrepreneurship partnership has grown and expanded into a dominating force of influence in the outdoor industry today.

Education

PhD, Environmental Science, University of Oklahoma
MS, Environmental Science, University of Oklahoma
BS, Geology, University of Oklahoma

Volunteer Service

Unitarian Universalist Congregation of the Swannanoa Valley Endowment Committee Member (2026 to present)
Assisting with the establishment and governance of a newly endowed fund.

Black Mountain Active Mobility Commission (2023 - 2026)
Served a full term to advise the Town Council on items that may impact the safety and mobility of those who travel by foot, bicycle, or other active mobility device, to ensure consistency with established town goals, and to improve and promote active transportation opportunities.

For the Good: Board Member (2019 to 2025)
Educating girls is one of the most effective ways to combat poverty and climate change, yet 52 million girls who live in Sub-Saharan Africa are not enrolled in school. For the Good works to change that through focusing on three key pillars proven to increase girls' access to education: enrolling out-of-school children; opening secondary schools and activating local leadership.

CASA of the Ninth

I am trained as a Court Appointed Special Advocate and supported and represented children in the foster care system in Garfield County, CO.

Traits

I am a quick study, self-starter, high achiever with a tremendous amount of energy and ideas. I enjoy utilizing my skills in new applications, fast-paced environments and am incredibly success-oriented. I am a passionate outdoor person and international traveler, with a strong commitment to the environment and equity, who enjoys trail running, road biking, hiking, and climbing.

References Upon Request

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2026

Application Deadline: Wednesday, May 6, 2026 at 5:00 p.m.

Appointment Date: May 11, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: JOHN Legal Last Name: RICHARDSON

Residential Address: 111 CHURCH ST.

City: BLACK MTN State: NC Zip Code: 28711

Mailing Address (if different): _____

Primary Phone: 828 · 337 · 7377

Other Phone: _____

Email Address: jrr828@gmail.com

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☑ Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☑ Yes ☐ No
3. Are you 21 years of age or older? ☑ Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

DOWNTOWN BUSINESS OWNER, PARENT, & LOVER OF THIS TOWN WHERE I'VE SPENT THE MAJORITY OF MY LIFE. I FEEL LIKE THE TOWN COUNCIL COULD REALLY BENEFIT FROM A DOWNTOWN BUSINESS OWNER'S EXPERIENCE & PERSPECTIVE.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

20+ YEARS LIVING & WORKING IN THE AREA. I'M RAISING MY FAMILY HERE. WHAT MAKES OUR TOWN DIFFERENT THAN OLD FORT OR SWANNANOA IS OUR DOWN TOWN. WE HAVE SUCH AN AMAZING OPPORTUNITY TO BRING OUR TOWN TOGETHER!

3. Describe your understanding of the Council-Manager form of government.

THE COUNCIL HIRES & GUIDES THE MANAGER, PROVIDING DIRECTION & OVERSIGHT.

4. What are the most important elements in developing a municipal budget?

OPERATIONAL REALITIES PAIRED WITH COMMUNITY PRIORITIES.

5. How would you ensure all voices in the community are represented?

I WOULD BE THE SAME TYPE OF PERSON I AM AS A BUSINESS OWNER— EVERYONE IS WELCOME & INVITED TO BE A PART OF THE PARTY. I'VE BEEN LIVING THIS REALITY IN THIS TOWN FOR OVER 20 YEARS!

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: John Ritchie **Date:** 5/6/2026

Submission Information

Submit applications to Town Clerk Wesley Barker by 5:00 pm on Wednesday, May 6th, 2026 in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:

Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the May 11th, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2026

Application Deadline: Wednesday, May 6, 2026 at 5:00 p.m.

Appointment Date: May 11, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: MICHAEL Legal Last Name: ROBERTS

Residential Address: 132 FAIRWAY DR

City: BLACK MOUNTAIN State: NC Zip Code: 28711

Mailing Address (if different): SAME

Primary Phone: 828-989-3407

Other Phone: 828-669-5969

Email Address: MICHAEL@EPICCYCLESNC.COM

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☑ Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☑ Yes ☐ No
3. Are you 21 years of age or older? ☑ Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

I LOVE WESTERN NORTH CAROLINA. SPENDING MOST OF MY LIFE HERE, I HAVE A GOOD IDEA OF WHAT PROBLEMS ARE IMPORTANT TO THE COMMUNITY. AS A LOCAL BUSINESS OWNER I WANT TO SEE THE TOWN SUCCEED AND GROW. I BELIEVE I CAN HELP AND MAKE BLACK MOUNTAIN STRONGER AND A EVEN BETTER PLACE TO LIVE.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

I HAVE FOUNDED, AND RAN, SEVERAL SUCCESSFUL COMPANIES, ADDITIONALLY I SERVE ON THE BOARD FOR LAKEWOOD CHURCH AND THE BOARD FOR THE CHAMBER OF COMMERCE. ALL OF MY LIFE I HAVE BEEN EXPOSED TO THIS TYPE OF ORGANIZATIONAL STRUCTURE.

3. Describe your understanding of the Council-Manager form of government.

THE COUNCIL IS THE PART OF THE LOCAL GOVERNMENT THAT IMPLEMENTS TOWN POLICIES, MANAGES LOCAL TAX RATES, AND PROTECTS/APPROVES THE BUDGET. THE MANAGER USES THE BUDGET ETC. TO POSITIVELY MANAGE AND RUN THE TOWN EFFECTIVELY. HE DECIDES WHAT PROJECTS, CHANGES, ETC. GET DONE.

4. What are the most important elements in developing a municipal budget?

TRANSPARENCY IS FIRST. ALWAYS BE OPEN ABOUT REASONS AND ACTIONS. THE BUDGET NEEDS TO ADDRESS THE BIGGEST ISSUES IN THE TOWN AND APPLY THE NECESSARY FUNDS TO ACCOMPLISH THEM WITHOUT NEGLECTING THE OTHER ISSUES. I FIND ASKING MYSELF TO IDENTIFY THE ISSUES AS "NEEDS" OR "WANTS" WORKS WELL.

5. How would you ensure all voices in the community are represented?

LISTEN. WHEN PEOPLE TALK, BE QUIET AND LISTEN. BEING ENGAGED IN THE COMMUNITY ALLOWS YOU TO HEAR IDEAS FROM ALL PEOPLE AND ALL SIDES. ATTEND FUNCTIONS, ATTEND EVENTS, READ WHAT ISSUES PEOPLE ARE WRITING ABOUT.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: _____ **Date:** May 6, 2026

Submission Information

Submit applications to Town Clerk Wesley Barker by 5:00 pm on Wednesday, May 6th, 2026 in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the May 11th, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

TOWN OF BLACK MOUNTAIN

APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2026

~~**Application Deadline: Wednesday, May 6, 2026 at 5:00 p.m.**~~

Appointment Date: May 11, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: Sharon Legal Last Name: Tabor

Residential Address: 141 N. Fork Rd.

City: Black Mountain State: NC Zip Code: 28711

Mailing Address (if different): _____

Primary Phone: 828-793-0930 (c)

Other Phone: _____

Email Address: staborn c@gmail.com

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☐ X Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☐X Yes ☐ No
3. Are you 21 years of age or older? ☐X Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

Giving back to the community where one lives is a duty and obligation of living in that area.

Black Mountain has many challenges the next few years with recovery after Helene, growth, and a shifting population composition that will impact future revenue and create employment challenges. My professional and personal experiences can provide insight and creative solutions to challenging situations.

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

Over 40 years of budgeting and financial management expertise in corporate, non-profit, and tax based organizations, as a volunteer or employee, with budgets between $350K to .$6M in revenue. My professional experience in retail, hospitality, tourism, historic preservation, event planning and building restoration, and construction provides an intimate understanding of the community base . I also have a working knowledge of Open Meetings, Open Records, and Parliamentary procedure.

3. Describe your understanding of the Council-Manager form of government.

I have experience working with both Council-Manager and Mayor-Council governments. In the Council-Manager form, the town manager handles day to day operations, without the intervention of the council, and makes recommendations to the Council on current issues. The Council provides leadership, advice, and makes decision at the macro level which impacts the community at large.

4. What are the most important elements in developing a municipal budget?

Elements involved in developing any budget requires a knowledge of revenue streams, debt service required for infrastructure repair and maintenance, operational needs, and creating a balanced budget based on that knowledge. Budgets are snapshots and guides

5. How would you ensure all voices in the community are represented?

I am a strong proponent of equality and fairness, regardless of opinion. Being open to listening, and hearing, what is being conveyed is critical. Decisions should be made based on the will of the people, unless confidential information sways a decision. Not everyone will be happy with decisions at the long range macro level that may negatively impact the short-term micro level. Attendance at community events is important. Social media should be monitored but not ignored.

TOWN OF BLACK MOUNTAIN

APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: _____ **Date:** 5/2/2026

Submission Information

Submit applications to Town Clerk Wesley Barker by 5:00 pm on Wednesday, May 6th, 2026 in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the May 11th, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Appointment Period: Through December 2028

Application Deadline: Friday, July 10, 2026 at 12:00 PM

Scheduled Appointment Date: July 13, 2026 Regular Monthly Council Meeting*

Applicant Information

Legal First Name: Brittany Legal Last Name: Williams

Residential Address: 106 Rainbow Lane

City: Black Mountain State: NC Zip Code: 28711

Mailing Address (if different): _____

Primary Phone: 828-275-7419

Other Phone: _____

Email Address: briwils22@gmail.com

Eligibility (Check Yes or No)

1. Are you a registered voter in Buncombe County? ☑ Yes ☐ No
2. Do you live within the municipal limits of Black Mountain? ☑ Yes ☐ No
3. Are you 21 years of age or older? ☑ Yes ☐ No

Application Questions

1. What motivates you to serve as a member of the Black Mountain Town Council?

Black Mountain is my hometown and I want to see our community thrive and continue to be a welcoming place for all who live, work, and visit here. The growing division is pushing people away and we cannot allow it to continue. I want to be part of restoring respectful leadership, thoughtful decision-making, better strategic future planning, providing clear and transparent communication, and ensuring public trust.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

2. Describe any relevant experience you may have and why you should be selected to fill this vacancy?

While I have not previously served on Town Council, I bring practical experience in problem-
As the spouse of a firefighter and former employee, I bring a unique perspective in understanding
internal and external dynamics. I have served as president of the PTO for BMP/BME schools,
as the VP of Fundraising for the Junior League of Asheville, and as the Chair of the NC Senior
Center Alliance.

3. Describe your understanding of the Council-Manager form of government.

This form of government establishes policies, adopts the budget, sets priorities, and represents
the community. The Town Manager is responsible for the day-to-day operations, supervising
staff, and implementing direction provided by the Council. The role of Council members should
focus on governance while maintaining accountability and transparency.

4. What are the most important elements in developing a municipal budget?

A strong municipal budget started with identifying community priorities while also maintaining
long-term financial stability. Essential services should receive careful consideration but the
budget must be responsible, transparent, and realistic based on revenues. It is important to
evaluate spending, invest in the future, and ensure taxpayers understand how money is being
spent.

5. How would you ensure all voices in the community are represented?

Representation begins with listening. I would make myself available to residents with different
perspectives, attend community events, encourage respectful public input, and carefully
consider concerns before making decisions. While you can never make everyone happy with
decisions and votes made, all citizens deserve to know they have been heard. My goal would
be to make decisions based on facts and the overall well-being of the community.

TOWN OF BLACK MOUNTAIN
APPLICATION TO FILL VACANT TOWN COUNCIL SEAT

Certification

I certify that the information provided is true and complete. I further understand that if appointed, I will abide by the local governing board's code of ethics and rules of procedure, https://tinyurl.com/tobmethics, which is pursuant to N.C.G.S. §160A-86.

Signature: Brittany Williams _____ **Date:** 07/10/2026 _____

Submission Information

To be considered for appointment at the July 13, 2026 Council meeting, applications must be received by Town Clerk Wesley Barker **by 12:00 pm on Friday, July 10, 2026** in the following ways:

1) In person at Town Hall, 160 Midland Ave., Monday-Friday, 8:00 a.m. – 5:00 p.m.

2) Via email: wesley.barker@tobm.org and/or town.clerk@tobm.org

3) Via USPS: Town of Black Mountain, Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711

Contact Information for Questions:
Wesley M. Barker, Town Clerk
160 Midland Ave., Black Mountain, NC 28711
(828) 419-9310
wesley.barker@tobm.org, or town.clerk@tobm.org

**Town Council will review the applications and will vote via ballot method at the beginning of the July 13, 2026 regular monthly Town Council meeting, which will be held at 6:00 p.m. at Black Mountain Town Hall. At that time, following the ballot voting, the Council will formally vote to appoint the member to the Council, and they will subsequently be sworn in and participate in that meeting, if in attendance.*

Resolution

A RESOLUTION OF THE TOWN COUNCIL RECOGNIZING DOUG HAY FOR HIS SERVICE TO THE TOWN OF BLACK MOUNTAIN
RESOLUTION NO. # R-26-57

WHEREAS, Doug Hay faithfully served the citizens of the Town of Black Mountain as a member of the Town Council from December 2020 through June 2026; and

WHEREAS, throughout his tenure, Doug demonstrated a steadfast commitment to public service through thoughtful leadership, careful consideration of issues, and informed decision-making in the best interests of the Town, its citizens, and staff; and

WHEREAS, Doug's passion for recreation and public safety, together with his dedicated leadership during the Town's response to Hurricane Helene, particularly in supporting Town services, residents, and employees, exemplified his commitment to the Black Mountain community; and

WHEREAS, Doug represented the Town with distinction through his service on the Black Mountain-Swannanoa Chamber of Commerce Board, the Land of Sky Regional Council Board of Delegates, and the Friends of Fonta Flora State Trail Board; and

WHEREAS, the Town Council wishes to formally recognize and express its sincere appreciation for Doug's commitment, service, and contributions to the Town of Black Mountain and its citizens;

NOW, THEREFORE, BE IT RESOLVED that the Black Mountain Town Council hereby wishes to formally recognize and express our gratitude and appreciation to Doug Hay for his dedicated service and sends best wishes all future endeavors.

ADOPTED by the Black Mountain Town Council this 13th day of July 2026.

_____
C. Michael Sobol, Mayor

_____
Archie Periller, Vice Mayor

_____
Alice Berry, Council Member

_____
Larry Harris, Council Member

_____
Ryan Stone, Council Member

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Wesley Barker, Town Clerk	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Communications from Staff, Councils, Commissions & Agencies	**DEPARTMENT:**	Administration
TITLE OF ITEM:	Salvation Army of Buncombe County Presentation		

SUGGESTED MOTION(S):
n/a- presentation only.

SUMMARY:

Captain Sherrie Stokes, Corps Officer with The Salavation Army North & South Carolina Division, Asheville Corps, and her husband, will provide a brief presentation to the Council. They will share how The Salvation Army is serving all of Buncombe County with regard to Social Services, Financial Assistance, Prevention of Homelessness, the Center of Hope, Community Center, Community Care (visitation to local shut-ins & nursing home facilities) & more. They have been presenting this information to all municipalities within Buncombe County.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

None

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Michelle Kennedy, Planning Director	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Communications from Staff, Councils, Commissions & Agencies	**DEPARTMENT:**	Planning & Development Services

TITLE OF ITEM: Update on the BearWise Recognized Community Program

SUGGESTED MOTION(S):
n/a- presentation and update only.

SUMMARY:

TO: Richard Hicks, Interim Town Manager; Mayor and Town Council

FROM: Michelle Kennedy, Planning Director

DATE: 07/07/26

SUBJECT: BearWise

In an effort to protect people, property and bears and in alignment with BearWise and the North Carolina Wildlife Resources Commission, staff has implemented the following initial steps:

- **Citizen Engagement** - Black Mountain has for many years had a voluntary group of residents utilizing BearWise best practices. Members of that group have now become the inaugural Town BearWise advisory group. This group will work alongside Town staff to establish a community action plan that includes community based educational programming, outreach materials, establishment of a bear sighting/encounter protocol and other BearWise practices. It is the goal of the advisory group to work with Town staff in helping Black Mountain become a Recognized Bear Wise Community.
- **BearWise Ordinances** – After discussion with NC Wildlife Resources Commission staff, the Planning Department recommends establishing ordinances that are consistent with existing ordinances in the City of Asheville and Buncombe County. These ordinances

include trash regulations, nuisance and wildlife feeding ordinances. We anticipate final ordinance recommendations to Council for the August 2026 meeting, to include:

- Bear resistant trash container requirements
- Time restrictions on placement of trash placed on curb for collection
- Construction site trash containment
- Wildlife feeding protocols
- Progressive fines – beginning with education and warnings and progressing to fines for repeat violations

Some examples of free BearWise marketing materials are attached. Additional information is free to download from https://www.BearWise.org, and there is a BearWise page established on the Town's website where citizens can download these various fact sheets: https://www.townofblackmountain.org/271/Be-BearWise-At-Home-Outdoors

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. BearWise Community Update
2. BearWise At-Home Checklist PDF 2 pages
3. BearWise Lodging Safety Tips PDF 1 pager
4. BearWise 6-At-Home Basics Flyer PDF (English)

TO: Richard Hicks, Interim Town Manager; Mayor and Town Council

FROM: Michelle Kennedy, Planning Director

DATE: 07/07/26

SUBJECT: BearWise

In an effort to protect people, property and bears and in alignment with BearWise and the North Carolina Wildlife Resources Commission, staff has implemented the following initial steps:

- **Citizen Engagement** - Black Mountain has for many years had a voluntary group of residents utilizing BearWise best practices. Members of that group have now become the inaugural Town BearWise advisory group. This group will work alongside Town staff to establish a community action plan that includes community based educational programming, outreach materials, establishment of a bear sighting/encounter protocol and other BearWise practices. It is the goal of the advisory group to work with Town staff in helping Black Mountain become a Recognized Bear Wise Community.

- **BearWise Ordinances** – After discussion with NC Wildlife Resources Commission staff, the Planning Department recommends establishing ordinances that are consistent with existing ordinances in the City of Asheville and Buncombe County. These ordinances include trash regulations, nuisance and wildlife feeding ordinances. We anticipate final ordinance recommendations to Council for the August 2026 meeting, to include
    - Bear resistant trash container requirements
    - Time restrictions on placement of trash placed on curb for collection
    - Construction site trash containment
    - Wildlife feeding protocols
    - Progressive fines – beginning with education and warnings and progressing to fines for repeat violations



Examples of BearWise marketing materials

Be BearWise® AT HOME CHECKLIST



How BearWise® Are You?

Bears are curious and will follow their powerful noses to just about anything with an odor (it doesn't have to be a good odor). Bears may also investigate anything they've learned can yield a food reward: garbage, birdseed, pet food, chickens, beehives…you get the idea.

Use our **Be BearWise Checklist** to learn what attracts bears and how you can keep bears away from your home and property.

BBQ Grills, Smokers

- ❍ Grill and/or smoker is stored inside when not in use. ***If not:***
  - ❍ Drip pans and grates are cleaned after every use.
  - ❍ Grill/smoker is kept covered.
- ❍ Utensils are stored indoors.
- ❍ Food is not left unattended when cooking or eating outdoors.

Be BearWise:
Keep a look-out when you cook-out. Thoroughly clean grills and smokers.



Trash, Recycling

- ❍ All trash containers are cleaned often to reduce odors.
- ❍ Recycling is rinsed out and clean.
- ❍ Bear-resistant trash containers are always closed and latched.

If containers are not bear-resistant:

- ❍ Regular trash cans are stored inside a sturdy locked building or bear-resistant enclosure.
- ❍ Garbage is put out the morning of pick up (not the night before).

Be BearWise:
For certified bear-resistant containers and ways to modify your standard trash cans, visit BearWise.org.

Vehicles Parked Outside

- ❍ No food or anything with a fragrance is left in vehicles, car trunks or truck beds, including pet food, birdseed, food, beverages, scented air fresheners and trash.
- ❍ Vehicle windows are kept fully closed and doors locked.

Be BearWise:
Keep a small trash bag in your vehicle and empty daily. Use an odor-removing spray. Roll up and lock up.

Feeding Birds

- ❍ Birds/hummingbirds are not fed when bears are active in your area.
- ❍ Bird food is stored in bear-resistant containers or inside a sturdy, locked building.

If you feed birds when bears are active:

- ❍ Bird food and feeders are brought in nightly.
- ❍ Fallen birdseed and leftover food is picked up daily before dark.

Be BearWise:
Download our bulletin: *Attract Birds, Not Bears* for feeder-free options.

Feeding Pets, Strays

- ❍ Food is not put outside for stray animals or wildlife.
- ❍ Pets are fed indoors.

If you must feed pets outside:

- ❍ Pets are fed in single portions; bowls are removed and feeding area cleaned as soon as pets have eaten.
- ❍ Pet food is stored in a sturdy locked building or bear-resistant containers.

Be BearWise:
Download our bulletin: *Dogs + Bears = Problems* for more safety tips.

continued >

Fruit Trees, Gardens

- ❍ Fallen fruit is picked up daily OR fruit is picked before it ripens.
- ❍ Fertilizers are free of blood-meal and bone-meal.
- ❍ Electric fencing protects the fruit trees, edible gardens, berry bushes, and ornamental fruit-bearing trees (such as flowering crabapples).

Be BearWise:
Avoid planting and consider removing ornamental fruit-bearing trees and bushes.

Compost

- ❍ Meat, bones, fish, oil, grease, dairy products, eggshells, garbage or large amounts of fruit are not put in the compost.
- ❍ Compost is protected with a bear-resistant enclosure or electric fence.

Be BearWise:
Follow USDA composting guidelines. Consider using an indoor composter.

Unexpected Attractants

Be aware that some outdoor features that can't be removed or easily protected can attract bears, such as:

- ◆ Swimming pool, hot tub, pond, stream, water features.
- ◆ Nearby woods, dense bushes, conservation areas.
- ◆ Natural foods (i.e. berries, acorns).

Be BearWise:
Don't give naturally curious bears **any other reasons** to stick around and look for people-provided 'food'.



If properly installed for your soil conditions and maintained, electric fencing is an effective deterrent for keeping bears out.

Chickens, Farm Animals

Bear-resistant buildings, enclosures, containers and/or electric fences protect:

- ❍ Animals at night
- ❍ Newborns, always
- ❍ Livestock feed

- ❍ Dead animals are not buried near homes, buildings, livestock areas.

Be BearWise:
Take extra steps to keep your animals safe and their feed away from bears.

Bears may dig up buried carcasses. Consult your county for other options.

Beehives

- ❍ Permanent or portable electric fencing protects the beehives.
- ❍ Beehives are at least 3 feet away from the electric fencing.
- ❍ Beehives are at least 300 feet from dense bushes, trees or other places bears could hide.

Be BearWise:
Wisely locate and protect beehives. Spread the word to your fellow beekeepers.

Homes, Outbuildings

- ❍ **Doors and windows** in houses and outbuildings are kept closed and locked, especially at night or when people are not home. Pay special attention to sliding glass doors, inward-swinging doors, French doors and doors with lever handles.
- ❍ **Crawl spaces and small openings** under home and other buildings are barricaded before hibernation.
- ❍ **Refrigerators and freezers** are kept inside sturdy, locked buildings.
- ❍ Attractants are not stored on **upper-level balconies/decks** that bears can reach by climbing stairs, trees or deck posts.
- ❍ **Garage doors** are kept closed to keep bears away from stored attractants (i.e. pet food, birdseed, trash, food in fridge/freezer).
- ❍ **Coolers** with food/drinks are not stored on the porch, patio, deck or in a vehicle.
- ❍ **Pet doors** are locked at night.

Be BearWise:
Screens don't keep out bears. Visit **BearWise.org** to learn how to use bear unwelcome mats and get other practical tips for keeping bears out.

Bears are smart, quick learners and may be active at any time of day.

Check with your state wildlife agency to find out when bears are most active in your area and what solutions are most effective (state and local regulations may vary).

Thanks for helping to keep people, pets and property safe and bears wild.

ASSOCIATION of FISH & WILDLIFE AGENCIES

Learn More:
BearWise.org

BearWise® is a program of the Association of Fish & Wildlife Agencies © 2023

BearWise®

BearWise Lodging

SAFETY TIPS





PHOTOS: SYLVIA DOLSON

How to Be a BearWise Host

Educating guests and implementing BearWise practices is the best way to keep people and property safe and bears wild. Bears in search of food can destroy trash containers, break into vehicles and lodging, and frighten guests and staff. Follow these tips to help prevent conflicts with bears.

Educate Guests & Staff

- Provide BearWise materials before guests arrive and during their stay. Download materials at **BearWise.org/Store**.
- Post ***Be BearWise Guest Checklist*** (see next page) in common areas and in rooms.
- Remind guests to Be BearWise by **posting room signs**:
  - Never leave food, trash or scented items in vehicles.
  - Don't leave food or coolers unattended.
  - Throw food scraps/grease in the trash, not "the woods."
- If you allow pets: require leashes when dogs are outside; post the ***Dogs + Bears = Trouble*** poster; refer to checklist (next page) for more safety precautions.
- Do tell guests about recent bear activity and any special precautions. Don't tell guests about local hot-spots where bears can be seen due to human-provided attractants.

Don't Feed the Wildlife



PHOTO: LYNN BYSTROM

Intentionally feeding bears or allowing them to find anything that smells or tastes like food teaches bears to approach people and places looking for more.

- Birdseed and nectar feeders attract bears. See our bulletin ***Attract Birds, Not Bears*** for tips on going feeder-free.
- Please don't put out food to attract wildlife. You'll attract bears, skunks, snakes and other unwelcome critters.

Provide Bear-Resistant Containers

Garbage smells delicious to a bear. Consistent use of bear-resistant containers (BRCs) is the most effective way to keep bears out of the trash and discourage them from exploring.

Where to find BRCs: Ask your waste services provider, purchase your own, or retrofit your containers (verify that your trash hauler can service BRCs). Find more resources online at **BearWise.org/Keep-Bears-Out/**.

Other Options: Store trash inside an electric fence, bear-resistant enclosure or a sturdy, locked building. Educate guests on how to access, so they don't leave trash outside.

- **Never let unsecured trash sit outside.**
- **Always latch / lock trash containers**, even during the day. Use BearWise Stash & Latch stickers to remind guests.

Inspect the Property

- Make sure windows and doors close and lock securely; bears can easily open unlocked French and lever-style doors.
- Bears are nimble climbers. Trim tree limbs that provide easy access (for a bear) to second-floor decks or windows.
- Avoid planting—or remove—natural bear foods, such as fruit or nut-bearing trees or bushes.
- Electric deterrents are very effective at securing areas or places from bears (post clear usage instructions for guests). Learn more at BearWise.org and download our ***Electric Fences Keep Bears Out*** bulletin.

Remind guests that not following BearWise advice can have serious consequences for them, all the guests who come after them, and the bears.

Bears are highly intelligent and quickly learn from experiences. Bears that are rewarded for coming around usually come back. Learn about coexisting with black bears at BearWise.org.

ASSOCIATION of FISH & WILDLIFE AGENCIES

Learn More:
BearWise.org

BearWise® is a program of the Association of Fish & Wildlife Agencies © 2024

BearWise®





Be BearWise AT HOME

Six At-Home BearWise Basics

Never Feed or Approach Bears

Intentionally feeding bears or allowing them to find anything that smells or tastes like food teaches bears to approach homes and people looking for more. Bears will defend themselves if a person gets too close, so don't risk your safety and theirs!

Secure Food, Garbage and Recycling

Food and food odors attract bears, so don't reward them with easily available food, liquids or garbage.

Remove Bird Feeders When Bears Are Active

Birdseed and grains have lots of calories, so they're very attractive to bears. Removing feeders is the best way to avoid creating conflicts with bears.

Never Leave Pet Food Outdoors

Feed pets indoors when possible. If you must feed pets outside, feed in single portions and remove food and bowls after feeding. Store pet food where bears can't see or smell it.

Clean & Store Grills

Clean grills after each use and make sure that all grease, fat and food particles are removed. Store clean grills and smokers in a secure area that keeps bears out.

Alert Neighbors to Bear Activity

See bears in the area or evidence of bear activity? Tell your neighbors and share information on how to prevent conflicts with bears. Bears have adapted to living near people; now it's up to us to adapt to living near bears.

Black bear is a species; common colors include black, brown and cinnamon.

ASSOCIATION of FISH & WILDLIFE AGENCIES

Learn More:
BearWise.org

BearWise

BearWise® is a program of the Association of Fish & Wildlife Agencies © 2022

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Matt Begley, Recovery & Capital Programs Director	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Communications from Staff, Councils, Commissions & Agencies	**DEPARTMENT:**	Finance

TITLE OF ITEM: Presentation on the Fairway Dr. / Tomahawk Ave. Stormwater Project

SUGGESTED MOTION(S):
n/a- presentation only.

SUMMARY:

Matt Begley, Recovery & Capital Programs Director; Chad Goins, Interim Project Manager; and Anne Phillip, Stormwater Technician & Floodplain Administrator, will present on the purpose and background of the Fairway Dr./Tomahawk Ave. stormwater project and the status of the project. Town staff will be available to answer questions from Town Council.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. TOBM_Fairway Dr presentation
2. RBA Clean Water Fund
3. R-23-17_Resolution to Apply for Water Sources Dev Grant NCDWQ_approved 2023.11.13
4. mountainx.com article regarding the Fairway Dr. Stormwater Project
5. Fairway Dr. Stormwater Project (Stormwater Master Plan 9-2-22)

Fairway Drive Stormwater Diversion project: 2024 Buncombe County Clean Water Fund

Town of Black Mountain

Anne Phillip, Stormwater Technician & Floodplain Administrator

May 15, 2026

Buncombe County Clean Water Fund

- The Clean Water Fund was established to engage local nonprofits and government organizations to improve water quality in Buncombe County.
- This fund supports Buncombe County's strategic plan vision of "high quality air, water, farmland and renewable energy for future generations."
- We are grateful to the Energy and Environmental Stewardship Subcommittee for your award of $75,000 for the TOBM Fairway Drive Stormwater Diversion project

2022 Stormwater Master Plan Update



Incorporated results of Stormwater Survey for residents of Black Mountain

2022 Stormwater Master Plan Update



Incorporated results of Stormwater Survey for residents of Black Mountain

2022 Stormwater Master Plan Update

5.0 Fairway Drive / Tomahawk Ave to Golf Course Ditch Diversion with Potential Flood Storage (PID#35)

Type(s): Diversion, Pipe Replacement

Scale: Small-Medium

Background: This ditch has complaints of blockage and flooding and has recently been dug deeper along Hiwassee Ave (appears to be associated with residential home construction) which could pose a potential safety concern and/or erosion control issue. The ditch carries approximately 12-acres draining to it, including runoff from Hiwassee Ave, Byrd Road, Hilltop Road, and adjacent upland areas. It outlets to a pipe system that crosses Tomahawk Ave just north of S Oconeechee Ave, crossing under private property before it outlets into the golf course. The outlet has sedimentation issues and appeared to be submerged during site inspection. The Town has subsequently worked on the area.

The system also gets an additional estimated 2.5 acres from the north side of Fairway Drive which crosses Tomahawk Ave in an existing pipe (NCDOT) at the intersection of Fairway Dr. It then enters a ditch on the golf course side of the road that terminates at the pipe outlet discussed in the first paragraph. During larger events there is overtopping (or was, prior to ditch excavation) at Tomahawk Ave where runoff exceeds ditch capacity and the road overtops which has resulted in erosion on Town golf course property.



Project Description: Install a pipe diversion under Tomahawk Ave on the south side of Fairway Dr to route flow out of the existing ditch network and onto golf course. Maintain, but reconfigure, the existing roadside ditch for less runoff and to eliminate any safety or water quality concerns. Determine the limits, condition and elevation of the existing pipe outlet behind residential homes and completely map pipe system to final outfall. Rehabilitate the existing 400-foot long swale through the woods on east side of Tomahawk Ave on golf course property by either diverting the swale onto the golf course (to ponding storage) or by addressing the deficiencies at the current end of the swale where no outlet seems to exist.

Components:

- 30 LF 24-30" CMP or RCP
- Ditch rehabilitation and/or extension, up to 400 LF rehab and 100-200 LF of new ditch or water quality swale
- Potential flood storage grading on golf fairway 0.5 – 1 acre-foot to treat 1-3" of rainfall; situate most of storage in areas that will least affect play on golf course – flood study may be required for this component of project. This component would make entire project eligible for various water quality grant funding.

2022 conditions











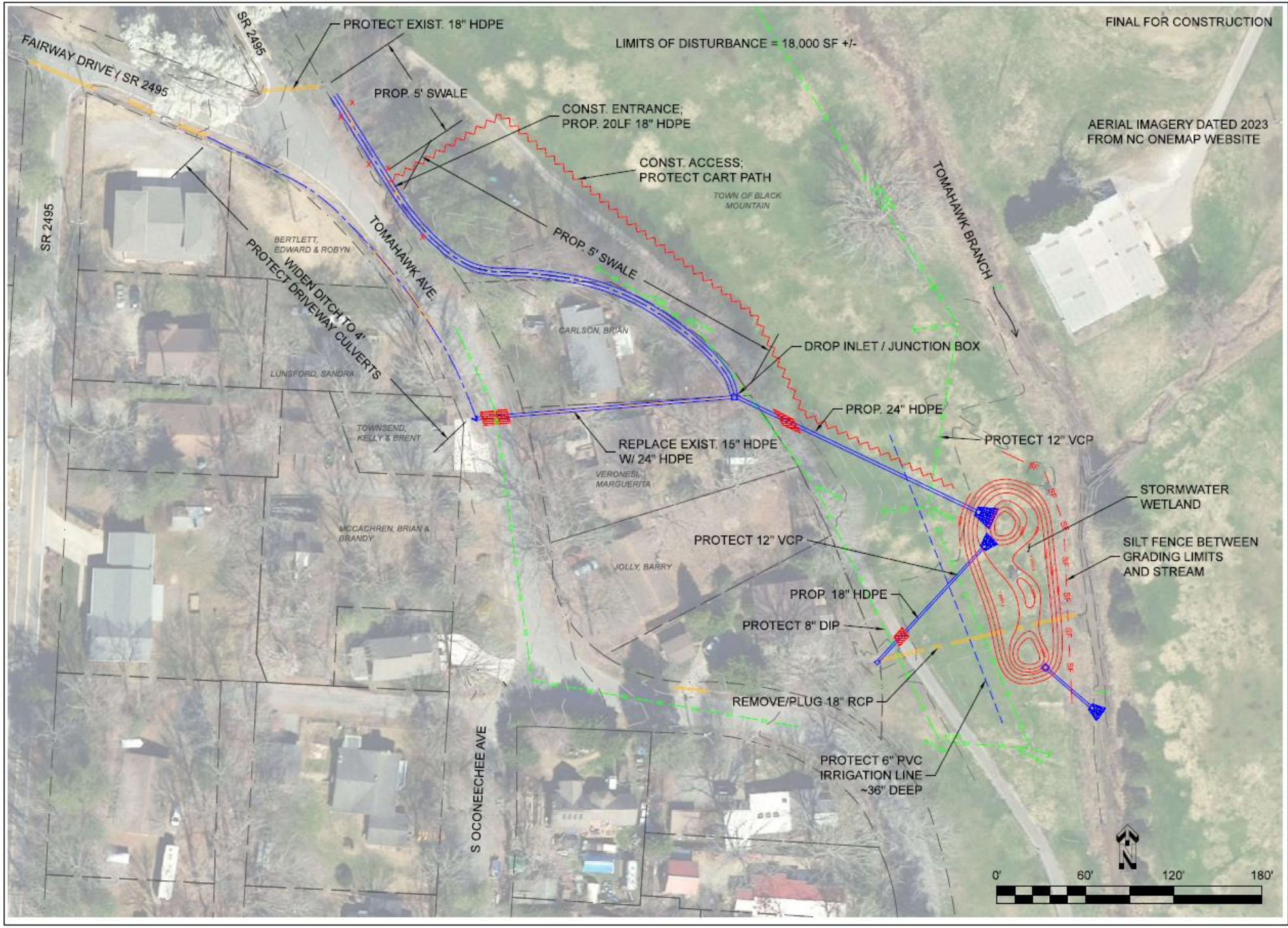
The design

Stormwater wetland

- 1” rainfall event for water quality
- 2-5 day drawdown time eliminates 85% Total Suspended Solids (TSS)

Upsized conveyances

- 10-year event
- Reduce flooding to structures between Tomahawk Ave and golf course
- Improve existing swales to better control runoff



A							
B							
C							
					DESCRIPTION	DATE	APP.

REVISIONS

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 22205 ANDREW DAVID BLICK

HEADWATERS ENGINEERING
headwaters-eng.com
NCBELS Lic. No. C-4500

TOMAHAWK AVE DRAINAGE IMPROVEMENTS

BLACK MOUNTAIN, NC

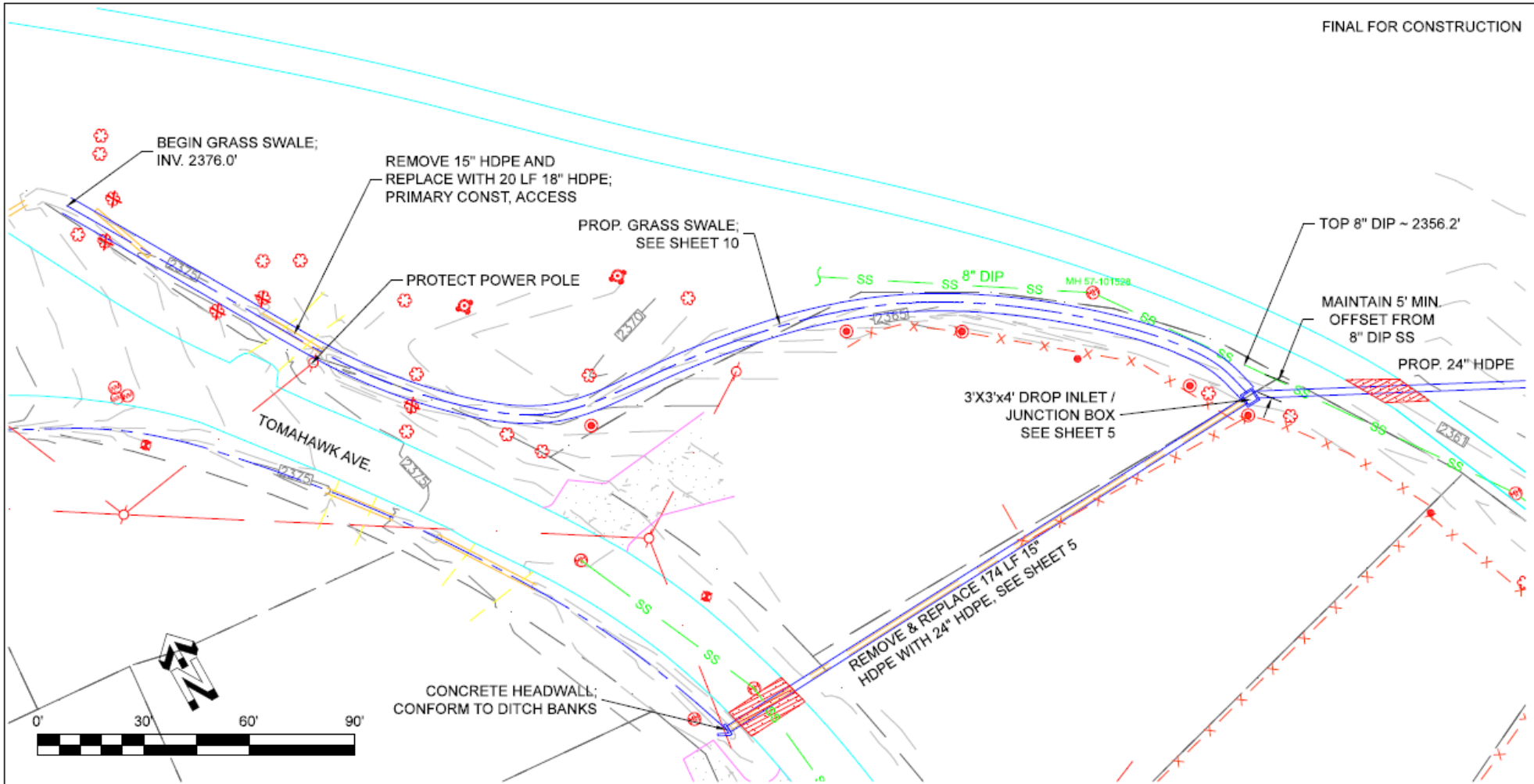
DATE: JAN. 2026

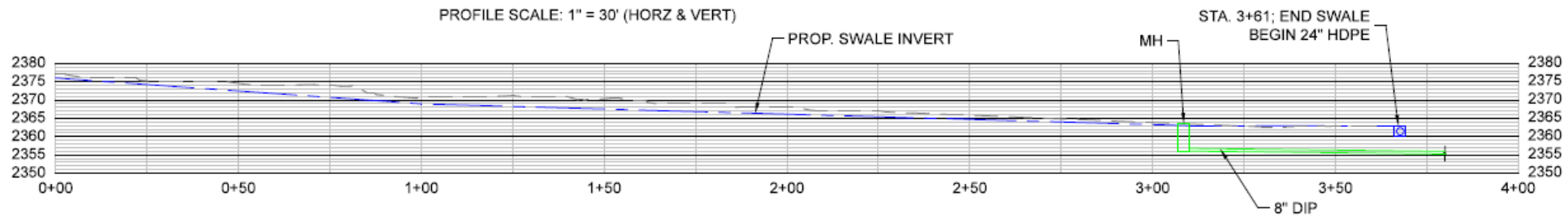
SCALE: AS SHOWN

OVERVIEW; E&S PLAN

SHEET 3 OF 10

FINAL FOR CONSTRUCTION





A							
B							
C							
						DESCRIPTION	DATE	APP.

REVISIONS

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 22209 ANDREW DAVID BICK

HEADWATERS ENGINEERING
headwaters-eng.com
NCBELS Lic. No. C-4500

TOMAHAWK AVE DRAINAGE IMPROVEMENTS

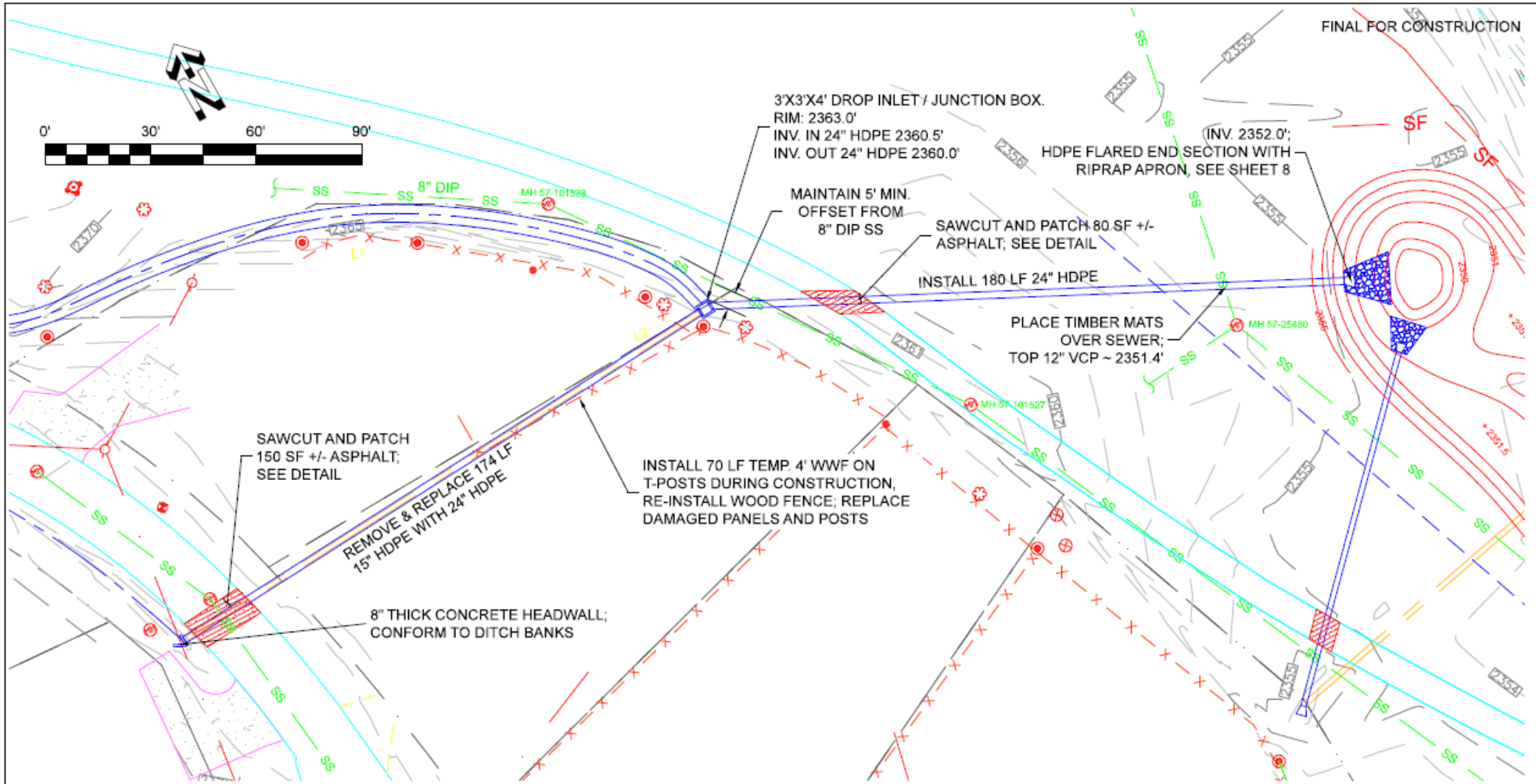
BLACK MOUNTAIN, NC

DATE: JAN. 2026

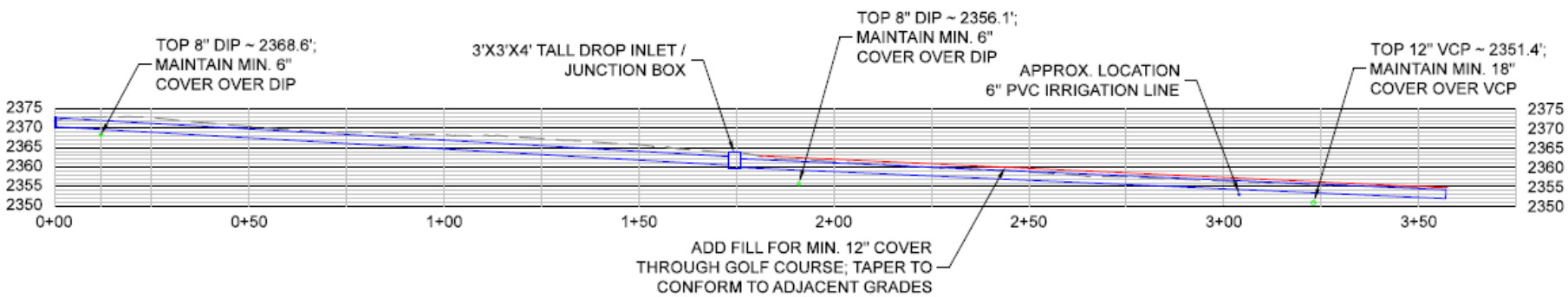
SCALE: AS SHOWN

SWALE
PLAN & PROFILE

SHEET 4 OF 10



PROFILE SCALE: 1" = 30' (HORZ & VERT)



A						
B						
C						

DESCRIPTION	DATE	APP.

REVISIONS

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 22209 ANDREW DAVID BICK

HEADWATERS ENGINEERING
headwaters-eng.com
NCBELS Lic. No. C-4500

TOMAHAWK AVE DRAINAGE IMPROVEMENTS

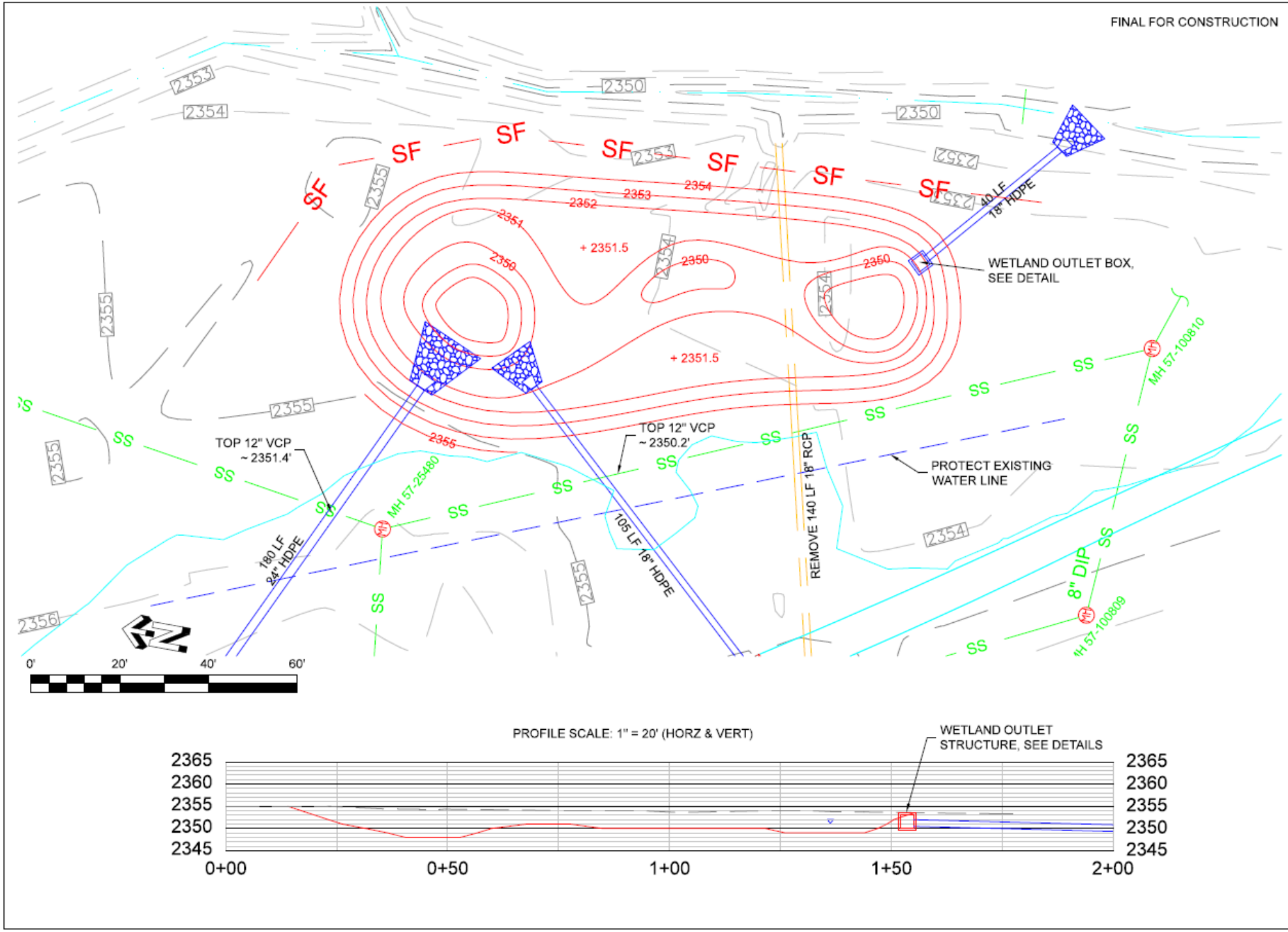
BLACK MOUNTAIN, NC

DATE: JAN. 2026

SCALE: AS SHOWN

NORTH CULVERT PLAN & PROFILE

SHEET 5 OF 10



A								
B								
C								
						DESCRIPTION	DATE	APP.

REVISIONS

NORTH CAROLINA PROFESSIONAL SEAL 22209 ENGINEER DAVID ANDREW BLOCK

HEADWATERS ENGINEERING
headwaters-eng.com
NCBELS Lic. No. C-4500

TOMAHAWK AVE DRAINAGE IMPROVEMENTS

BLACK MOUNTAIN, NC

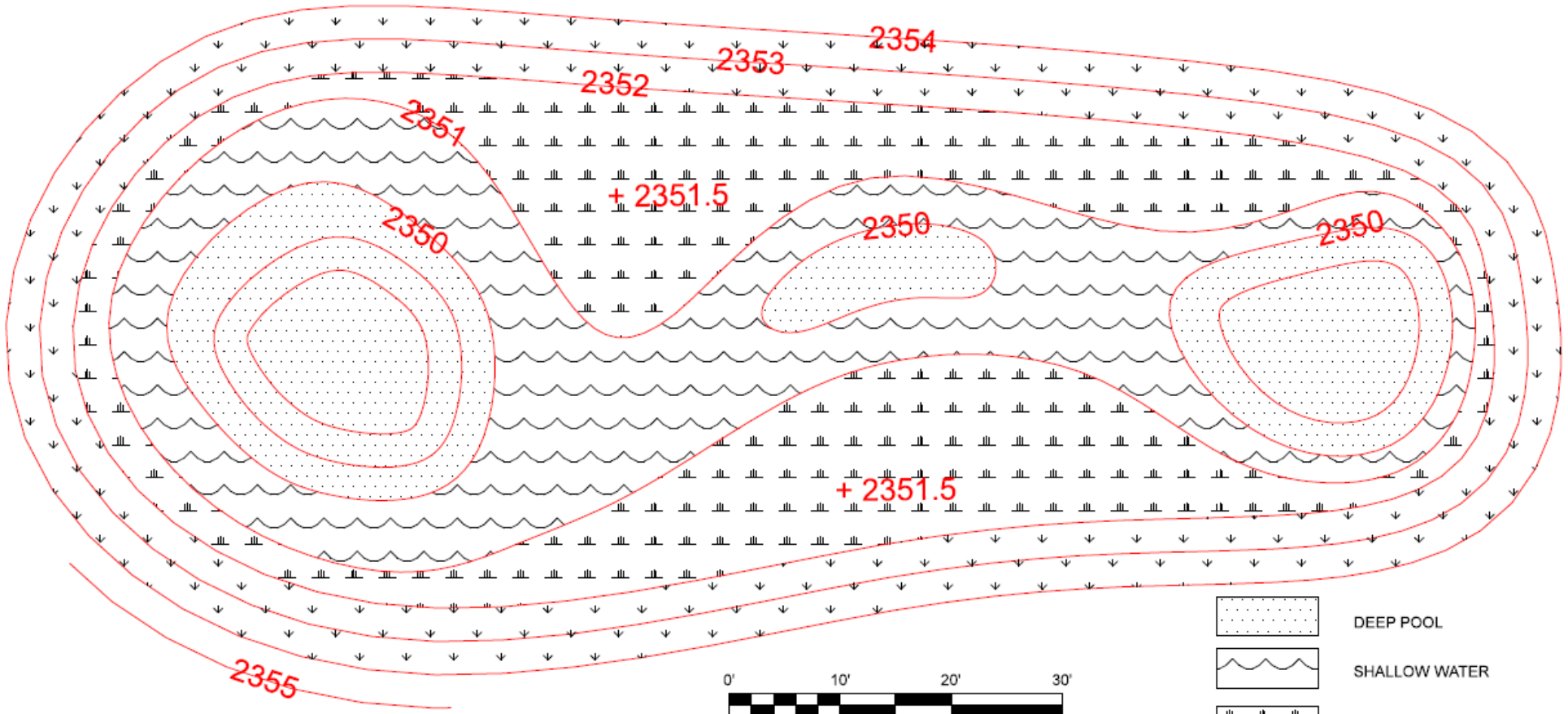
DATE: JAN. 2026

SCALE: AS SHOWN

WETLAND PLAN & PROFILE

SHEET 7 OF 10

FINAL FOR CONSTRUCTION



SHALLOW WATER ZONE PLANTINGS - PLUGS @ 2' O.C. SELECT AT LEAST 6	
Common Name	Scientific Name
Broadleaf arrowhead	Sagittaria latifolia
Arrow arum	Peltandra virginica
Wool grass	Scirpus cyperinus
Pickerelweed	Pontederia cordata
Soft Rush	Juncus effusus
Lizard's tail	Saururus cernuus
Softstem bulrush	Schoenoplectus tabernaemontani

TEMP. INUNDATION ZONE PLANTINGS - PLUGS @ 2' O.C. SELECT AT LEAST 3	
Common Name	Scientific Name
River Oats	Chasmanthium latifolium
Tickseed	Coreopsis lanceolata
Purple cone flower	Echinacea purpurea
Swamp Sunflower	Helianthus angustifolius
Bee balm	Monarda fistulosa
Ironweed	Vernonia noveboracensis
Switchgrass	Panicum virgatum

TEMPORARY SEED MIX - APPLIED TO DISTURBED AREAS			
Application Dates	Common Name	Scientific Name	Rate (lb/1,000 sf)
August 15 to May 1	Rye Grain	Secale cereale	2
May 1 to August 15	Browntop Millet	Panicum ramosum	1

UPLAND SEED: KY BLUEGRASS MIX APPLIED AT 2 LB/1000 SF

MULCHING: WHEAT OR OAT STRAW MULCH APPLIED AT 2 BALES/1,000 SF

					APP.
				DATE	
				DESCRIPTION	
A					
B					
C					

REVISIONS

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 22209 ANDREW DAVID BLOCK

HEADWATERS ENGINEERING
headwaters-eng.com
NCBELS Lic. No. C-4500

TOMAHAWK AVE DRAINAGE IMPROVEMENTS

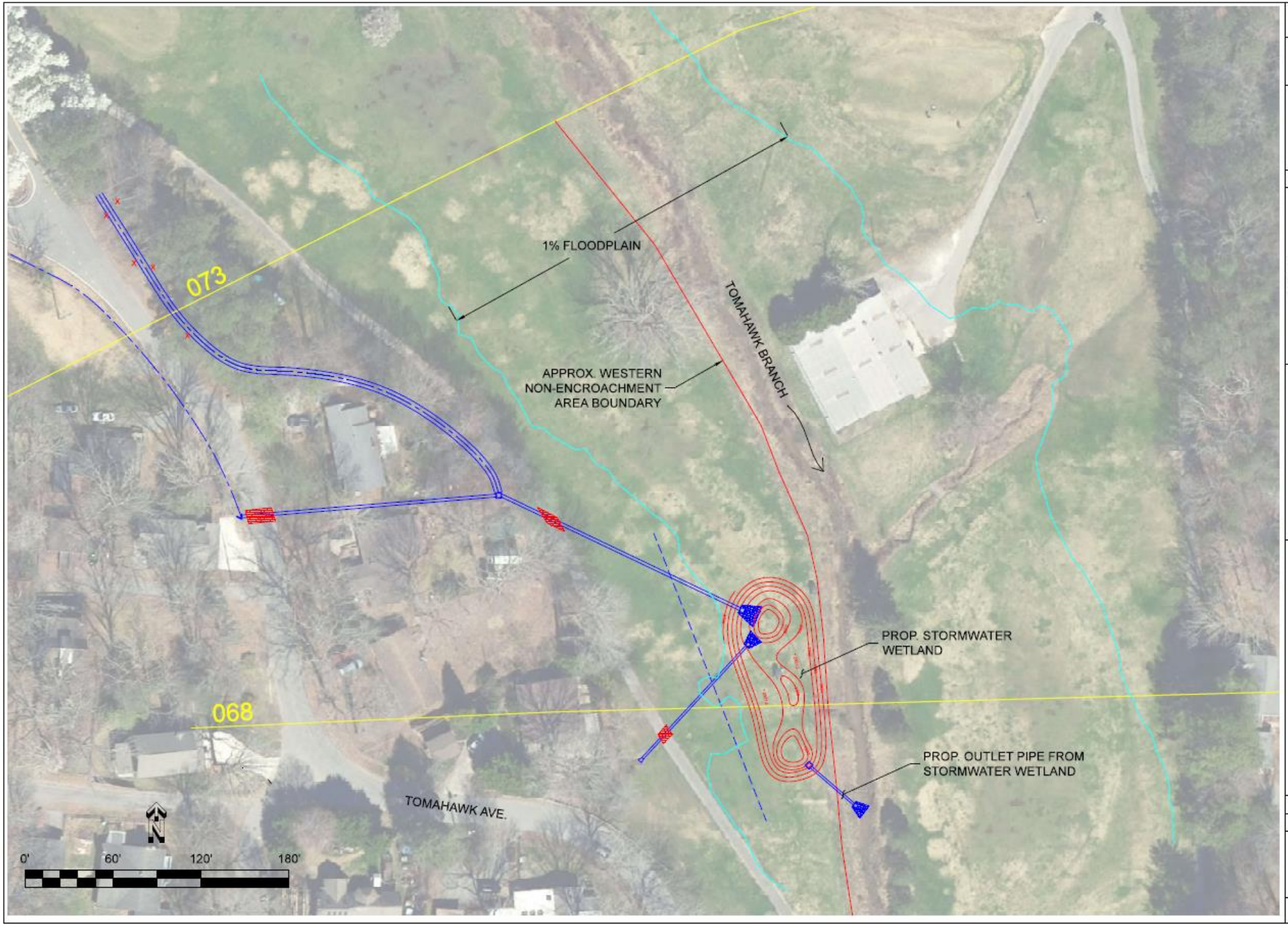
BLACK MOUNTAIN, NC

DATE: JAN. 2026

SCALE: AS SHOWN

WETLAND PLANTING

SHEET 9 OF 10



A							
B							
C							
						DESCRIPTION	DATE	APP.

REVISIONS

NORTH CAROLINA PROFESSIONAL SEAL 22208 ENGINEER DAVID ANDREW BLACK

HEADWATERS ENGINEERING
headwaters-eng.com
NCBELS Lic. No. C-4500

TOMAHAWK AVE DRAINAGE IMPROVEMENTS

BLACK MOUNTAIN, NC

DATE: JAN. 2026

SCALE: AS SHOWN

WORKMAP

SHEET 1 OF 1

Original proposed timeline

July 2024 – December 2024

- Mapping and evaluating the condition of the existing pipe outlet system behind residential homes.
- Engineering/Design and Permitting for the project.

January 2025 – March 2025

- Installation of the pipe diversion under Tomahawk Avenue.
- Reconfiguration of the roadside ditch along Tomahawk Avenue.
- Rehabilitating a swale through the woods on the east side of Tomahawk Ave.

April 2025 – May 2025

- Development of final report, including a breakdown of expenditures.
- Host a site visit and/or provide presentation to the Board of Commissioners highlighting the achievements of the program.

Actual timeline

July/August 2024- planning, sent in SOW
September 2024- Helene
February 2025- Headwaters Engineering: assessment, preliminary design, topo survey
March 2025- Headwaters Engineering: conceptual plan for property owner discussions
April/ May 2025- I reached out to property owners by mail and in person
May- Sept 2025- easement discussions with Town attorney, use of previously recorded utility easements
Nov 2025 – discussions with property owners addressing project concerns
Dec 2025- Town resolution to accept previously recorded utility easements
Jan 2026- Headwaters sent construction plans to MSD to coordinate with them regarding their lines in the area.
Feb 2026- select construction company bidder
March 2026- pre-construction meeting, construction begins
May 2026- swales are completed, excavation of stormwater wetland complete, need to remove soil after dewatering, culvert to be put in between 602 and 604 Tomahawk Ave

March 19, 2026
Pre-construction meeting: contractors, MSD, Engineer, town

Construction began days later with silt fence installation and work on swales




DO NOT
PUSH

Improved swales













Issues during excavation:





Clay pipe broken- MSD was called, verified that the pipe was not sewer pipe, but routing of underground spring water

Unmapped water line broken- had served Golf Maintenance Shop but was not marked with the utility locate. Public works capped the line.


CAT



Thank you for your support for water quality improvement projects through the Clean Water Fund!

Anne Phillip, CFM
Stormwater Technician and Floodplain Administrator
828-419-9374
Anne.Phillip@tobm.org

Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: May 7, 2024

New Business

Department:
Agriculture and Land Resources

Presenter(s):
Jennifer Harrison, Director

Contact(s): Jennifer Harrison, Agriculture and Land Resources Director

Subject: Clean Water Fund Awards

Brief Summary:
The Clean Water Fund was established to engage local nonprofits and government organizations to improve water quality in Buncombe County. The fund was established with $100,000 available for awards. Staff received three eligible applications.

The Town of Black Mountain requested funds to install piping to divert stormwater from roadside ditches onto the golf course where it can slow and infiltrate. Riverlink requested funds to expand their Disconnect to Protect project that educates and supports landowners in diverting roof runoff to rainbarrels and raingardens. Asheville GreenWorks requested funds to install a trash trout jr. on Smithmill Creek to remove trash before it enters the French Broad River.

The Energy and Environmental Stewardship Subcommittee reviewed the staff scores and voted to support recommending $75,000 be awarded to the Town of Black Mountain for the Fairview Drive Stormwater Diversion project and $25,000 be awarded to Riverlink for their Disconnect to Protect project. Both projects address issues identified in watershed management plans.

Recommended Motion & Requested Action:
Approve grant awards

County Manager's Comments & Recommendation:
County Manager recommends as presented

RESOLUTION #R-23-17

RESOLUTION TO APPLY FOR WATER SOURCES DEVELOPMENT GRANT THROUGH NORTH CAROLINA DEPARTMENT OF WATER QUALITY (NCDWQ)

WHEREAS, the Town of Black Mountain Town Council desires to sponsor the Fairway Drive Stormwater Diversion Project; and

WHEREAS, the Fairway Drive Stormwater Diversion Project is called for in the Stormwater Master Plan; and

WHEREAS, the estimated project cost of the Fairway Drive Stormwater Diversion Project is $170,000; and

WHEREAS, the Town Council requests the State of North Carolina to provide financial assistance to the Town of Black Mountain for the Fairway Drive Stormwater Diversion Project in the amount of $85,000; and

WHEREAS, the Town of Black Mountain will provide $85,000 for the Fairway Drive Stormwater Diversion Project from the stormwater fund balance; and

WHEREAS, the Town of Black Mountain will assume full obligation for payment of the balance of the project costs; and

WHEREAS, the Town of Black Mountain will obtain all necessary state and federal permits; and

WHEREAS, the Town of Black Mountain will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments; and

WHEREAS, the Town of Black Mountain will supervise construction of the project to assure compliance with permit conditions and to assure safe and proper construction according to approved plans and specifications; and

WHEREAS, the Town of Black Mountain will obtain suitable soil disposal areas as needed and all other easements or rights-of-way that may be necessary for the construction and operation of the project without cost or obligation to the State; and

WHEREAS, the Town of Black Mountain will assure that the project is open for use by the public on an equal basis with no restrictions; and

WHEREAS, the Town of Black Mountain will hold the State harmless from any damages that may result from the construction, operation, and maintenance of the project; and

WHEREAS, the Town of Black Mountain will accept responsibility for the operation and maintenance of the completed project.

NOW THEREFORE, BE IT RESOLVED that the Town of Black Mountain Town Council bless staff to apply for the Water Resources Development Grant through the North Carolina Department of Water Quality in the amount of $85,000 for the Fairway Drive Stormwater Diversion Project.

I move and adopt the foregoing resolution:

Alice Berry
Council Member

READ, APPROVED AND ADOPTED, by a vote of 5 to 0 on this 13th day of November 2023.

C. Michael Sobol, Mayor

ATTEST:

Wesley Barker, Town Clerk

Josh Harrold, Town Manager

A-B Tech works to shore up its stormwater infrastructure

mountainx.com/news/a-b-tech-works-to-shore-up-its-stormwater-infrastructure

by Greg Parlier May 29, 2024

When it rains on the campus of A-B Tech, stormwater pours off its plethora of parking lots into the neighborhoods, forest and French Broad River below, taking pollutants with it.

If you've ever been on A-B Tech's campus, it's hard not to notice the parking lots. They surround the campus. Some of them seldom get used, instead acting as vacant funnels sending water toward the river at a breakneck speed not possible on unpaved land.

"All of that impervious surface doesn't allow rainwater to soak into the ground. Instead, it gets sent into storm drains, which then get piped directly into the nearest stream — in this case, Haith Branch — and then the French Broad River," says **Renee Fortner**, watershed resources manager for the environmental group RiverLink. "That large volume of stormwater causes multiple issues for our waterways, including just the sheer volume of water itself. It causes stream bank erosion; it can make flooding worse. And you can just imagine the pollutants that the water is picking up along the way as it moves across those parking lots and roads," Fortner says.

Now, the community college, which sits at the headwaters of one of three primary tributaries in the Central Asheville Watershed, is working to reduce the volume of rainwater that flows from its campus.

Dirk Wilmoth, chief financial officer of A-B Tech, says construction could begin next month to restore Haith Branch — a tributary of the French Broad River that runs through campus — and create a stormwater wetland in one of the college's many parking lots.

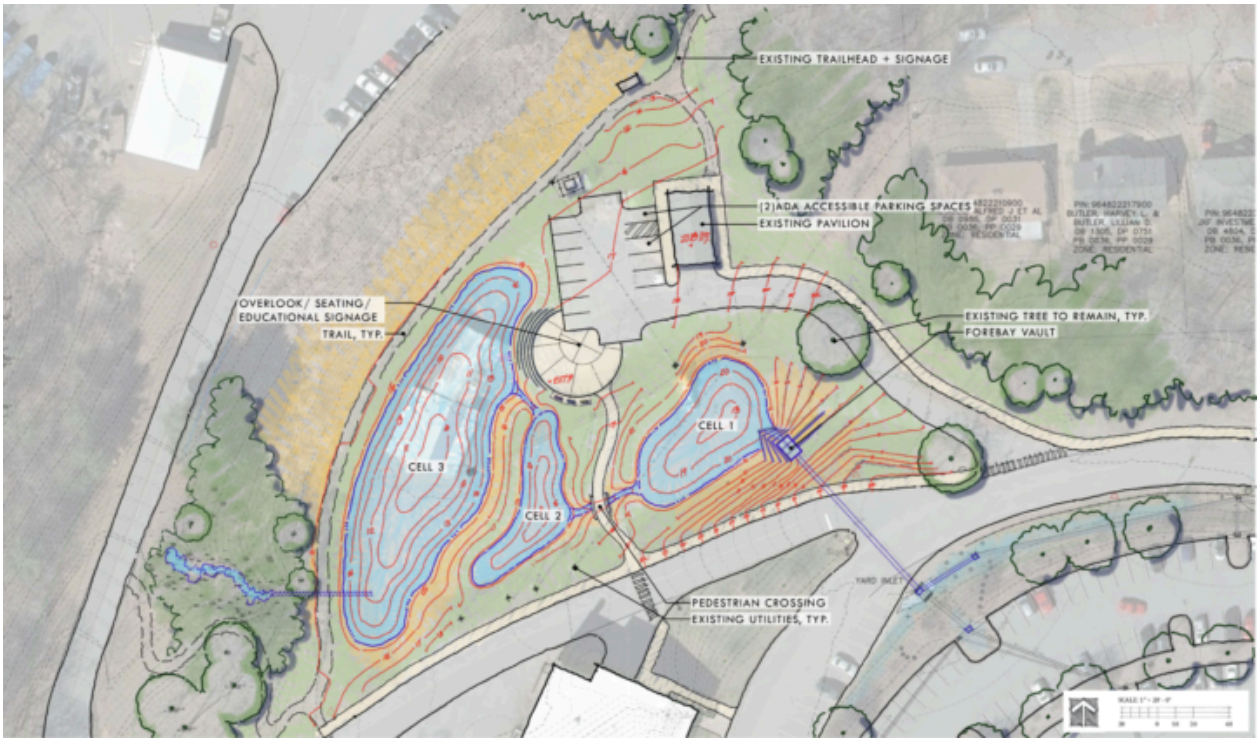
Stormwater management was not on anyone's mind as the campus began building on its Victoria Road site in the 1960s, Wilmoth says.

"We have a lot of parking lots and a lot of buildings. And so back when many of them were built, there wasn't a concern about where the stormwater would go other than just dumping it off campus," he acknowledges.

Off campus, it turns out, included residences in the adjacent Oakland Road neighborhood, leaving some complaining about flooded backyards and basements after

heavy storms.

While the issues in that neighborhood have been corrected through smaller projects, the college is drafting a stormwater master plan to comprehensively address the stormwater that inevitably runs off its many buildings and parking lots. It is partnering with RiverLink, which is helping A-B Tech restore Haith Branch and design mitigation features that divert water from the forest and river below.



WETLAND: RiverLink is working with an engineering firm to design and construct a wetland area where a parking lot currently exists on the campus of A-B Tech. Photo courtesy of RiverLink

Design and construction are funded partially by the college's capital projects budget and grants from the federal Environmental Protection Agency, the N.C. Land and Water Fund and the Community Foundation of WNC's Pigeon River Fund. Collectively, the project costs about $850,000, Fortner says.

"We've tried to take a better, more sensitive approach to what is happening to the water when it leaves the campus both in terms of its impact environmentally as well as socially," Wilmoth says.

Haith Branch

For RiverLink, this work goes back to its 2019 watershed restoration plan for the central Asheville watershed, which includes three tributaries — Town Branch, which flows off

Beaucatcher Mountain and picks up runoff from most of downtown and the Southside neighborhood; Bacoate Branch, which flows south from Aston Park; and Haith Branch off the campus of A-B Tech.

RiverLink studied the watershed for a year, and despite the then-unnamed Haith Branch being the cleanest of the three tributaries, it had its own issues that could be traced directly to A-B Tech's impervious surfaces.

"We saw that there were a lot of parking lots on their campus that didn't have any stormwater treatment at all. And that's because the parking lots were constructed prior to the City of Asheville having any kind of a stormwater ordinance that requires post-construction stormwater control measures. So we saw an opportunity there," says Fortner.

Black Mountain to clean a creek along the golf course

There's not often overlap between the worlds of golf and improving water quality. Establishing and maintaining large expanses of fertilized grass usually runs counter to stream restoration, but a new project in Black Mountain could do both.

In the Fairway Drive Project, the Town of Black Mountain will use a $75,000 grant from Buncombe County's Clean Water Fund next fiscal year to clean up Tomahawk Branch, a tributary of the Swannanoa River, on the Black Mountain Municipal Golf Course.

The project will fix a blocked ditch near the intersection of Fairway Drive, Tomahawk Avenue and Hiwassee Avenue. During rain events, the ditch tends to overflow, resulting in flooding and erosion issues on both the golf course and Tomahawk Avenue, according to town documents.

The town will install a diversion pipe, rework the existing ditch and rehabilitate stormwater management features to allow more water to soak in the ground on the golf course and improve water flow in Tomahawk Branch, says **Anne Phillip**, a stormwater technician for the town.

The project is one of several outlined in the town's 2022 stormwater master plan, which guides how the town should use the $350,000 it collects from residents in a stormwater utility fee. The fee primarily helps the town fulfill the requirements of its N.C. Department of Environmental Quality stormwater permit, but also funds other improvement projects such as the Fairway Drive project.

“The town is identifying all these small projects to improve water quality by either reducing sediment or allowing infiltration to get rid of the pollutants that stormwater can carry before it enters an adjacent water body. And by doing these small projects throughout town, we’re going to have a larger cumulative effect,” Phillip says.

The project is slated to be completed by June 2025.

Fortner found that much of the campus’s runoff was piped into a forested area on the west side of the campus, wreaking havoc on the forest floor.

“All of the water and the erosive force behind that water, had over many years created this big gully that just cuts through the forest. It enters that small stream that’s now called Haith Branch. And then all of that sediment has been going from there into the French Broad River,” she notes.

Before A-B Tech’s runoff enters Haith Branch in the forest, it is the cleanest of central Asheville’s three tributaries. Below that point is a different story, Fortner says.

The gully and streambank erosion along Haith Branch contributes 311 tons of sediment a year to the French Broad River, she says.

After RiverLink completes its project, that will be reduced to zero, according to an engineer’s estimate, Fortner adds.

Stormwater wetland

In one of those seldom-used parking lots, RiverLink is working with A-B Tech to replace the asphalt with a “regenerative stormwater conveyance,” more commonly referred to as a stormwater wetland.

All water coming from parking lots and buildings above the site will now drain into a three-tiered stormwater wetland where it will soak into the ground, reducing the amount of runoff coming from the campus.

That — simply reducing the amount of runoff — will have the largest positive effect on the stream and river below, Fortner says.

Plus, engineers will add trails around the wetland, creating what Fortner says will be a beautiful amenity for the campus.

Additionally, rain gardens with plants to help encourage water to soak into the ground will be added on the green parking lot islands between spaces, complete with picnic

tables for students to enjoy, according to the project plans.

The green infrastructure of plants and soils is much more effective at reducing stormwater issues than the gray infrastructure of pipes and drains that the campus and many cities used in the past, Fortner adds.

Workforce development

RiverLink will also work to clean up the gully in the forest and restore Haith Branch in the forest below, and students at A-B Tech will pitch in to help document the impact all the work has on the campus's creek.

While instructor **Helen Burrell** and her biology students have been testing Haith Branch's water quality for 10 years, this year she will lead more formalized sampling above and below the restoration site, Burrell says.

"This will allow us to get a picture of the fauna before the stormwater wetland installation work occurs, and in subsequent years we will sample the same location to see if there are any changes in fauna due to the action of the stormwater wetland," she says.

Burrell is excited about being able to incorporate sampling at a real-world stream restoration site to show her students how their field collections can contribute to the body of knowledge for the project's overall success.

"Often my students' primary experience with water quality is hearing about the swim guide alerts for the French Broad during the summer. While this stormwater project is focused primarily on sediment reduction, it will raise students' awareness of other water quality issues and allow them to feel connected to making a difference to the water quality of the French Broad watershed," she says.

Reduce rain runoff

Stormwater runoff is the No. 1 threat to the health of the French Broad River, causing increasing flooding events, erosion, sedimentation and pollution in the river and its tributaries, says **Renee Fortner**, watershed resources manager at RiverLink.

"To improve the water quality in the French Broad … it's going to take more than just A-B Tech," she says.

That's why the environmental nonprofit is in the midst of a campaign to help residents reduce stormwater runoff from their homes and businesses with its Reduce Rain Runoff

campaign in the eight counties of the French Broad watershed — Transylvania, Henderson, Buncombe, Madison, Haywood, Yancey, Avery and Mitchell.

The campaign encourages and instructs residents on how to install more green infrastructure like rain gardens, rain barrels, swales, trees, green roofs and permeable paving at their homes to reduce their footprint.

RiverLink is funding the campaign with support from the Community Foundation of Western North Carolina, Duke Energy Foundation, McClure Foundation and Land of Sky Regional Council, according to its website. Buncombe County is also contributing a $25,000 grant to the effort next fiscal year through its Clean Water Fund.

“It’s incredibly important; if we’re going to protect the French Broad River and protect water quality in our urban streams, we’ve got to do a better job of managing our stormwater runoff,” Fortner says.

Learn more about RiverLink’s reduce rain runoff campaign at avl.mx/dqi.

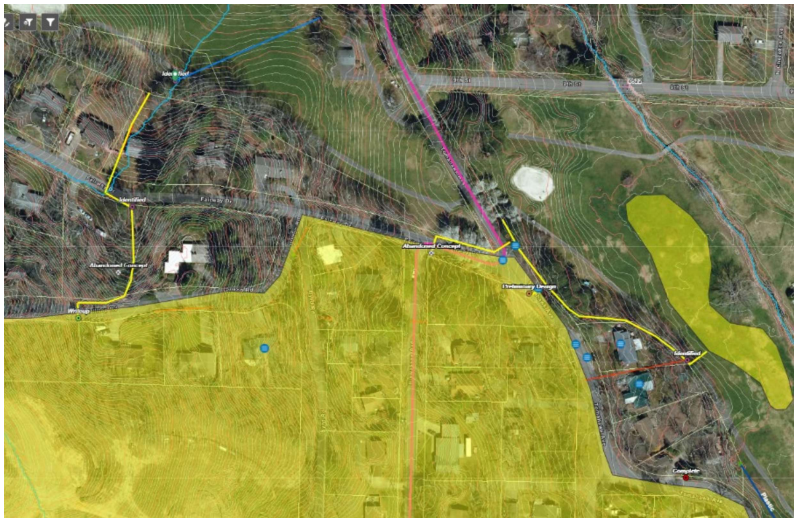
5.0 Fairway Drive / Tomahawk Ave to Golf Course Ditch Diversion with Potential Flood Storage (PID#35)

Type(s): Diversion, Pipe Replacement

Scale: Small-Medium

Background: This ditch has complaints of blockage and flooding and has recently been dug deeper along Hiwassee Ave (appears to be associated with residential home construction) which could pose a potential safety concern and/or erosion control issue. The ditch carries approximately 12-acres draining to it, including runoff from Hiwassee Ave, Byrd Road, Hilltop Road, and adjacent upland areas. It outlets to a pipe system that crosses Tomahawk Ave just north of S Oconeechee Ave, crossing under private property before it outlets into the golf course. The outlet has sedimentation issues and appeared to be submerged during site inspection. The Town has subsequently worked on the area.

The system also gets an additional estimated 2.5 acres from the north side of Fairway Drive which crosses Tomahawk Ave in an existing pipe (NCDOT) at the intersection of Fairway Dr. It then enters a ditch on the golf course side of the road that terminates at the pipe outlet discussed in the first paragraph. During larger events there is overtopping (or was, prior to ditch excavation) at Tomahawk Ave where runoff exceeds ditch capacity and the road overtops which has resulted in erosion on Town golf course property.



Project Description: Install a pipe diversion under Tomahawk Ave on the south side of Fairway Dr to route flow out of the existing ditch network and onto golf course. Maintain, but reconfigure, the existing roadside ditch for less runoff and to eliminate any safety or water quality concerns. Determine the limits, condition and elevation of the existing pipe outlet behind residential homes and completely map pipe system to final outfall. Rehabilitate the existing 400-foot long swale through the woods on east side of Tomahawk Ave on golf course property by either diverting the swale onto the golf course (to ponding storage) or by addressing the deficiencies at the current end of the swale where no outlet seems to exist.

Components:

- 30 LF 24-30” CMP or RCP
- Ditch rehabilitation and/or extension, up to 400 LF rehab and 100-200 LF of new ditch or water quality swale
- Potential flood storage grading on golf fairway 0.5 – 1 acre-foot to treat 1-3” of rainfall; situate most of storage in areas that will least affect play on golf course – flood study may be required for this component of project. This component would make entire project eligible for various water quality grant funding.

Land Ownership / Partnerships: Diversion is in presumed right-of-way (Town). Some potential overlap with NCDOT maintained road. City of Asheville water department may be able to advise on the water main that runs down Tomahawk Ave (not in Town GIS). Coordination with private property and golf course staff required for other project activities.

Next Steps: Improve/verify pipe mapping and outfall locations. Conduct pipe condition video camera condition assessment. Map utilities and evaluate conflicts and associated implications for design and cost. Discuss project with NCDOT to understand jurisdictional boundaries on Fairway Dr and Tomahawk Ave. Conduct more detailed design evaluation and prepare Basis of Design Report with design and cost estimate information.

Related Efforts: PID #67 is to perform O&M activities necessary to keep drainage functioning at the pipe outlet that currently conveys open channel ditch drainage.

Runoff reduction options include the potential to reduce drainage area by implementing a diversion of ditch flow along Hilltop Road into the natural drainage connecting to Fairway Dr (PID #43).

Budget: The proposed budget for this area is $120,000 – 166,000 depending on whether water quality / flood storage is implemented into design.

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Wesley Barker, Town Clerk	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Consent Agenda	**DEPARTMENT:**	Town Clerk
TITLE OF ITEM:	Adoption of Meeting Minutes: May 7, 11, 20, 21, 27, 28, 2026 and June 1, 4, 2026.		

SUGGESTED MOTION(S):
Motion to approve the meeting minutes as presented.

SUMMARY:

The following Town Council meeting minutes are ready for review & approval: May 7, 2026 Agenda Meeting; May 11, 2026 Regular Meeting; May 20, 2026 Budget Work Session; May 21, 2026 Budget Work Session; May 27, 2026 Special Meting; May 28, 2026 Budget Work Session; June 1, 2026 Budget Work Session; June 4, 2026 Special Meeting.

BUDGET IMPACT:

ATTACHMENTS:

1. May 7, 2026 Agenda Review Meeting Minutes
2. May 11, 2026 Town Council Meeting Agenda _Minutes_Draft
3. May 20, 2026 Town Council Budget Work Session_Minutes
4. May 21, 2026 Budget Work Session_Minutes
5. May 27, 2026 Special Called Meeting Agenda (Closed Session)_Minutes
6. May 28, 2026 Budget Work Session_Minutes
7. June 1, 2026 Budget Work Session Minutes

8. June 4, 2026 Council Budget Work Session & Agenda Review _Minutes

BLACK MOUNTAIN TOWN COUNCIL MINUTES

May 7, 2026 | Agenda Work Session | Time: 5:00 PM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held an agenda work session meeting on Thursday, May 7, 2026, at 5:00 PM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER

Vice Mayor Archie Pertiller called the special meeting to order at 5:02 p.m. with the following members in attendance: Vice Mayor Archie Pertiller, Council Member Alice Berry, Council Member Doug Hay, Council Member Ryan Stone. ***Mayor C. Michael Sobol was absent.***

The following staff members were present: Richard Hicks, Interim Town Manager; Scott Buffkin, Interim Assistant Town Manager; Wesley Barker, Town Clerk; John Coffey, Fire Chief; Jamey Matthews, Public Works Director; Matt Begley, Budget Analyst.

2. Review & Approval of May 11, 2026 Town Council Meeting Agenda.

Interim Town Manager Richard Hicks reviewed the May 11, 2026 agenda with the Council. The following amendments were proposed: 1) Add a special resolution of appreciation for former Council Member Pam King, 2) move the presentations on "Town Capital Projects & Grants" and the "update on water use restrictions" from New Business to Communications from Staff, 3) remove the item entitled "cost estimate for sidewalk along Sutton Ave. and consideration of expenditure of Powell Bill funds to install sidewalk", 4) remove Closed Session. Also, it was recommended to include the applicants for the vacant Council seat to be included in the agenda packet.

Town Council Member Alice Berry made a motion to approve the May 11, 2026, agenda with the suggested amendment. A vote of 4-0 in favor.

With no further business to be discussed, Vice Mayor Pertiller adjourned the meeting at 5:20 p.m.

_____
Archie Pertiller, Vice Mayor

_____
Wesley M. Barker, Town Clerk

DRAFT

BLACK MOUNTAIN TOWN COUNCIL MINUTES

May 11, 2026 | Regular Session Agenda | Time: 6:00 PM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held their regular session agenda on Monday, May 11, 2026, at 6:00 PM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER.

Mayor C. Michael Sobol called the meeting to order at 6:00 p.m. with the following members in attendance: Vice Mayor Archie Pertiller, Town Council Member Alice Berry, Town Council Member Doug Hay, Town Council Member Ryan Stone. *Note: Larry Harris was appointed by the Council after the meeting was called to order and then joined the meeting as a voting Council Member, following his oath of office, which made the number of members present 5.*

The following staff members were present: Craig Justus, Town Attorney; Richard Hicks, Interim Town Manager; Scott Buffkin, Interim Assistant Town Manager; Wesley Barker, Town Clerk; John Coffey, Fire Chief, Steve Parker, Police Chief; Jamey Matthews, Public Works Director; Michelle Kennedy, Planning Director; Jacob Guiot, Parks and Recreation Director; Chris Kuhn, Deputy Police Chief; Matt Begley, Budget Analyst; Chad Goins, Interim Project Manager.

Mayor Sobol led those in attendance in the pledge of allegiance and a moment of silence, then read the ethics statement.

2. ORGANIZATIONAL MEETING. The Council then entered an Organizational Meeting.

2.A. Appointment to Fill the Vacant Seat on the Town Council

Former Town Council Member Pam King resigned from the Town Council effective April 24, 2026. This leaves a vacant seat on the Town Council.

The Town Charter states: SECTION 2.2. FILLING OF VACANCIES
If the elected mayor or an elected council member shall fail or refuse to be qualified, or if the holder of any elective office is unable to discharge the duties of such office, or if a vacancy shall otherwise occur in any elective office, such vacancy shall be filled by the remaining members of the council. In the event such vacancy occurs within 135 days of the next general election, the person appointed by the council to fill the vacancy shall serve the remainder of the unexpired term. Otherwise, a successor shall be elected at the next general election and the person appointed to fill the vacancy shall serve only until the elected successor takes office. The elected successor shall then serve the remainder of the

unexpired term.

Previously, when a vacancy occurred on the Council, the remaining Council members decided to advertise the vacant seat and invited interested citizens to apply for this vacant seat. The only three requirements for appointing an individual for a Council seat are that they must be 1) a registered voter in Buncombe County, 2) live in the municipal limits of Black Mountain, and 3) be 21 years of age or older. Once the applications were received, Council would review and, in an open meeting, the applicant would be chosen via ballot voting method, with the majority vote being the nominee of consideration to vote to approve for appointment.

The Town Council directed the Town Clerk to advertise for this vacancy and seek interested applicants, with the application period open from April 24th through May 6th, 2026. The following citizens submitted an application by the deadline of 5pm on May 6th, 2026 which were (in alphabetical order):

- Amanda Carter
- Larry Harris
- Shane Lunsford
- Lawrence Lytle
- Debra Norman
- John Richardson
- Michael Roberts
- Sharon Tabor

The Town Clerk provided voting ballots to the Council, and the Council proceeded to vote for the appointee to the vacant seat. The Town Clerk tallied the ballots and reported that there was a unanimous vote to appoint Larry Harris to the vacant Council seat.

2.B. Administration of Oath of Office to the Appointed Council Member (Larry Harris)

Larry Harris came forward and was issued the oath of office by the Town Clerk. After the oath of office was issued, Council Member Harris duly took his seat on the dais.

2.C. Appointment to Black Mountain Center for the Arts Board of Directors - Primary Member

Council Member Pam King resigned effective April 24, 2026. She was the Town Council's appointed delegate, serving as primary member of the Black Mountain Center for the Arts Board for the Town. Vice Mayor Archie Pertiller is the current appointed alternate to this Board. Council should consider another appointment of a member to serve on the Center for the Arts Board as regular member, or appoint an alternate member, if Vice Mayor Pertiller wishes to move from alternate to regular member. Their board meetings are held on the 4th Tuesday of the month at 5:30 pm. Some discussion ensued and Council Member Ryan Stone agreed to serve on the Center for the Arts Board as the primary member if someone would take over for him on the Land of Sky Regional Council Board.

Council Member Harris stated he would take over for Council Member Ryan Stone on the Land of Sky Regional Council Board of Directors.

Town Council Member Alice Berry made a motion to appoint Ryan Stone to the Center for the Arts Board as Primary Member, and to appoint Larry Harris to the Land of Sky Board of Directors in place of Ryan Stone. A vote of 5-0 in favor.

2.D. Appointment to French Broad River MPO Board of Directors - Alternate Member

Council Member Pam King resigned effective April 24, 2026. She was the Town Council's appointed alternate delegate on the French Broad River MPO Board of Directors. Vice Mayor Archie Pertiller is the current appointed regular member to this Board. Council should consider an alternate member appointment for the MPO Board of Directors who would attend if Vice Mayor Pertiller is unable to. Discussion ensued and Council Member Ryan Stone stated he would serve as alternate.

Vice Mayor Archie Pertiller made a motion to appoint Ryan Stone as alternate member to French Broad River MPO Board of Directors. A vote of 5-0 in favor.

3. PROCLAMATIONS, AWARDS, RECOGNITIONS, SPECIAL RESOLUTIONS.

3.A. Resolution Recognizing Pam King for her Service to the Town of Black Mountain

This resolution is to recognize Pam King for her service to the Town serving as Town Council Member from December 2020- April 2026.

Vice Mayor Archie Pertiller made a motion to approve the resolution recognizing Pam King for her service to the Town of Black Mountain as presented. A vote of 5-0 in favor.

A RESOLUTION OF THE TOWN COUNCIL RECOGNIZING PAM KING FOR HER SERVICE TO THE TOWN OF BLACK MOUNTAIN

RESOLUTION NO. # R-26-42

WHEREAS, Pam King faithfully served the citizens of the Town of Black Mountain as a member of the Town Council from December 2020 through April 2026; and

WHEREAS, during her tenure on the Town Council, Pam King demonstrated exceptional dedication to public service through her attention to detail, thoughtful consideration of issues, and thorough approach to governance; and

WHEREAS, Pam King consistently carried out her duties with care and professionalism, striving to make informed decisions that reflected the best interests and well-being of the residents, staff, and community of Black Mountain; and

WHEREAS, Pam King represented the Town admirably by serving on the Land of Sky Regional Council Board of Delegates, and the Black Mountain Center for the Arts Board of Directors; and

WHEREAS, Pam King holds the distinction of being the twelfth female to serve as a Town Council member since the incorporation of the Town of Black Mountain in 1893, representing an important milestone in the Town's civic history; and

WHEREAS, the Town Council wishes to formally recognize and express its sincere appreciation for Pam King's commitment, service, and contributions to the Town of Black Mountain and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Black Mountain that the Council hereby extends its gratitude and appreciation to Pam King for her dedicated service and extends its best wishes to her in all future endeavors, and this resolution will be presented to Pam King, and a copy placed within the town records.

ADOPTED by the Black Mountain Town Council this 11th day of May 2026.

****

3.B. Consideration of Resolution Asking HCA CEO Sam Hazen to Engage Directly with Stakeholders in Western NC.

This special resolution was approved by the Land of Sky Regional Council Board of Directors on March 25, 2026 and asks Mr. Sam Hazen, CEO of HCA, to come to Western NC and meet with elected officials, healthcare advocates, and other community leaders and be accountable for HCA's decisions at Mission Health and engage in a collaborative and transparent dialogue to develop a plan for long term, permanent improvement at Mission Hospital and throughout the Mission Health system. A copy of the resolution approved by the Land of Sky Regional Council (LOSRC) board is attached, as well as the draft of a resolution for the Town of Black Mountain Council to consider approval of which further emphasizes the LOSRC resolution. Council Member Larry Harris stated he would like to recuse himself from this vote as he sits on the Board of Directors for Mission Health. ***Town Council Member Alice Berry made a motion to recuse Council Member Larry Harris from this item due to his role on the Mission Health Board of Directors. A vote of 5-0 in favor.***

Town Council Member Ryan Stone made a motion to approve the resolution as presented. A vote of 5-0 in favor.

A RESOLUTION ASKING HCA CEO SAM HAZEN TO ENGAGE DIRECTLY WITH STAKEHOLDERS IN WESTERN NORTH CAROLINA

RESOLUTION NO. #R-26-41

WHEREAS, Mission Health, which includes Mission Hospital in Buncombe County and five satellite hospitals in Transylvania, Macon, Jackson, Mitchell, and McDowell Counties, is the healthcare backbone of Western North Carolina; and

WHEREAS, Mission Hospital is the only Level I trauma center west of Charlotte and only

tertiary care hospital in the 18 westernmost counties; and

WHEREAS, for profit, publicly-traded HCA bought nonprofit Mission Health in 2019 and quickly made significant changes, including reducing Mission Hospital staff by the hundreds, closing primary care practices, and reducing many services previously offered; and

WHEREAS, hundreds of long-serving and highly skilled nurses and physicians, as well as numerous physician practices, have left Mission Health and especially Mission Hospital; and

WHEREAS, due to these staffing reductions and other management decisions, Mission Hospital has been cited by the federal Centers for Medicare and Medicaid Services (CMS) for Immediate Jeopardy in 2021, 2024, 2025, and 2026; and

WHEREAS, Mission Hospital was found to have violated the federal Emergency Medical Treatment and Labor Act in 2024 and 2025; and

WHEREAS, other hospitals in the Mission Health system have also experienced regulatory censure, including Mission McDowell Hospital and Blue Ridge Regional Hospital in Spruce Pine being cited for Immediate Jeopardy in 2021 and 2023, respectively; and

WHEREAS, HCA has failed to provide sufficient resources and support for its staff, has failed to act on recommendations from nurses, and has created a culture in which doctors, nurses and staff are hesitant to raise quality of care concerns with management; and

WHEREAS, Mr. Sam Hazen, CEO of HCA, said at the time of purchase: “We are excited that Mission Health chose to be part of the HCA Healthcare family. We look forward to investing in western North Carolina and ensuring Mission Health's 133-year tradition of caring continues for years to come. This is a model partnership and one we hope will be replicated to benefit many similar communities.”; and

WHEREAS, due to HCA’s management, Mission Health's tradition of caring has been severely impaired; and

WHEREAS, HCA leaders, including Mission CEO Greg Lowe, have not met with community members at public forums or meaningfully engaged community stakeholders to discuss conditions at Mission Hospital; and

WHEREAS, HCA and Mission Hospital are not transparent or accountable to our community; and

WHEREAS, the Land of Sky Regional Council Board of Delegates adopted this resolution on March 25, 2026; and

WHEREAS, the Town of Black Mountain Town Council desires to join regional partners in expressing these concerns and advocating for the health and well-being of its residents;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Black Mountain, North Carolina, as follows:

1. The Town of Black Mountain hereby affirms and adopts the intent of the resolution approved by the Land of Sky Regional Council Board of Delegates on March 25, 2026.
2. The Town Council calls on Mr. Sam Hazen, as the leader of HCA, to come to Western North Carolina and meet with elected officials, healthcare advocates, and other community leaders, be accountable for HCA's decisions at Mission Health, and engage in a collaborative and transparent dialogue to develop a plan for long term, permanent improvement at Mission Hospital and throughout the Mission Health system.

ADOPTED this 11th day of May, 2026.

****

4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES.

4.A. **Introduction of Jacob Guiot, Recreation & Parks Director.** Interim Town Manager Richard Hicks introduced Jacob Guiot, who is the new Recreation & Parks Director.

4.B. **Presentation on Town Capital Projects and Grants.** Council has requested an update from staff on the status of the Town's capital projects and grants. These include all Helene recovery projects and mitigation projects among others. Town Budget Analyst Matt Begley gave a presentation and answered questions from Town Council on the capital projects and grants. Information included data on the project area, project status, cost, funding status and funding agencies being used and next steps. On hold, future and completed projects were also briefly discussed. ***A list of the projects and grants discussed is included at the end of these minutes as Appendix A.***

****

4.C. **Update on Water Use Restrictions.** With the recent emphasis on the Statewide drought and burn ban, staff thought it would be appropriate to provide an update on the Town's ordinances and regulations regarding potential water use restrictions. Interim Manager Hicks reviewed Chapter 48, Article III, Section 48-194 through 48-196 of the Town of Black Mountain Code of Ordinances, which provides the framework for the adoption of water use restrictions. Further, the Town's Water Shortage Response Plan was reviewed that has been approved by the North Carolina Division of Public Water Supply. The water supply plan ties the Town's restrictions to the same as directed by the City of Asheville, since the Town is a wholesale customer of the City of Asheville. There currently are no water use restrictions for Town of Black Mountain water customers.

5. CITIZEN COMMENTS.

6. COMMUNICATION FROM MAYOR AND TOWN COUNCIL.

Mayor Sobol invited citizens to the Black Mountain Library on Wednesday, May 19th at 6pm for a community meeting to discuss bears, and also invited citizens to the Library on Wednesday, May 27th to discuss AI.

7. COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER.

It was stated that a Closed Session needed to be added at the end of the agenda pursuant to 143-318.11 (a)(3): to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. ***Town Council Member Ryan Stone made a motion to add Closed Session to the end of the agenda as recommended. A vote of 5-0 in favor.***

8. CONSENT AGENDA

8.A. Adoption of Meeting Minutes from March 5, 9, 12 & April 1, 9, 13, 2026.

Town Council Member Alice Berry made a motion to approve the meeting minutes from March 5, 9, 12 and April 1, 9, 13, 2026 as presented. A vote of 5-0 in favor.

8.B. Monthly Tax Collector Report.

Town Council Member Alice Berry made a motion to approve the monthly tax collector report as presented. A vote of 5-0 in favor.

8.C. Consideration of Resolution Repealing Resolution No. R-25-103 Entitled "A Resolution to Amend the Fiscal Year 2025-2026 Budget for Golf Course Bridge Repairs and Cart Path Repairs."

This item is to repeal Resolution No. R-25-103 Entitled "A Resolution to Amend the Fiscal Year 2025-2026 Budget for Golf Course Bridge Repairs and Cart Path Repairs" that was approved on November 1, 2025. The reason for this repeal is that these allocations were based on projections of expected obligated funding for the Golf Course Irrigation FEMA Public Assistance. The Town has since received the reimbursement for the golf course irrigation project and allocated those funds to a Capital Project Ordinance for the golf cart bridges per Resolution No. R-26-39 approved April 13, 2026. By repealing this resolution, the duplicative funding for the project can be returned to the Helene fund balance.

DRAFT

Town Council Member Alice Berry made a motion to approve the resolution repealing Resolution No. R-25-103 as recommended. A vote of 5-0 in favor.

A RESOLUTION REPEALING RESOLUTION NO. R-25-103 ENTITLED "A RESOLUTION TO AMEND THE FISCAL YEAR 2025-2026 BUDGET FOR GOLF COURSE BRIDGE REPAIRS AND CART PATH REPAIRS"

RESOLUTION NO. # R-26-45

WHEREAS, on November 1, 2025, at a special called Town Council work session meeting, Town Council approved Resolution No. R-25-103, entitled "A Resolution to Amend the Fiscal Year 2025-2026 Budget for Golf Course Cart Bridge and Cart Path Repairs"; and

WHEREAS, these allocations were based on projections of expected obligated funding for the Golf Course Irrigation FEMA Public Assistance; and

WHEREAS, the Town has since received the reimbursement for the golf course irrigation project and allocated those funds to a Capital Project Ordinance for the golf course cart bridges per resolution R-26-39 approved April 13, 2026; and

WHEREAS, the Town Council wishes to return the duplicative funding for the project to the fund balance in the Helene Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLACK MOUNTAIN:

1. That Resolution No. R-25-103, adopted November 1, 2025, is hereby repealed.

Adopted this the 11th day of May 2026.

****

8.D. Resolution Approving the Purchase of a Conex Box for Evidence Storage and Armory.

Due to structural instability at the Town of Black Mountain's public safety building, public safety personnel have been displaced and require temporary facilities for workspace and storage. While multiple rental options were considered, Town staff identified a more cost-effective solution through the purchase of a Conex box to be used for evidence and Police Department armory storage. The total estimated cost for purchase, transport, and necessary upfit is $11,000, which can be accommodated within previously allocated funds for temporary facilities. The proposed resolution authorizes the Town Manager, or designee, to proceed with the purchase and associated arrangements.

Town Council Member Alice Berry made a motion to approve the following resolution. A vote of 5-0 in favor.

A RESOLUTION APPROVING THE PURCHASE OF A CONEX BOX FOR EVIDENCE STORAGE AND ARMORY

RESOLUTION NO. #: R-26-43

WHEREAS, Town of Black Mountain public safety personnel have been displaced due to structural instability of the public safety building; and

WHEREAS, public safety departments require temporary facilities for workspaces and storage; and

WHEREAS, the Town received multiple bids for renting temporary facilities for public safety purposes; and

WHEREAS, Town staff have found a more cost-effective alternative for purchasing storage for evidence and the Police Department armory; and

WHEREAS, the purchase, transport, and upfit costs are estimated to total $11,000; and

WHEREAS, the Town has previously allocated funding for the acquisition of temporary facilities which would adequately meet these needs.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLACK MOUNTAIN:

1. That the Town Manager, or assign, is authorized to purchase a Conex Box for public safety use and make further arrangements for transport and upfit to meet the needs of public safety evidence and armory storage.

Adopted this the 11th day of May 2026.

****

8.E. Resolution Authorizing Agreement with Anchor QEA of NC, PLLC for Professional Engineering & Architectural Services

Although the Town had an existing Master Service Agreement with Anchor QEA, Town staff and staff at Anchor QEA have drafted a new Master Service Agreement to clarify the relationship between the two organizations. Task Orders for the Flat Creek Greenway Project and the North Oconeechee Sinkhole will now fall under this Master Service Agreement. A copy of this agreement is attached in this packet. Council has been asked to approve the resolution authorizing the agreement with Anchor QEA of NC for the Professional Engineering & Architectural Services. Some discussed ensued. ***Town Council***

Member Alice Berry made a motion to request presentation from Anchor QEA of NC at a later meeting before moving forward with the agreement. A vote of 5-0 in favor.

Council then took a short recess at 7:45 p.m.

****

9. PUBLIC HEARING.

Town Council Member Alice Berry made a motion to open the public hearing on data processing centers. A vote of 5-0 in favor. The time was 7:55 p.m. *No public comment was provided.* ***Town Council Member Alice Berry then made a motion to close the public hearing. A vote of 5-0 in favor.***

9.A. Public Hearing to Amend Chapter 1, Section 1.2.3, Definitions; Chapter 4, Section 4.7.14, Table of Uses by Zoning District; and Chapter 5, Section 5.19, Data Processing Centers, to add a definition, use, and requirements for data processing centers.

Staff discussion then took place. Planning Director Michelle Kennedy stated that multiple towns and cities across the state are beginning to get applications for data processing centers. There are currently no definitions or requirements for data processing centers in the Town's Code. The proposed amendments presented will define a data processing center and will allow for requirements to be put in place. The goal is to have the ordinance in place before an application for a date processing center comes in. Council Member Alice Berry discussed the proposed text around signage offering some suggested amendments. Additionally, Council Member Hay asked staff to draft possible language for a moratorium on data centers. ***Town Council Member Alice Berry made a motion to approve the following ordinance text amendments and that the proposed changes are consistent with current state regulations and find that the recommendation promotes general welfare and in keeping with good zoning practice.. A vote of 5-0 in favor.***

AN ORDINANCE TO AMEND CHAPTER 1, SECTION 1.2.3, DEFINITIONS; CHAPTER 4, SECTION 4.7.14, TABLE OF USES BY ZONING DISTRICT; AND CHAPTER 5, SECTION 5.20, DATA PROCESSING CENTERS, OF THE TOWN OF BLACK MOUNTAIN LAND USE CODE TO ADD A DEFINITION, USE, AND REQUIREMENTS FOR DATA PROCESSING CENTERS

ORDINANCE NO. # O-26-11

WHEREAS, The Town of Black Mountain Planning Board is charged with reviewing and updating land use planning, zoning and subdivision regulations; and

WHEREAS, the Planning Board made a commitment to the Town Council to review the text of the Land Use Code in the years since its adoption to address any residual inconsistencies in the text and to look for opportunities to clarify or improve text; and

WHEREAS, upon recommendation of the Planning Board, the following text

amendments are consistent with the comprehensive plan and reasonable in the public interest because they support community character and enhance safety and support manufacturing, including small scale; and

WHEREAS, the Town of Black Mountain has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend regulations from time to time in the interest of public health, safety and welfare; and

WHEREAS, the Town Council finds that the land use code text amendments are consistent with the comprehensive plan and are reasonable and in the public interest because of the following findings:

- Supports community character and enhances safety (Goal 2.4)
- Supports manufacturing, including small scale (Goal 4.5)

WHEREAS, after notice duly given, a public hearing was held on May 11, 2026, as part of the regularly scheduled Town Council meeting at 6:00 p.m. in the Council Room of Town Hall, 160 Midland Avenue.

NOW, THEREFORE BE IT RESOLVED that Chapter 1, Section 1.2.3, Definitions, of the Town of Black Mountain Land Use Code, be amended with the following (additions are underlined in bold and deletions are shown in red struck text):

Chapter 1

Section 1.2.3 Definitions.

Data processing facility: A building, dedicated space within a building, or group of structures used to house a group of computer systems and associated components, such as telecommunications and data processing systems, to be used for the remote storage, processing, or distribution of large amounts of data. Examples of such data include, but are not limited to, computationally intensive applications such as artificial intelligence, blockchain technology, cryptocurrency mining, weather modeling, genome sequencing, etc. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support operations.
May also be referred to as a "Data Center". This definition shall not apply to data processing facilities that are accessory or incidental to a primary use.

BE IT FURTHER RESOLVED that Chapter 4, Section 4.7.14, Table of uses by zoning district, of the Town of Black Mountain Land Use Code, be amended with the following (additions are underlined in bold and deletions are shown in red struck text):

Chapter 4

Section 4.7.14 Table of uses by zoning district.

Category	Uses	CR-1	SR-2	TR-4	UR-8	NMU-8	OI-6	CBD	HB-8	LI-8	HI-0
Industrial	**Data Processi-ng Facility**										**A**

BE IT FURTHER RESOLVED that Chapter 5, Section 5.19, Data processing facilities, of the Town of Black Mountain Land Use Code, be amended with the following (additions are underlined in bold and deletions are shown in red struck text):

Chapter 5

Section 5.19 Data processing facilities.

5.19.1 – Purpose.

To regulate data processing facilities and data center buildings, including for the use of cryptocurrency mining.

5.19.2 – General provisions.

A. Height restrictions. Systems, equipment, and structures (excluding electric transmission lines and utility poles) will not exceed 35 feet in height, including rooftop mechanical equipment.

B. Use separation. All equipment and structures will be a minimum of fifty feet from the boundary of the facility as delineated on a site plan, and one-quarter mile (1,320 feet) from any place of worship, school, or residence.

C. Submittal requirements.

a. A narrative describing the proposed data processing facility including an overview of the project;

b. A site plan showing the proposed location and dimensions of all equipment, existing and proposed structures, screening, fencing, property lines, access roads, turnout locations, ancillary equipment, and the location of any place of worship, school, or residence within one-quarter mile (1,320 feet) of the perimeter of the facility;

c. A study prepared by an acoustical engineer that describes the anticipated noise level of the facility and any proposed mitigation efforts such as sound walls, baffles, ventilation, silencers, additional separation from surrounding uses, etc.;

d. Other relevant studies, reports, certifications, and approvals as may

be reasonably requested by the Town of Black Mountain to ensure compliance with this ordinance; and

e. Signature of the property owner(s) and the owner/operator(s) of the facility (if different than the property owner).

D. Structural requirements.

a. The facility will meet all requirements of the North Carolina Building Code.

b. Any electric wiring will be located underground, except where wiring is brought together for interconnection to system components and/or the local utility power grid.

E. Access.

All roads providing access to the data processing facility will be of sufficient width to accommodate emergency vehicle access as determined by the Town of Black Mountain Fire Marshal.

F. Security fencing.

Security fencing of a minimum of eight feet in height will be provided along the entire perimeter of the data processing facility.

G. Screening.

The entire perimeter of the data processing facility will be screened from adjoining properties by a wall that is at least eight feet high or evergreen vegetation growing to a height of eight feet high wo within three years.

H. Utility approval.

No grid-connected data processing system will be installed until evidence has been provided by the operator that installation of the system has been approved by the electric utility provider and by the water utility provider. Off-grid systems will be exempt from this requirement.

I. Signage.

No signage will be permitted for data processing facilities, with the exception of one (1) sign, per frontage, not to exceed 32 square feet each, that displays the name, address, and emergency contact information of the facility as well as appropriate warning signs and will otherwise comply with the Town's sign ordinance.

J. Noise.

The amount of noise generated by the data processing facility will not exceed 55 decibels at any property line between the hours of 8:00 a.m. to 7:00 p.m. and will not exceed 50 decibels at any property line between the hours of 7:00 p.m. to 8:00 a.m.

K. Abandonment.

It is the responsibility of the property owner to notify the Town of Black

Mountain and to remove all obsolete or unused systems. Any structure or equipment associated with the data processing facility that is not operated for a continuous period of one hundred and eighty (180) days will be considered abandoned, and the Town may require the owner to remove such structures and equipment within 90 days after notice from the Town. If the abandoned structure or equipment is not removed within 90 days, the Town may remove it and recover its costs from the owner. If the owner of the abandoned structure or equipment cannot be located or is no longer in business, the requirements of this section will be the responsibility of the landowner on whose property the structure or equipment is located.

READ, APPROVED AND ADOPTED, by a vote of **_5_to_0_** on this the 11th day of May 2026.

****

10. CITIZEN COMMENTS.

11. UNFINISHED BUSINESS – NONE.

12. NEW BUSINESS.

12.A. Review of Electronic Payments & Associated Fees and Consideration of Policy.

Greta Gibson, Customer Service & Revenue Supervisor, gave a presentation to the Council. The following Town Departments currently accept electronic payments through the use of several vendors. For Planning and Development, they use GovWell and the fees go straight to GovWell without passing through the Town's accounts. For the Pool and Special Events for the Police Department, they use Square Plus. The Town is currently absorbing the merchant processing fees. For the month of July, 2025, the Town absorbed just over $570 in fees. Parks and Recreation uses RecDesk and the Town absorbs the fees. For the month of July, 2025, the Town absorbed just over $377 in fees. The Golf Course uses GolfNow and the Town absorbs the merchant processing fees. For the month of July, 2025, the Town absorbed just over $1,712 in fees. The Town's Utilities Department, Fire and Police use Tyler/Encode and Cognito and the Town absorbs the fees. For the month of July, 2025, the Town absorbed just over $4,052 in fees and from July 1, 2025 through January 31, 2026, the Town had absorbed just over $28,352 in fees. Based on the current fees, the Town will more than likely absorb more than $50,000/year in electronic payment fees. This is a benefit that is only provided to people that choose to pay by debit or credit card, but the cost is borne by all of the ratepayers and taxpayers. Staff is recommending that the Town change its current policy and transfer the fees to the consume, and to create an official policy indicating such. Interim Manager Hicks recommends that Town Council authorize staff to proceed with the creation of an Electronic Payment Policy and associated fees, which will be brought back to Council for formal approval at the June meeting.

Town Council Member Alice Berry made a motion to authorize staff to proceed with creation of an Electronic Payment Policy and associated fees and present a draft to the Council at the June 8,

2026 meeting. A vote of 5-0 in favor.

****

12.B. Presentation and Consideration of Street Dedication Application & Policy.

Planning Director Michelle Kennedy stated the Planning Department has developed a Street Dedication Application & Policy. The Council has delayed action on the Brookhaven Drive acceptance, pending the approval of the new Application & Policy. Some discussion ensued among Council and staff. ***Town Council Member Alice Berry made a motion to approve the Street Dedication Application & Policy with the amendment stating, "the final determination is made by Town Council." A vote of 5-0 in favor.***

****

12.C. Consideration of naming the Lake Tomahawk Tennis Courts after Judy Eubanks.

The Black Mountain Tennis Association has asked to name the Lake Tomahawk Tennis Courts the "Judy Eubanks Tennis Courts" for all the hard work Judy Eubanks has done in Black Mountain for tennis. She retired from the Tennis Association this year, and the Association would like to pay Judy respect for all she has done by naming the courts after her. A sign has been created and if the Council approves it, the Association will work with Recreation & Parks to get the sign installed. ***Vice Mayor Archie Pertiller made a motion to approve naming the Lake Tomahawk Tennis Courts after Judy Eubanks as recommended. A vote of 5-0 in favor.***

****

12.D. Acceptance of Water Line Infrastructure within Sweet Birch Commons for Public (Town) Ownership & Maintenance.

This item is for Town Council to consider acceptance of ownership and maintenance responsibility of the completed water line infrastructure located within the Sweet Birch Commons Subdivision. The water system has been designed and constructed in accordance with all applicable municipal standards, engineering specifications, and regulatory requirements. All required inspections have been successfully completed, and the infrastructure has been assessed to ensure proper operation, safety, and compliance. Staff recommends that Council approve the acceptance of the water line infrastructure, thereby transferring ownership and ongoing maintenance responsibilities to the municipality. Discussion ensued among Council members, staff, and the attorney. **The item was tabled to let the attorney review. No action taken.**

****

12.E. Lower Watershed Dam - Repair Options Discussion.

The engineering firm, S&ME, hired by the Town to design the repairs to the Lower Watershed Dam has suggested that the Town may be able to breach the dam as a less costly alternative. Their summation of the dam breach alternative is outlined in the attachment to this agenda item. Staff would like directions from Town Council on whether to pursue this alternative as a preferred method of repair with FEMA liaisons. A lengthy discussion ensued and the consensus was to not do anything with this repair, but to check on any

liabilities with engineers that may exist by pursuing this method.

****

12.F. 2026 Audit Contract and Audit Engagement Letter.

This item requests board approval and authorization of Town Manager & Mayor to execute the audit contract of accounts and engagement letter for the fiscal year ending June 30, 2026. At the end of each fiscal year, General Statue 159-34 requires the Town to have a third-party independent audit performed.

Attached is the standard Contract to Audit Accounts (LGC-205 Form A) and the Town of Black Mountain Fiscal Year 2026 Audit Engagement Letter, as provided by Gould Killian, CPA Group, P.A. The audit contract fee not to exceed amount is $57,900, which includes:

Primary Government Unit	Town of Black Mountain
Audit Fee (financial and compliance if applicable)	$ 41,400
Fee per Major Program (if not included above)	$ 4,500 (NTE amount includes 2 major programs)
Additional Fees Not Included Above (if applicable):	
Financial Statement Preparation (incl. notes and RSI)	$ 7,500
All Other Non-Attest Services	$
TOTAL AMOUNT NOT TO EXCEED	$ 57,900

Discretely Presented Component Unit	
Audit Fee (financial and compliance if applicable)	$
Fee per Major Program (if not included above)	$
Additional Fees Not Included Above (if applicable):	
Financial Statement Preparation (incl. notes and RSI)	$
All Other Non-Attest Services	$
TOTAL AMOUNT NOT TO EXCEED	$

The Local Government Commission (LGC) must approve the contract prior to the audit work beginning.

Town Council Member Alice Berry made a motion to approve the 2026 Audit Contract and Audit Engagement Letter as recommended. A vote of 5-0 in favor.

****

13. CLOSED SESSION.

The Town Council would now enter into closed session pursuant to N.C.G.S. § 143-318.11 (a)(3): To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. ***Council Member Larry Harris made a motion to enter into Closed Session pursuant to NCGS 143-318.11 (a)(3). A vote of 5-0 in favor. The time was 9:08 p.m. The Council returned from Closed Session at 9:18 p.m.***

14. ADJOURNMENT.

With no further business to be discussed, Mayor C. Michael Sobol adjourned the meeting.

_____
C. Michael Sobol, Mayor

Attest: _____
Wesley M. Barker, Town Clerk

DRAFT

BLACK MOUNTAIN TOWN COUNCIL MINUTES

May 20, 2026 | Budget Work Session | Time: 5:00 PM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held a budget work session on Wednesday, May 20, 2026, at 5:00 PM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER.

Mayor C. Michael Sobol called the meeting to order at 5:00 p.m. with the following members in attendance: Vice Mayor Archie Pertiller, Town Council Member Alice Berry, Council Member Larry Harris, Town Council Member Doug Hay, Town Council Member Ryan Stone.

The following staff members were present: Richard Hicks, Interim Town Manager; Scott Buffkin, Interim Assistant Town Manager; Wesley Barker, Town Clerk; Steve Parker, Police Chief; John Coffey, Fire Chief; Jamey Matthews, Public Works Director; Jacob Guiot, Recreation & Parks Director; Jennifer Tipton, Senior Admin Planning Department; Matt Begley, Budget Analyst; Chad Goins, Interim Project Manager; Laurel Mabery, Accountant; Greta Gibson, Revenue & Customer Service Supervisor.

Mayor Sobol asked for an update on the golf course watering and the water levels at Lake Tomahawk. The lake levels had previously been lowered to allow for an Eagle Scout project to begin the building of an accessible fishing pier (project was approved by the Council on October 13, 2025), and as a result, the lowered water levels prevented the irrigation systems from working properly to water the golf course greens, which was affecting their health, also due in part to the drought and lack of rainfall. Interim Town Manager Richard Hicks stated a tanker truck had been used by Golf Course staff to water the greens at night to prevent the grass from dying. Long-term solutions to fix the irrigation pump at the lake were also discussed, as currently the lake levels must be so high for the pumps to work properly. Some other discussion ensued with this topic. No formal Council actions taken.

2. FY26-27 BUDGET WORK SESSION.

2.A. Draft FY26-27 Budget.

Interim Town Manager Richard Hicks reviewed the draft FY 2026-27 proposed budget and reported significant projected shortfalls of $1,858,260 in the General Fund and $918,479 in

the Water Fund. He stated Council guidance would be needed regarding potential cuts, deferrals, and any acceptable tax increase needed to balance the budget.

Mr. Hicks noted the budget process is complicated by Buncombe County's tax revaluation and pending State legislation that could delay revaluations for one year. He reported current property tax revenues of approximately $5.4 million, vehicle tax revenues of $315,000, and a current tax rate of 32.1 cents per $100 valuation. He stated municipalities may need to consider budget scenarios based on different valuation outcomes and that statutes require publication of a revenue-neutral tax rate, with the option to also publish a rate including growth.

Mr. Hicks explained that one penny on the tax rate would generate approximately $263,000 under the new values and approximately $184,616 under the old values. Using the old values, he stated a 9.75-cent tax increase would be needed to balance the proposed budget with no other changes. Sales tax, golf course fees, stormwater fees, and the appropriate funds used for employee costs were discussed.

Mr. Hicks also noted $561,000 was budgeted from Fund Balance in the current budget and cautioned against relying on that amount to balance future budgets, as the LGC recommends at least 8% and the Town's Fund Balance is projected to be approximately 12% at the end of the fiscal year.
Personnel costs were reviewed, with salaries totaling 33% of the budget and fringe benefits adding another 18%, for a combined 51% of the total budget. No employee cost-of-living increases were included at this time. Health insurance through the State Health Plan is estimated to increase by 10%, retirement contribution rates have increased, and other utility costs were discussed, including fuel, energy, and a 30% increase in wholesale water rates from the City of Asheville, which was expected and communicated after the 30% increase from last year, which would also occur this FY. Increasing customer water rates was also discussed due to the Water Fund shortfall and the wholesale water cost increases.

The Fire Department (BMFD) budget was reviewed, including concerns that BMFD is the lowest-paid department in the county and may lose employees as other departments have higher starting salaries at $60,000, compared to $48,000 with BMFD. The Planning and Development Fund and Stormwater Funds were reviewed, including current stormwater fees and related project revenue. Mr. Hicks summarized that the proposed budget presented did not include tax increases, water fee increases, or similar revenue adjustments, and that Council would need to determine whether to pursue cuts, staffing changes, fee increases, or other options. Contributions to non-profits and community organizations totaled $48,000.

Mr. Hicks then reviewed proposed Administration, Finance, Human Resources, and IT budget line items. A discussion of charging a fee for EV chargers took place, as the Town currently does not charge for the service. Some EV chargers are funded through a State of North Carolina grant ending in late 2026, after which fees could be considered to generate revenue to offset electric costs. Significant IT expenses include cybersecurity, software, internet, and the support/IT management contract with Advanced Data & Network Solutions.

3. ADJOURNMENT.

The next budget meeting was scheduled for May 21 at 8:30 a.m. With no further business to be discussed, Mayor C. Michael Sobol adjourned the meeting at 10:00 a.m.

_____
C. Michael Sobol, Mayor

_____
Wesley M. Barker, Town Clerk

BLACK MOUNTAIN TOWN COUNCIL MINUTES

May 21, 2026 | Budget Work Session | Time: 8:30 AM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held their budget work session on Thursday, May 21, 2026, at 8:30 AM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER

Mayor C. Michael Sobol called the meeting to order at 8:30 a.m. with the following Council Members in attendance: Vice Mayor Archie Pertiller, Town Council Member Alice Berry, Town Council Member Larry Haris, Council Member Doug Hay, Council Member Ryan Stone.

The following staff members were present: Richard Hicks, Interim Town Manager; Scott Buffkin, Interim Assistant Town Manager; Wesley Barker, Town Clerk; Steve Parker, Police Chief; John Coffey, Fire Chief; Jamey Matthews, Public Works Director; Jacob Guiot, Recreation & Parks Director; Jennifer Tipton, Senior Admin Planning Department; Matt Begley, Budget Analyst; Chad Goins, Interim Project Manager; Laurel Mabery, Accountant; Greta Gibson, Revenue & Customer Service Supervisor.

2. FY26-27 BUDGET WORK SESSION

Interim Town Manager Richard Hicks asked Police Chief Steve Parker to review the FY2026-27 Police Department budget. Chief Parker reviewed the need for several replacement police vehicles, related equipment outfitting, and establishing a regular replacement cycle of at least one vehicle per year.

A police vehicle loan of $260,000 was discussed for FY2026-27, with the first payment not due until FY2027-28. Council also discussed vehicle loans and payment schedules. Chief Parker noted increases in state-controlled LEO retirement fees and insurance costs.

No additional Police Department personnel were requested; however, Chief Parker reported several vacancies due to retirements and resignations since the first of the year, with minimal applications being received. The department has 28 employees when fully staffed.

Technology and software systems, including RMS CAD (Record Management Systems / Computer-Aided Dispatch), were reviewed, and Chief Parker stated he was working to reduce those fees for the department. Council also discussed PSIP (Public Safety Interoperability Partnership) costs with the County and briefly discussed the shooting range repair needs.

Mr. Hicks and Public Works Director Jamey Matthews reviewed the Public Works-related budgets. Items discussed included salaries and benefits, temporary office trailer costs, contracted mowing of Town properties, Veterans Park restroom facilities, tree trimming around the Community Garden and Veterans Park, and statuses of department vehicles and replacement needs.

Council briefly discussed public bus transportation fees paid to the City of Asheville and payments for Black Mountain Trail Blazer Mountain Mobility Services. Other Public Works items included Powell Bill funds, street maintenance needs and costs, disposal fees for sanitation, recycling, junk, and bulk items, and the addition of one sanitation employee not included in the current FY budget, resulting in 9 sanitation employees instead of 8. Two sanitation equipment loans remain active, with payments of approximately $95,000 and $38,000, ending in FY2027-28. Mr. Hicks also reviewed the current $8 household sanitation fee and noted Council should consider an increase.

The Recreation & Parks budget was reviewed. The proposed budget included an assistant garden manager request of $17,982, which was covered by a donation for the next Fiscal Year. Camp and program expenses were reviewed with no new proposals added. Council's recently approved pool staff pay rate increases were included, and pool operating costs were discussed. Council also discussed the possibility of charging for tennis court use, particularly for organized groups. Lakeview Senior Center staffing was reviewed, including the full-time manager, meal site manager, drivers, and fitness instructors. Council briefly discussed improvements to the downstairs area of Lakeview for use as an office by the full-time Senior Center Manager.

Council requested that Mr. Hicks provide the proposed FY2026-27 tax rates from other municipalities in the County.

3. ADJOURNMENT

With no further business to be discussed, Mayor C. Michael Sobol adjourned the meeting at 9:45 a.m.

_____
C. Michael Sobol, Mayor

_____
Wesley M. Barker, Town Clerk

BLACK MOUNTAIN TOWN COUNCIL MINUTES

May 27, 2026 | Special Meeting - Closed Session | Time: 2:00 PM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held their special meeting - closed session on Wednesday, May 27, 2026, at 2:00 PM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER

Mayor C. Michael Sobol called the special meeting to order at 2:00 p.m. with the following Council Members in attendance: Vice Mayor Archie Pertiller, Town Council Member Alice Berry, Town Council Member Larry Harris, Town Council Member Doug Hay, Town Council Member Ryan Stone. Other members present included Interim Town Manager Richard Hicks, and Piedmont Triad Regional Council representatives Matt Reece and Ray Smith.

2. CLOSED SESSION – PURSUANT TO NCGS 143-318.11(A)(6)

The purpose of this meeting is for Town Council to meet in Closed Session pursuant to NCGS 143-318.11(a)(6): To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; for the purposes of interviewing Town Manager candidates. ***Town Council Member Alice Berry made a motion to enter into closed session pursuant to NCGS 143-318.11(a)(6).*** A vote of 5-0 in favor. The time was 2:01 p.m.

3. ADJOURNMENT

The Council returned to open session at 4:00 p.m. With no further business to be discussed, Mayor C. Michael Sobol adjourned the meeting.

_____
C. Michael Sobol, Mayor

_____
Wesley M. Barker, Town Clerk

BLACK MOUNTAIN TOWN COUNCIL MINUTES

May 28, 2026 | Budget Work Session | Time: 8:30 AM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held their budget work session on Thursday, May 21, 2026, at 8:30 AM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER

Mayor C. Michael Sobol called the meeting to order at 8:30 a.m. with the following Council members in attendance: Vice Mayor Archie Pertiller, Town Council Member Alice Berry, Town Council Member Larry Haris, Council Member Doug Hay, Council Member Ryan Stone.

The following staff members were present: Richard Hicks, Interim Town Manager; Scott Buffkin, Interim Assistant Town Manager; Wesley Barker, Town Clerk; Steve Parker, Police Chief; John Coffey, Fire Chief; Jamey Matthews, Public Works Director; Jacob Guiot, Recreation & Parks Director; Jennifer Tipton, Senior Admin Planning Department; Matt Begley, Budget Analyst; Chad Goins, Interim Project Manager; Laurel Mabery, Accountant; Greta Gibson, Revenue & Customer Service Supervisor; Brent Miller, Golf Course Manager.

2. FY26-27 BUDGET WORK SESSION

The first item was for the Council to set a date for the budget public hearing. This public hearing date was set for Monday, June 15, 2026 at 6:00 p.m. in the Council Chambers of Town Hall.

Interim Town Manager Richard Hicks and Golf Course Manager Brent Miller reviewed the proposed FY2026-27 Golf Course budget. Expenditures with the golf course are up over $200,000. This proposed budget is based on a full year of operations for 18 holes. Council and staff discussed proposed fee increases to generate additional revenue, as well as personnel, contract services, equipment, and maintenance costs. Facility needs were also reviewed, including flooring repairs at the Green Tee Grill, the golf course maintenance building project with $1 million currently available and a $1.5 million Buncombe TDA grant application pending, and bridge repairs expected to begin and be completed by July once engineered plans are finalized to allow the full course to reopen.

Fire Chief John Coffey reviewed Fire Department budget items with Council and read a statement regarding staffing, compensation, vacancies, delayed response times, and potential impacts to citizens and businesses if multiple vacancies occur within the department. The Fire Department budget is funded by a 59% Town contribution and 41% Buncombe County contribution. Under the proposed FY2026-27 budget, the Town contribution would be $2,008,285, compared to $1,438,650 for FY2025-26. The Town budgeted $361,400 from Fund Balance; however, the FY2025-26 audit shows Fund Balance at $120,896, which may require an additional General Fund appropriation before June 30, 2026 to balance the budget.

Chief Coffey requested $2,471,000 in capital funding, including approximately $2,000,000 for an aerial fire apparatus and $471,000 for a mini pumper expected for delivery in August or September. The recommended budget includes $0 for the capital request but budgets a principal payment of $83,982 and interest payment of $26,216, with the expectation of a $475,000, 59-month loan in FY2026-27 to cover the mini pumper cost.

Additional Buncombe County funds may be available through proposed appropriations; however, the Town would need to provide the required match of $0.69 for every $0.41 from the County, which may be difficult under the proposed budget. The current draft does not include firefighter salary increases pending Council direction. Council and staff also discussed turnout gear replacement costs, equipment, technology, training and certification needs, and fire truck repair/replacement funding.

Upcoming budget meetings were then discussed. The following additional meetings were set for further budget discussions to be held in the Council Chamber at Town Hall:

- May 28, 2026 at 8:30 a.m. (already scheduled)
- June 1, 2026 at 8:30 a.m.
- June 4, 2026 at 5:00 p.m. (along with agenda review)
- June 11, 2026 at 8:30 a.m.
- June 15, 2026 at 6:00 p.m. (FY26-27 budget public hearing)
- June 30, 2026 at 8:30 a.m. was set for an additional budget meeting and for the adoption of the FY26-27 budget.

Following this, permit fees were discussed by Mr. Hicks, who stated these fees should generate about $425,000, which would cover the cost of the two full-time inspectors. Planning Department staff salaries were reviewed, along with the GovWell-permitting software used by the department for inspections and permits.

Additional IT-related expenses were discussed within the technology fund, and how the costs of technology licenses could be lowered and/or what is paid out of this fund and for what purposes.

3. ADJOURNMENT

With no further business to be discussed, Mayor C. Michael Sobol adjourned the meeting at 10:20 a.m.

_____
C. Michael Sobol, Mayor

_____
Wesley M. Barker, Town Clerk

BLACK MOUNTAIN TOWN COUNCIL MINUTES

June 1, 2026 | Budget Work Session Agenda | Time: 8:30 AM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held their budget work session agenda on Monday, June 1, 2026, at 8:30 AM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER

Mayor C. Michael Sobol called the special meeting to order at 8:30 a.m. with the following Council Members in attendance: Vice Mayor Archie Pertiller, Town Council Member Alice Berry, Town Council Member Larry Harris, Town Council Member Doug Hay, Town Council Member Ryan Stone.

The following staff members were present: Richard Hicks, Interim Town Manager; Scott Buffkin, Interim Assistant Town Manager; Wesley Barker, Town Clerk; Steve Parker, Police Chief; John Coffey, Fire Chief; Jamey Matthews, Public Works Director; Jacob Guiot, Recreation & Parks Director; Matt Begley, Budget Analyst; Chad Goins, Interim Project Manager; Laurel Mabery, Accountant; Greta Gibson, Revenue & Customer Service Supervisor.

2. BUDGET WORK SESSION FOR FY26-27

Mayor Sobol began the meeting by reading a statement in response to a statement read by Fire Chief Coffey at the previous budget work session meeting regarding the Fire Department budget requests.

The budget work session began with discussion of Water Fund revenues which included billing and collection fees from MSD, and water system development fees. For water sales, the current budget was $2.4 million, and it looks like it will be closer to about $2.1 million, which will be about 300,000-400,000 short in water sales. Mr. Hicks stated when water rates were raised for this current budget year, they were not raised enough to cover that cost, as well as the fact that the City of Asheville raised their wholesale rates 30% and it will be raised another 30% for this new fiscal year. Discussion ensued about the wholesale water rates and how the Town is charged for these by Asheville by the CCF (centum cubic feet); as well as a conversation about the current contract in place on the water wholesale purchasing. With contract services under this budget, the contract with TSK Waterworks was discussed between staff and Council, which included amounts paid to this company and services performed as the Town's water operator. Additional discussion about getting two of the town's wells back online then took place. A request from Council to see the cost

of production from the Town's wells and the cost of production from the City of Asheville's water was made.

Additional items discussed included the following:

- existing loans on water/sewer line repairs and extensions
- a $500,000 DEQ loan to start the lead and copper line inventory which should cover about 1/3 of homes in town.
- automated water meters, the company used for water billing (out of Texas), water billing software, and personnel.

Current water base rates were reviewed which were $6.14 in-town base rate, and $11.55 out-of-town base rate; for 0-4,999 gallons: $10.99 (in-town), and $21.00 (out of town). Bulk rates are $6.19 per 1,000 gallons. Discussion ensued on who were being charged for bulk rates.

For the upcoming meeting, based on the information provided thus far with the work sessions, Mr. Hicks will pull everything together and present some recommended budget cuts to the Council for consideration and further discussion.

3. ADJOURNMENT

With no further business to be discussed, Mayor C. Michael Sobol adjourned the meeting at 10:00 a.m.

_____
C. Michael Sobol, Mayor

_____
Wesley M. Barker, Town Clerk

BLACK MOUNTAIN TOWN COUNCIL MINUTES

June 4, 2026 | Budget Work Session & Agenda Review Meeting | Time: 5:00 PM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held their budget work session & agenda review meeting on Thursday, June 4, 2026, at 5:00 PM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER

Mayor C. Michael Sobol called the meeting to order at 5:00 p.m. with the following Council Members in attendance: Vice Mayor Archie Pertiller, Town Council Member Alice Berry, Town Council Member Larry Harris, Town Council Member Doug Hay, Town Council Member Ryan Stone.

The following staff members were present: Richard Hicks, Interim Town Manager; Scott Buffkin, Interim Assistant Town Manager; Wesley Barker, Town Clerk; Steve Parker, Police Chief; John Coffey, Fire Chief; Jamey Matthews, Public Works Director; Jacob Guiot, Recreation & Parks Director; Matt Begley, Budget Analyst; Chad Goins, Interim Project Manager; Laurel Mabery, Accountant; Greta Gibson, Revenue & Customer Service Supervisor.

Town Council Member Alice Berry made a motion to add Closed Session to the agenda, pursuant to NCGS § 143.318-11(a)(6), following the agenda review. A vote of 5-0 in favor.

2. JUNE 8, 2026 COUNCIL MEETING AGENDA REVIEW

The draft agenda for the June 8, 2026 Town Council meeting was reviewed. The following changes were suggested to the agenda:

- Remove "Public Safety Building Presentation by McGill Associates & Moseley" from Communications from Staff
- Switch the order of the items "Adoption of Revised Street Dedication Application & Policy" and "Petition to Dedicate Brookhaven Drive."
- Move the "Acceptance of Water Line Infrastructure within Sweet Birch Commons for Town Ownership & Maintenance to Consent Agenda.

Vice Mayor Archie Pertiller made a motion to approve the June 8, 2026 agenda as amended. A vote of 5-0 in favor.

****

CLOSED SESSION: N.C.G.S. § 143-318.11 (a)(6)

The Town Council would now enter closed session pursuant to N.C.G.S. § 143-318.11 (a)(6): To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Town Council Member Ryan Stone made a motion to enter closed session pursuant to NCGS 143-318.11 (a)(6). A vote of 5-0 in favor. *The time was 5:14 p.m.*

Town Council returned from Closed Session at 5:21 p.m. and moved to the next item on the agenda.

****

3. BUDGET WORK SESSION FOR FY26-27

Town Council then began continued discussion on the FY2026-27 budget. Interim Town Manager Richard Hicks first reviewed water supply generation from the town wells in CCF (centrum cubic feet) and how much it would equate to the rate that the City of Asheville charges the Town for wholesale water per CCF. This was a request from Council to determine the water cost that the Town produces from wells compared to what the City of Asheville's cost to supply water to the Town is. Mr. Hicks stated after doing the math, there is not much of a difference in cost if the Town produces the water, compared to what the Town pays Asheville for wholesale. Documentation highlighting this is attached at the end of these minutes.

The next items presented by Mr. Hicks were recommendations to balance the General Fund budget. These included the following and amounts (salary amounts also includes benefits):

- One year freeze on the Assistant Town Manager position - $181,450
- One year freeze on the Project Manager position - $121,312
- Eliminate the Public Information Officer position - $112,932
- Eliminate "Town position number 1" (not identified because this position has someone in it currently) - $102,071
- Eliminate "Town position number 2" (not identified because this position has someone in it currently) - $81,947
- One year freeze on vacant Police Officer position or budget salaries at 95% - $82,659
- One year freeze on vacant Public Works position (1/2 paid out of GF) - $33,717
- Transfer $155,999 from Hurricane Helene Fund to General Fund to pay police car debt due 8/24/26 - $155,999
- Transfer $126,000 from Hurricane Helene Fund to General Fund to pay Town Square debt due 10/16/26- $126,000
- Change the policy on credit card fees - $30,000
- Eliminate funding for community organizations for this year - $24,000

- Fund Balance appropriation to be zeroed out within 90-120 days from additional staff recommended cuts - $100,000. Staff would be asked to identify $100,000 in general funds of items that could be cut.
- Eliminate Town's share of RMS/CAD from Buncombe County - $126,775 (this has been moved to next FY).

Other items noted that would need to be budgeted for would be a $40,000 shortfall in the IT budget as the need to ramp up cyber security is an important need, $56,184 additional contribution to the Fire Dept. budget, and a 3% salary increase (COLA) for staff beginning July 1, 2026, $132,000. When all these positives and negatives are added up, it gives a savings of $914,951.

Additional recommendations are to increase the green fees at the Golf Course (averages $7/round) which will bring in about $154,000 for 22,000 rounds. Proposed increase to solid waste fees by $3.50/month that brings in about $156,000/year. A proposed tax increase of two cents would bring in an additional $526,691.

Fire Department Budget Adjustments

$100,000 transfer from Fire Fund to General Fund to cover administrative costs. An option is to freeze one firefighter position for a savings of $80,240 or remove the part-time salaries out of the budget at same amount. Delete drone purchase from budget - $18,000.

Mr. Hicks then stated he is proposing the following salary adjustments to keep the Town from losing firefighter staff to other agencies:

- 15 firefighters/engineers - $10,000 salary increase ($150,000 total)
- 6 Lieutenants - $5,000 salary increase ($30,000)
- 3 Battalion Chiefs - 3% salary increase ($6,900)
- Chief, Assistant Chief, Fire Inspector - 3% COLA increase ($7,660)
- Fringe benefits - 0.3511 ($68,400).

These adjustments total $264,720. Buncombe County's share is 41%, which would amount to $108,535, and the Town's share is 59% which would amount to $135,007.

Water Fund Budget Adjustment Proposals

- Eliminate Position 1 (not identified because this position has someone in it currently) - $67,630
- 1 year freeze on vacant Public Works position (1/2 paid out of Water) - $33,717
- Change policy on credit card fees - $36,000
- Delay promissory note on lead/copper loan - $100,000
- 3% salary increases/salary adjustment - (-$20,000)
- Fund Balance appropriation to be zeroed out within 90-120 days of budget adoption - ($20,000)
- Increase water base rate from $6.14/month by $7.00 to $12.14/month - $356,496
- Increase use rate by $0.18 per 100 gallons - $325,812

Mr. Hicks explained, with the increase water rate and use rate, that the total cost per month

to the customer for 5,000 gallons would be $16.00. Mr. Hicks then reviewed what the total impact on residential customers would be with this proposed budget. With a 2-cent tax increase on a $500,000 house, taxes would increase by approx. $100; a $3.50 solid waste fee increase/month would be $42 extra per year; water rate increase for 5000/gallon per month customer would have a $16 increase, or $192 increase annually. This brings total annual increase to $334, or $27.83 additional per month.

Some other discussions ensued on solid waste fees, the water system costs on maintenance, water operator contract, and the proposed budget, noting the difficult year and tough decisions having to be made.

****

4. CONSIDERATION OF ELECTRONIC PAYMENT POLICY

At the May 11, 2026 Town Council meeting, information was presented to the Council on electronic payments and associated fees that Town departments currently accept using several vendors. It was discussed that based on current fees, the Town will more than likely absorb more than $50,000/year in electronic payment fees. This is a benefit that is only provided to people that choose to pay by debit or credit card, but the cost is borne by all the ratepayers and taxpayers. Staff recommended that the Town change its current protocol, and transfer the fees to the consumer, and create an official policy for electronic payments. Council voted to authorize town staff to create an Electronic Payment Policy to impose fees on electronic payments, and to present the draft at an upcoming meeting as it would affect the FY26-27 budget. Greta Gibson, Customer Service & Revenue Supervisor, presented the draft policy to the Council for consideration, which, if approved, would become effective July 1, 2026.

Town Council Member Alice Berry made a motion to approve the following resolution as presented. A vote of 5-0 in favor.

A RESOLUTION ADOPTING AN ELECTRONIC PAYMENT POLICY FOR THE TOWN OF BLACK MOUNTAIN
RESOLUTION NO. R-26-49

WHEREAS, North Carolina General Statute§ 159-32.1 authorizes local governments to accept electronic payments, including credit cards, debit cards, electronic funds transfers (EFTs), automated clearing house (ACH) transactions, and other forms of electronic payment for taxes, fees, utility bills, and other obligations owed to the local government; and

WHEREAS, North Carolina General Statute § 159-32.1 further authorizes local governments to assess and collect convenience fees, transaction fees, negotiated discount rates, or other authorized charges associated with electronic payment processing in order to offset the costs of providing such payment services; and

WHEREAS, the Town Council of the Town of Black Mountain finds it to be in the best interest of the Town and its customers to establish a formal policy governing the acceptance of electronic payments and the assessment of associated processing fees; and

WHEREAS, the Town Council desires to adopt an Electronic Payment Policy that provides clear guidance regarding electronic payment transactions and the collection of processing fees.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Black Mountain, North Carolina, that the following Electronic Payment Policy is hereby adopted:

TOWN OF BLACK MOUNTAIN ELECTRONIC PAYMENT POLICY

State law (G.S. 159-32.1) permits local governments to accept electronic payments (credit cards, debit cards, EFTs) for taxes, fees, and utility bills. Under G.S. 159-32.1, local governments are permitted to charge users a convenience fee, transaction fee, or negotiated discount rate to offset processing costs, rather than absorbing these fees into the local budget.

This Electronic Payment Policy is applicable to transactions made online, in person, and automated payments made to the Town of Black Mountain.

In most cases, debit or credit card payments will be assessed the merchant processor's exact transaction fee. The fee will appear on the receipt as a separate and conspicuous amount.
In cases where the merchant processor is unable to pass the exact transaction processing fee to the customer; the percentage charged by the vendor, rounded to the nearest tenth, will be assessed to the transaction. The fee will appear on the receipt as a separate and conspicuous amount.

Payments made by ACH or electronic check may be assessed up to a $1.98 fee per transaction. The fee will appear on the receipt as a separate and conspicuous amount. Processing fees are paid to the vendor and will not be refunded to the customer.

There are no processing fees on refunded transactions.

Processing fees are passed on to the customer regardless of the payment amount. Vendor fees are subject to change without notice.

Effective Date. This Electronic Payment Policy shall become effective on July 1, 2026.

ADOPTED this 4th day of June, 2026.

****

5. ADJOURNMENT. With no further business to be discussed, Mayor C. Michael Sobol adjourned the meeting at 6:30 p.m.

_____
C. Michael Sobol, Mayor

_____
Wesley M. Barker, Town Clerk

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Laurel Mabery, Accountant	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Consent Agenda	**DEPARTMENT:**	Finance
TITLE OF ITEM:	Monthly Tax Collector Report		

SUGGESTED MOTION(S):
Approve the tax collection report as presented.

SUMMARY:

Monthly Tax Collector Report

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

1. Monthly Council Report -May 2026

TOWN OF BLACK MOUNTAIN TAX COLLECTOR'S REPORT

TO: Black Mountain Board of Commissioners

FROM: Laurel Mabery, Municipal Tax Collector

DATE: Monday, July 13, 2026

SUBJECT: May 2026 Tax Collector Report

According to GS 105-350(7) it is the duty of the tax collector to submit to the governing body at each of its regular meetings a report of the amount collected on each year's taxes with which is charged, the amount remaining uncollected, and the steps taken to encourage or enforce payment of uncollected taxes.
Below is the month end report for collections (current and prior years), provided by the Buncombe County Tax Collector. The tax department is using all collection remedies as provided by general statute to collect delinquent taxes including but not limited to garnishments, attachments, and NC Debt Setoff.

CURRENT YEAR TAX -ADVALOREM TAXES

Billed	$	5,448,018.88
Collected	$	5,428,813.32
Adjustments and Releases	$	4,681.63
Outstanding real and personal property taxes	**$**	**23,887.19**

TAX COLLECTION PERCENTAGE FOR CURRENT TAX YEAR 99.56%

PRIOR YEAR TAXE(S) COLLECTED WITHIN THE MONTH

Collected	$	419.81
Adjustments and Releases		

Per NCGS 105-381(b) the Tax Collector is reporting tax releases/refunds within the current period:

Ad Valorem	$	176.23
Motor Vehicle	$	514.78

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Michelle Kennedy, Planning Director	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Consent Agenda	**DEPARTMENT:**	Planning & Development Services

TITLE OF ITEM: Resolution to Adopt 2026 Buncombe Madison Hazard Mitigation Plan

SUGGESTED MOTION(S):
I move to adopt the resolution to adopt the 2026 Buncombe Madison Hazard Mitigation Plan.

SUMMARY:

State and Federal requirements require that Buncombe County, Madison County, and the jurisdictions within those counties to adopt the new Regional Hazard Mitigation Plan in order for the plan to be approved and considered "in force" with NCEM and FEMA. This is critical to the ability to request funding after a hazard of significance occurs. Below is an outline which provides a summary of changes and enhancements from the 2021 plan.

1. **Comprehensive Hurricane Helene integration throughout the plan**: Recovery impacts, lessons learned, and observed damages were incorporated into the planning process, risk assessment, capability assessment, and mitigation strategy.
2. **Integration of recovery data, planning and resilience initiatives**: Mitigation actions were cross-referenced with local recovery efforts, including Envision Buncombe, the Helene Recovery Plan, MARC, Rebuild Hot Springs, Marshall Relief Alliances, and other regional recovery initiatives. Added an Appendix that documents some of the post-Helene assessments and recovery efforts that are used in (or used to inform) the plan update.
3. **New linkage between mitigation actions and recovery priorities**: Each mitigation action was reviewed for alignment with recovery goals, resilience objectives, and ongoing implementation efforts.
4. **Updated community engagement approach**: Public and stakeholder outreach methods were adapted to account for ongoing Helene recovery, emphasizing flexible and accessible participation opportunities coordinated closely with ongoing local outreach efforts.
5. **Addition of Substantial Damage Estimates (SDE) procedures**: New FEMA requirements/guidance were implemented, including substantial damage determination processes and post-disaster floodplain management capabilities.

6. **Changes to summary conclusions on hazard risk**: Hurricanes/coastal hazards, wildfires and excessive heat increase from moderate risk to high risk hazards based on findings from hazard profiles and input received from the hazard mitigation planning committee. Radiological emergencies and terrorism hazards increased to moderate risk from previous low-risk designation. Added two new hazards: food emergencies (moderate risk) and civil disturbance (low risk).

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

1. 26_07_13_RESOLUTION_HAZARD_MITIGATION_PLAN

RESOLUTION #

RESOLUTION TO ADOPT THE 2026 BUNCOMBE MADISON REGIONAL HAZARD MITIGATION PLAN

WHEREAS, Buncombe County and Madison County are vulnerable to an array of hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the Town of Black Mountain, along with both counties, desires to work together and seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of this Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of this Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Town of Black Mountain; and

WHEREAS, the Town of Black Mountain, in coordination with Buncombe County, Madison County and the other participating municipalities within those counties, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials; and

WHEREAS, the North Carolina Emergency Management and Federal Emergency Management Agency have reviewed the Buncombe Madison Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures.

NOW, THEREFORE, BE IT RESOLVED by the Black Mountain Town Council as follows:

1. That this Council hereby adopts the 2026 Buncombe Madison Regional Hazard Mitigation Plan.

2. That this Council agrees to take such other official action as may be reasonably necessary to carry out the proposed action of the Plan.

3. That this resolution shall be effective upon its adoption.

APPROVED AND ADOPTED by the Black Mountain Town Council this the 13th day of July 2026.

_____

C. Michael Sobol, Mayor

ATTEST:

_____

Wesley M. Barker, Town Clerk

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Michelle Kennedy, Planning Director	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Consent Agenda	**DEPARTMENT:**	Planning & Development Services

TITLE OF ITEM: Call for Public Hearing for One-Year Moratorium for Street Dedications to the Town

SUGGESTED MOTION(S):

To call for a public hearing to amend Chapter 3, Section 3.6.3, of the Land Use Code to impose a one-year moratorium on the dedication of streets to the town, to be held on Monday, August 10, 2026, at 6:00 p.m. in the Council Room of Town hall, 160 Midland Avenue, N.C. or as soon thereafter as possible.

SUMMARY:

The Town Council has asked staff to draft language to impose a one-year moratorium on street dedications to the town due to current budget constraints and potential staffing concerns that would potentially be required for maintenance of extra public streets.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

1. LEGAL_NOTICE_MORATORIUM

LEGAL NOTICE

BLACK MOUNTAIN TOWN COUNCIL

PUBLIC HEARING

Monday, August 10, 2026, at 6:00 p.m.

The Black Mountain Town Council will meet on **Monday, August 10, 2026, at 6:00 p.m**. in the Council Room of Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hold a public hearing for amendments to Chapter 3, Section 3.6.3, Dedications of streets, right-of-way, or land to the town, to impose a one-year moratorium on dedication of streets to the town.

The meeting is open to the public.

Wesley M. Barker
Town Clerk

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact, Wesley Barker, Town Clerk at 419-9310 or by email at townclerk@townofblackmountain.org.

Posted to the Town Bulletin Board 07/16/2026
Published in the Black Mountain News 07/23/2026 and 07/30/2026
www.townofblackmountain.org

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Matt Begley, Recovery & Capital Programs Director	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Consent Agenda	**DEPARTMENT:**	Finance
TITLE OF ITEM:	Resolution to Award Town Drinking Water Resiliency Improvements Project A&E to McGill Associates		

SUGGESTED MOTION(S):

Motion to approve the resolution to award Town Drinking Water Resiliency Improvements Project A&E to McGill Associates

SUMMARY:

Town Council will consider a resolution to approve the award of the Drinking Water Resiliency Improvements Project design and engineering to McGill Associates, Inc. and authorize Town staff to enter into contract negotiations with McGill Associates, Inc.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. R-27-XX Resolution to Award the Town Drinking Water Resiliency Improvements Project A&E to McGill & Associates

Council Member _____ made a motion to approve the following resolution. A vote of ____.

A RESOLUTION TO AWARD THE TOWN DRINKING WATER RESILIENCY IMPROVEMENTS PROJECT DESIGN & ENGINEERING TO MCGILL & ASSOCIATES, INC.

Resolution No. R-27-XX

WHEREAS, the Town is undergoing the approval process for a State Revolving Fund (SRF) loan through the North Carolina Division of Water Infrastructure (DWI) to modernize and repair the Town's water system; and

WHEREAS, this project will be referenced as the Drinking Water Resiliency Improvements SRF Project; and

WHEREAS, the first requested amount for this program is $4,886,922.00; and

WHEREAS, the first $5M of SRF loan funding is considered a 100% forgivable loan; and

WHEREAS, Town staff have scored the statements of qualification for the project submitted by engineering firms interested in performing design and engineering services for the project; and

WHEREAS, the most qualified firm was determined to be McGill & Associates, Inc; and

WHEREAS, the Town intends to pursue this grant-funded project to modernize and repair the Town's water system;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLACK MOUNTAIN THAT:

1. The Town Council of the Town of Black Mountain affirms that McGill & Associates, Inc. is the most qualified firm for designing and engineering the Drinking Water Resiliency Improvements project.
2. The Interim Town Manager, and/or a designee(s) thereof, is authorized to enter into contract negotiations with McGill & Associates, Inc. to design and engineer the Town's Drinking Water Resiliency Improvements Project, which will be brought before Town Council for subsequent consideration.

This Resolution shall take effect immediately upon its adoption.

ADOPTED this 13th day of July 2026.

_____

C. Michael Sobol, Mayor

Attest:

_____

Wesley M. Barker, Town Clerk

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Matt Begley, Recovery & Capital Programs Director	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	Consent Agenda	**DEPARTMENT:**	Finance
TITLE OF ITEM:	Resolution Authorizing Town Staff to Pursue the Design for Decommissioning the Lower Watershed Dam		

SUGGESTED MOTION(S):

Motion to Approve the Resolution Authorizing Town Staff to Pursue the Design for Decommissioning the Lower Watershed Dam.

SUMMARY:

The Town Council will consider a resolution authorizing staff to pursue the option to decommission the Lower Watershed Design. S&ME, the Engineers on the project, estimate the cost of decommissioning will be lower than the obligated amount from FEMA PA for the project. FEMA will make a decision on whether decommissioning is an approved alternate project based on the designs. However, initial conversations around the concept have shown signs of being a good option.

Any cost savings on the actual cost of the project below the obligated amount may be used on other small projects (FEMA PA projects under $1M) or on improvements in the area around the footprint of the project.

The design costs for the project fall within the schedule and fees Council has previously approved for the project, so no budgetary changes are required.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

1. S&ME A&E Services_Task Order 3 - Lower Pond Dam Breach Prelim Design_2026.06.23
2. R-27-XX Resolution to Pursue the Design for Decommissioning the Lower Watershed Dam

June 23, 2026

Town of Black Mountain
160 Midland Avenue
Black Mountain, North Carolina 28711

Attention: Erin Hughes, Land of Sky

Reference: **Task Order 3 Proposal for Lower Watershed Lower Pond Prelim Breach Design**
Helene Recovery A&E Services
Black Mountain, North Carolina
S&ME Task Order Proposal No. 25-41-0083A

Dear Ms. Hughes:

S&ME, Inc. (S&ME) appreciates the opportunity to submit this Task Order proposal to perform dam engineering services associated with the Lower Watershed Lower Pond in Black Mountain, North Carolina. This proposal provides a brief discussion of our understanding of the project, our proposed scope of work, and our associated fees. We propose to perform these services in accordance with our Agreement for Services for Helene Recovery A&E Services dated October 15, 2025 and authorized by the Town of Black Mountain on November 17, 2025.

♦ Background

S&ME submitted a Work Order Proposal on February 6, 2026 for Spillway Rehabilitation Design at the Lower Pond. The intent of the work was for a replace-in-kind approach to repairing the concrete chute spillway which was severely damaged due to the high discharge rate during Tropical Storm Helene. Following the completion of the site/topographic survey, and after completing some initial design work, S&ME provided information to the Town of Black Mountain (TOBM) for an option to breach the dam in lieu of spillway repairs. TOBM elected to pursue the breach alternative and requested S&ME prepare a Work Order for preliminary design and supporting cost estimate.

♦ Scope of Work

Preliminary Design

S&ME will prepare preliminary engineering plans for breaching the Lower Pond dam. S&ME's design of the dam breach plan will consist of the following tasks:

- Delineate the watershed area using available NC DEQ or USGS LiDAR topographic data and the USGS StreamStats program;
- Estimate the NRCS hydrologic soil groups, average slope, and time of concentration for the watershed;
- Estimate stage-storage relationships for the pond using available topographic & bathymetric data and any available design information on the dam;

- Analyze geomorphologic characteristics of downstream channel to provide a reference;
- Perform H&H analysis using the HydroCAD or HEC-HMS program to estimate the peak runoff discharge rate for the 10-, 25-, and 100-year, 24-hour storm events;
- Determine dam breach (notch) dimensions to provide a stable downstream channel geometry to manage estimated peak flow rates using HydroCAD or GeoHEC-RAS. The breach opening will be sized to have stable slopes and pass anticipated flows without re-impounding water;

Although the Lower Pond Dam is non-jurisdictional, the design will generally follow breach design guidance for a Low Hazard Dam.

Construction Drawings

S&ME will prepare engineering plans for the dam breach design based on the findings of the preliminary design work. A preliminary plan set of drawings, approximating 75% Design, will be provided to allow the owner to review and provide feedback. The drawings are expected to have the following sheets:

- Cover Sheet;
- General Notes;
- Existing Conditions Survey;
- Site Grading Plan;
- Profiles and Cross Sections of breach and channel;
- Erosion & Sediment Control Plan; and
- Erosion & Sediment Control Details.

The Plans will be prepared on 22" x 34" size plan sheets. Drawings will be presented in portable document format (pdf).

Engineer's Opinion of Probable Construction Cost

The preliminary Engineer's Opinion of Probable Construction Cost (OPCC) will be S&ME's best judgement as a design professional and will be supplied for planning purposes between the Town of Black Mountain and the Federal Emergency Management Agency (FEMA). It will be based on the design team's recent experience and adjusted to accommodate factors known to the S&ME at the time the preliminary OPCC is prepared. Pricing will reflect the estimator's opinion as to the probable costs that a "prudent" contractor would include in his tender to construct the defined facilities. The OPCC is intended to be an indication of fair market value and is not necessarily a predictor of lowest bid. Separately, S&ME will include estimated costs for Design Professional, or Consultant services, including preparation of Plan and Technical Specifications, regulatory permitting, construction quality assurance, and construction certification.

Note on Opinion of Probable Construction Cost Estimates

S&ME will prepare an opinion of probable construction costs based on S&ME's experience, qualifications, and general familiarity with the construction industry. However, because S&ME has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, S&ME cannot and does not guarantee that proposals, bids, or actual

construction cost will not vary from Engineer's Opinions of Probable Construction Cost prepared by us. If the Owner requires greater assurance as to probable construction cost, you agree to obtain an independent cost estimate.

Construction Cost is the cost to the Owner for the construction of those portions of the entire project designed or specified by or for S&ME under this agreement, including construction labor, services, materials, equipment, insurance, and bonding costs, and allowances for contingencies. Construction Cost does not include costs of services of Engineer or other design professionals and consultants; cost of land or rights-of-way, or compensation for damages to property; The Owner costs for legal, accounting, insurance counseling, or auditing services; interest or financing charges incurred in connection with the project; or the cost of other services to be provided by others to the Owner. Construction cost is one of the items comprising Total Project Costs.

The services, if any, of S&ME with respect to Total Project Costs will be limited to assisting the Owner in tabulating the various categories that comprise Total Project Costs. Total Project Costs include the total cost of planning, studying, designing, constructing, testing, commissioning, and start-up of the project, including construction cost and all other project labor, services, materials, equipment, insurance, and bonding costs, allowances for contingencies, and the total costs of services of Engineer or other design professionals and consultants, together with such other project-related costs that the Owner furnishes for inclusion. S&ME assumes no responsibility for the accuracy of any opinions of Total Project Costs.

This Note on Opinion of Probable Construction Cost Estimates is MODIFIED from EJCDC® E 500, Copyright© 2020 by the National Society of Professional Engineers, American Council of Engineering Companies, and American Society of Civil Engineers. All rights reserved. Those portions of the text that originated in copyrighted EJCDC documents remain subject to the copyright.

♦ Excluded Services

Without attempting to provide a complete list of all services or potential services that will be excluded from this proposal, the following services are specifically excluded. Some of these services can be performed by S&ME if desired; however, a separate proposal for these services would be required.

- Final Design or Permitting Services and Fees
- Bid Phase Services
- Design Engineer Construction Support
- Construction Observation and Materials Testing Services

♦ Schedule and Fee

S&ME's original Work Order for the Lower Pond Spillway Replacement Design was for $34,545 and consisted of three tasks: 1) Site Visit; 2) Subcontract Site/Topographic Survey; and 3) Final Design. S&ME completed Tasks 1 and 2. Initial work for Task 3 had begun but was put on hold during the breach alternative discussions. To date, S&ME has invoiced $11,549.40 and has approximately $500 of Work-In-Progress. Therefore, the project has an estimated remaining budget of $22,495.60.

Our estimated professional fee for the proposed change in scope of work is $19,685, and therefore no additional budget is requested to cover the Preliminary Breach Design. The fee is based on a unit rate time and materials basis in accordance with the approved fee schedule.

We anticipate that the Scope of Work can be completed within three to four weeks of formal authorization to proceed. S&ME will bill monthly for all work performed and expenses incurred on the Project's behalf. We will not exceed the proposal amount without written authorization from you.

♦ Authorization

S&ME can provide these services in accordance with the Agreement for Services (Form AS-07 dated October 15, 2025) between S&ME and the Town of Black Mountain as authorized on November 17, 2026.

Our Change to Agreement for Services, Form Number CA-071, is attached and is incorporated as a part of this proposal. Please indicate your acceptance of our proposal by signing the CA-071 and returning a copy to our office. We will then proceed with the performance of services.

If this proposal is transmitted to you via e-mail, and if you choose to accept this proposal by e-mail, your reply e-mail acceptance will serve as your representation to S&ME that you have reviewed the proposal and the associated Agreement for Services (AS-071) and hereby accept both as written.

This proposal is solely intended for the Basic Services as described in the Proposed Scope of Service. The Scope of Service may not be modified or amended, unless the changes are first agreed to by the client and S&ME. Use of this proposal and resulting documents, including the final report, are limited to the referenced project and client. No other use is authorized by S&ME.

Sincerely,

S&ME, Inc.

Michael T. Romanello, PE
Senior Engineer / Project Manager

Brian Blake, PE
Project Engineer / Assistant Project Manager

Attachments:

- Change to Agreement for Services, AS-071

CHANGE TO AGREEMENT FOR SERVICES

Form CA-071

Date: Jun 23, 2026	Job Number: 2541 0083	Change Number: 3

S&ME, Inc. (hereafter Consultant)	Client Name: Town of Black Mountain (hereafter Client)
Address: 44 Buck Shoals Road, Suite 603 City: Arden State: North Carolina Zip: 28704	Address: 160 Midland Ave City: Black Mountain State: North Carolina Zip: 28711
Telephone: 828.687.9080 Fax: 828.687.8003	Telephone: 828.419.9300 Fax: 828.419.7210

PROJECT

Project Name: Tropical Storm Helene A&E Services - Dams

Project location: (Street Address) Black Mountain

City: Black Mountain State: North Carolina Zip: 28711

AGREEMENT FOR SERVICES

Date of Agreement For Services between Client and Consultant: November 17, 2025

WHEREAS, Client and Consultant have previously entered into an Agreement For Services on the date indicated, to perform services on the above project.

WHEREAS, during the performance of the services, Client and Consultant have agreed that it is necessary to change the Agreement between Consultant and Client.

NOW THEREFORE, in consideration of Consultant's promise to perform the services and Client's promise to pay for the services, Consultant and Client agree to incorporate the "Change To Agreement For Services" indicated below into Agreement For Services.

CHANGE TO AGREEMENT FOR SERVICES

The above identified Agreement For Services is changed pursuant to proposal number: 25410083A dated: 6/23/26

This Change will extend the time required for completion of the Agreement: N/A

The total agreement amount after this Change to Agreement For Services: $59,245 (No Change)

CLIENT'S SIGNATURE BELOW IS CLIENT'S ACCEPTANCE OF THIS CHANGE TO AGREEMENT FOR SERVICES AND AUTHORIZATION TO CONSULTANT TO PROCEED IMMEDIATELY WITH THIS CHANGE TO THE AGREEMENT FOR SERVICES.

Agreed to and executed by Client's and Consultant's authorized representatives.

CLIENT: _____	**S&ME, Inc.**
BY: _____ (Signature)	**BY:** _____ (Signature)
_____ (Print Name / Title)	_____ (Print Name / Title)
DATE: _____	**DATE:** _____

Client's FAXED or DIGITAL signature to be treated as original signature

Council Member _____ made a motion to approve the following resolution. A vote of ___.

A RESOLUTION AUTHORIZING TOWN STAFF TO PURSUE THE DESIGN FOR DECOMISSIONING THE LOWER WATERSHED DAM

RESOLUTION NO. R-27-XX

WHEREAS, Tropical Storm Helene caused extensive damage to the Lower Watershed Dam; and

WHEREAS, FEMA Public Assistance has obligated $_____ for the project; and

WHEREAS, the Lower Watershed Dam does not have an apparent value for the Town's water or stormwater infrastructure; and

WHEREAS, decommissioning the Lower Watershed Dam would decrease future financial liabilities for the Town to maintain the dam infrastructure and allow for a natural flow of the stream; and

WHEREAS, the Town and the engineers for the project have determined the Lower Watershed Dam is below the regulatory threshold volume for the US Army Corp of Engineers; and

WHEREAS, the engineers for the project have estimated the cost for decommissioning the dam would be lower than the obligated amount; and

WHEREAS, cost savings on FEMA PA small projects (under $1M) can be allocated to other FEMA PA small projects or improvements around the footprint of the project;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLACK MOUNTAIN:

1. That the Town of Black Mountain is authorized to direct engineers to initiate the design of the decommissioning of the Lower Watershed Dam.
2. That the Town Manager (or designee) is authorized to execute and file the task order and any other assurances and agreements required to authorize the design of the Lower Watershed Dam decommissioning, on behalf of the Town of Black Mountain.

This Resolution shall take effect immediately upon its adoption.

Approved this the 13th day of July 2026.

_____

C. Michael Sobol, Mayor

Attest:

_____

Wesley M. Barker, Town Clerk

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Michelle Kennedy, Planning Director	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	New Business	**DEPARTMENT:**	Planning & Development Services

TITLE OF ITEM: Request from Baptist on Mission for One-Year Extension of Temporary Use Emergency Housing at 1114 Montreat Road

SUGGESTED MOTION(S):

I move to grant a one-year extension to Baptist on Mission for temporary use of emergency housing at 1114 Montreat Road.

SUMMARY:

The temporary use of emergency housing was created after Hurricane Helene to help with groups, organizations, and individuals who wish to provide housing or need housing. Within that text, a provision was added to allow for a one-year extension that could be granted by the Zoning Administrator, however, no criteria was added to aid in that decision. In light of that, staff would like for Council to approve the one-year extension. Staff will look at possible language for a future text amendment to correct this oversight.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

1. staff report for Council agenda - re Baptists on Mission 3.17.2026 extension request - 1114 Montreat Rd

TOWN OF BLACK MOUNTAIN
STAFF REPORT: 1114 Montreat Rd.
July 13, 2026 Town Council Meeting

REQUEST

Applicant:
Paul Langston, Missions Mobilization Consultant, Baptists on Mission

Proposal:
March 17, 2026, request to Zoning Administrator for a one-year extension of the temporary use *Emergency Housing* at 1114 Montreat Rd. (071041779500000).

Ordinance Section:
Item ***C*** in Section 5.18.2 (General Provisions) of Section 5.18 (Emergency Housing) of the Land Use Code

DETAILS OF PROPOSAL

The following is a summary of the proposal:
1114 Montreat Rd. (071041779500000) is owned by North Carolina Baptist Men, according to the county's Property Record Card. As a representative of the property owner, on March 17, 2026, Paul Langston emailed the following to Planning & Development: "We would like to ask for the one year extension on this request when appropriate. Is there a formal process for this or does this result from communications we will have with your office?"

The use at 1114 Montreat Rd. is *Emergency Housing* in the context of the second of the two eligibility criteria:

A. Eligibility. Applicant must provide proof they:

1. Own, occupy or occupied, as their primary residence, a structure damaged or made inaccessible by the declared disaster; or,
2. Are assisting with disaster recovery efforts through a unit of government, agency, nonprofit, or company.

Section 1.2.3 (Definitions) of the Land Use Code has the following:

Emergency housing: The use of travel trailers, manufactured housing, building-code compliant structures for habitation, or other FEMA-approved shelters as a temporary use related to declared federal, state, or local disaster, for people:

1. Experiencing homelessness or inadequate shelter resulting from disaster-related damages; or
2. Assisting with disaster recovery efforts through a unit of government, agency, nonprofit, or company.

Zoning Determination for 1114 Montreat Road to North Carolina Baptist Men, from the Zoning Administrator, dated May 14, 2025, includes the following:

In the context of the late September 2024 emergency declaration, you've stated the project goal as hosting volunteers and volunteer groups for overnight stays ranging from one to 14 days, related to a declared federal, state, or local disaster. This corresponds with the use ***Emergency Housing*** [Section 5.18 (Emergency Housing) of Chapter 5].

We've received communication from the NC Department of Public Safety (DPS) stating that Baptists On Mission / North Carolina Baptist Men operates in collaboration with DPS, which meets the requirement stated in Section 5.18.2 (A) (2).

The one-year extension request was submitted in the context of the following:

C. Temporary use. Emergency housing shall be permitted for up to two years from the date of the declared disaster and may be extended by the Zoning Administrator for up to one additional year.

[*reference*: subsection 5.18.2 (General Provisions) of Section 5.18 (Emergency Housing)]

FEMA declaration FEMA-4827-DR ("Incident: Tropical Storm Helene") states that the disaster was declared on September 28, 2024.

ANALYSIS

CONSISTENCY WITH ADOPTED POLICY GUIDANCE:

North Carolina Baptist Men / Baptists on Mission has requested a one-year extension of the use *Emergency Housing at 1114 Montreat Rd.*

The use *Emergency Housing* is being established in the context of North Carolina Baptist Men / Baptists on Mission assisting with disaster recovery efforts through a unit of government.

FEMA declaration FEMA-4827-DR ("Incident: Tropical Storm Helene") states that the disaster was declared on September 28, 2024. Therefore, the use expires on September 28, 2026. If the one-year extension is granted, the use expires on September 28, 2027.

On May 30, 2026, Mr. Langston provided the following update on permit number BLG-25-0062 (Commercial Remodel): "It looks like we will have the temporary CO around the end of June. The other construction will be a few weeks after that but I need to get a more firm date for you there."

Emergency Housing was established on January 13, 2025 (Ord. No. O-25-01) in the context of many urgent disaster-response activities by the Town. Given the lack of grounds for the Zoning Administrator to consider a request for an extension, and given the possibility of the Town experiencing other declared disasters, staff are bringing the extension request to Council for consideration.

REASONABLENESS/PUBLIC INTEREST:

The use *Emergency Housing* is permitted in all zoning districts except Heavy Industrial (HI-0). It's permitted per the requirements for the use found in Section 5.18 of Chapter 5 (Additional Requirements for Specified Uses).

For any given zoning district, a use is not permitted, permitted by right, permitted per specific requirements, or permitted through Board of Adjustment approval of a Special Use Permit application.

The logic of permitting some uses not by right but per additional requirements is explained as:

> The Town of Black Mountain finds that there are certain uses that require specific additional standards to ensure compatibility with other uses and conformance to the town's comprehensive plan or other adopted plans. This chapter specifies requirements that must be met by each use listed as a "use permitted with additional requirements" in chapter 4 of this land use code.

[*reference*: subsection 5.1.1 (Purpose) of Chapter 5]

The phrase "requirements that must be met" refers to administrative (staff) review of the criteria listed in Chapter 5 for each use. In this regard, *Emergency Housing* is not unique; the list of per-additional-requirements uses is long:

- Boarding and Rooming House (Sec. 5.3)
- Day Care Center (Sec. 5.4)
- Family Care Home (Sec. 5.5)
- Home Occupation (Sec. 5.6)
- Manufactured Home on Individual Lot and Emergency Housing (Sec. 5.7)
- Farm Stand, Tailgate Market or "Garden Market" (Sec. 5.8)
- Neighborhood Fueling Facility (Sec. 5.9)
- Newspaper and Periodical Distribution Box (Sec. 5.10)
- Secondary Dwelling (Sec. 5.11)
- Wireless Communications (Sec. 5.12)
- Tattoo Parlor/Body Piercing Studio (Sec. 5.13)
- Recreation Services (Sec. 5.14)
- Mobile Food Vendor (Sec. 5.15)
- Mobile Food Vendor Court (Sec. 5.16)
- Mobile Retail Vendor (Sec. 5.17)
- Emergency Housing (Sec. 5.18)
- Sidewalk Seating (Sec. 5.19)
- Data Processing Facility (Sec. 5.20)

For all 18 of these per-additional-requirements uses, staff confirm that the applicant has met the criteria for the use, and the relevant permit is issued. This is similar to how ***by-right*** uses are reviewed. And it's quite different from how ***Special-Use-Permit*** uses are reviewed: Special Use Permit applications are reviewed by the Board of Adjustment, which approves, approves with conditions, or denies.

The relevant permit for 1114 Montreat Rd. happens to be commercial remodel, because the use is being established in a building that had been long-vacant and which the applicant needed to remodel.

For *Emergency Housing*, the relevant provision of the 13 provisions (provision ***C*** - extension of up to one year) is not grounded in any criteria to guide staff in approving or denying an extension request.

REPORT PREPARATION

This report was prepared by Planning Department staff member Russell Cate, Planner/Zoning Administrator, and reviewed by Michelle Kennedy, Planning Director.

Filepath - Council: staff report for Council agenda - re Baptists on Mission 3.17.2026 extension request - 1114 Montreat Rd.doc

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Richard Hicks, Interim Town Manager	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	New Business	**DEPARTMENT:**	Administration
TITLE OF ITEM:	Consideration of Resolution Approving the Financing Terms for the Purchase of a Fire Truck		

SUGGESTED MOTION(S):

Motion to adopt the resolution approving the financing terms for the purchasing of a fire truck as presented.

SUMMARY:

The Town Council approved the purchase of a 1500 GPM Mini Pumper Fire Truck from Custom Fire Apparatus, Inc. in 2025. Staff anticipates the truck being delivered in September, 2026. Before his departure, Scott Buffkin, Interim Assistant Town Manager, reached out to several financial institutions to obtain quotes on the financing of the vehicle. The submitted rates were as follows:

- First Bank 5.31% (Subject to Change at Closing)
- Civic Federal Credit Union 5.32%
- Pinnacle Financial Partners 4.65%

The loan amount requested was $450,000 for 59 months. Funds are included in the FY 26/27 to cover the costs of the loan payments.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? Yes.

If no, describe how it will be funded. Loan payments are included in the FY26/27 budget to cover the costs.

ATTACHMENTS:

1. R-26-55_Resolution to Finance 1500 GPM Mini-Pumper Fire Truck with Pinnacle Financial Partners_2026.07.13

Council Member _____ made a motion to approve the following resolution. A vote of _____ .

TOWN OF BLACK MOUNTAIN, NORTH CAORLINA
RESOLUTION
APPROVING FINANCING TERMS FOR VEHICLE PURCHASE

RESOLUTION NO. # R-26-55

WHEREAS: The TOWN OF BLACK MOUNTAIN ("Borrower") has previously determined to undertake a project for the financing of a **1500 GPM (gallons per minute) Mini-Pumper Fire Truck**, and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through **Pinnacle Financial Partners ("Lender")** in accordance with the proposal dated June 9, 2026. **The amount financed shall not exceed $450,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.65% and the financing term shall not exceed fifty-nine (59) months from closing.**

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form. **The Interim Town Manager is hereby authorized to execute any and all loan documents.**

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of

Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

APPROVED this the 13th day of July 2026.

_____
C. Michael Sobol, Mayor

ATTEST:

_____
Wesley M. Barker, Town Clerk

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Richard Hicks, Interim Town Manager	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	New Business	**DEPARTMENT:**	Administration
TITLE OF ITEM:	Technical Response Regrading Alleged Use of Email Draft Folders to Avoid Public Records Request		

SUGGESTED MOTION(S):

Motion to approve conducting a limited, well-scoped Microsoft 365 Technical Review as presented.

SUMMARY:

At a recent Council meeting, a citizen alleged that Town Planning Staff was utilizing draft folders to have discussions on various items to avoid providing information in a public records request. Staff reached out to our IT provider and asked that they review this technical concern. Attached is a copy of the report they provided. It is their recommendation that a limited review of available Microsoft 365 configuration and audit information be completed (quote for this service is attached for $2,300.50). That review could include MFA status, conditional access controls, unusual sign-in activity, mailbox permissions, shared mailbox access, administrative changes, and available audit records. Advanced Data & Network Solutions could assist the Town with that review. If that review identifies suspicious indicators, the Council could then consider whether a broader independent forensic audit is justified.

The conclusion from Advanced Data & Network Solutions was that based on the Town's current Microsoft 365 environment, the alleged use of email draft folders as a covert method of routine staff communication appears technically unlikely.

It is important not to overstate what technology can prove. A technical review can look for indicators of suspicious activity within available records, but it cannot prove a universal negative for all users and all time periods. If the limited review identifies evidence of suspicious access, unusual mailbox activity, or account compromise, the Town can then evaluate whether a formal independent forensic investigation is warranted.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. ADNS_Town_Council_Draft_Folder_Response
2. Frank Cappelli Email Regarding Concerns
3. TOBM Limited Technical Microsoft 365 Review Quote

15 June 2026,

Subject: Technical Response Regarding Alleged Use of Email Draft Folders to Avoid Public Records Requests

Dear Mayor and Members of Council,

At the Town's request, Advanced Data & Network Solutions has reviewed the technical concern that Town staff may be using Microsoft 365 email draft folders to communicate with one another in a way that avoids public records requests.

This letter provides a technical assessment only. Advanced Data can not be considered an independent forensic auditor for this matter. This is not a legal opinion regarding North Carolina public records law, records retention requirements, or the Town's obligations in responding to any particular records request. Such determinations should remain with the Town's Attorney and appropriate Town records officials.

Request Received from Town Management

On Wednesday, June 10 2026, Advanced Data & Network Solutions received the following request from the Interim Town Manager:

> *"We have had a citizen attend the last 2 Council meetings and complain about the Town's Planning Staff. He has accused them and past staff of utilizing draft folders on projects, so they can correspond with each other and avoid any public records requests, since it is only a draft document. He has also stated that these draft documents are later modified or items are deleted prior to it becoming a final draft or final email. He has requested Council to authorize an independent, third party audit of the email metadata and the draft folders of certain employees. Is this something that can be determined, and if so, what is the process and a potential cost? I need to be able to provide Council with an update on his complaint."*

The purpose of this letter is to respond to that technical question: whether this type of activity can be evaluated, what such a review would involve, and whether the requested independent forensic audit appears reasonable based on the Town's Microsoft 365 environment.

Summary

The allegation appears to involve a technique sometimes referred to as "foldering." In general terms, this would mean that two or more people avoid sending emails and instead communicate by accessing the same mailbox draft folder, editing draft messages, and then deleting or changing those drafts before anything is formally sent.

While this concept has appeared in popular entertainment and has been discussed in some investigative contexts, it is technically unlikely based on the controls currently in place within the Town's Microsoft 365 environment.

The Town's Microsoft 365 environment uses several important safeguards:

1. **Named user accounts**

- Each employee uses an individual Microsoft 365 account rather than a general shared account for normal business use.

2. **Multi-factor authentication**
   - Users are required to verify their identity with more than just a password.
3. **Conditional access and security controls**
   - The environment is configured to restrict or prevent logins from unusual locations or unusual sign-in patterns, consistent with commonly accepted cybersecurity practices.
4. **Centralized Microsoft 365 audit and security records**
   - Microsoft 365 maintains records related to sign-ins, mailbox access, permissions, administrative changes, and other relevant activity, subject to licensing, configuration, and retention limits.

For the alleged activity to occur, staff would generally need to share their personal credentials, share access to a multi-factor authentication method, improperly delegate mailbox access, use an authorized shared mailbox for an improper purpose, and/or compromise an account or device. Each of those scenarios is unusual and would be contrary to current cybersecurity policies.

In short, while no technology provider can claim that a misuse scenario is absolutely impossible, the alleged practice is technically unlikely in the Town's current Microsoft 365 environment and would typically create indicators that could be reviewed.

Explanation of the Alleged Method

The concern being raised can be illustrated this way:

```
Alleged "Foldering" Method

Person A logs into mailbox X
        ↓
Person A writes a message but does not send it
        ↓
The message remains in the Drafts folder
        ↓
Person B logs into or accesses the same mailbox
        ↓
Person B reads, edits, or deletes the draft
        ↓
No ordinary sent/received email appears between Person A and Person B
```

This scenario is much more plausible in an environment where multiple people share the same username and password, where multi-factor authentication is not used, and where audit logging is limited or absent.

That is not how the Town's Microsoft 365 environment is structured.

A more accurate view of the Town's environment is:

```
Town Microsoft 365 Model

Employee A → Employee A account → Employee A mailbox
Employee B → Employee B account → Employee B mailbox
Employee C → Employee C account → Employee C mailbox

Controls:
- Multi-factor authentication
- Unusual-login restrictions
- Named-account access
- Mailbox permission controls
- Microsoft 365 audit and security records
```

These controls do not make misuse impossible, but they substantially reduce the likelihood of the alleged method being used successfully or routinely without detection.

What Can Be Reviewed

A technical review can look for indicators of the alleged activity. For example, it can examine available Microsoft 365 data to determine whether there are signs of:

- unusual account sign-ins;
- logins from unexpected locations;
- blocked or challenged sign-in attempts;
- mailbox access by someone other than the mailbox owner;
- unusual mailbox delegation or permission changes;
- shared mailbox access;
- unusual deletion patterns;
- relevant administrative changes;
- signs of account compromise.

This type of review can provide useful information and may help determine whether there is any technical basis for the allegation.

However, a technical review cannot responsibly prove that something has never happened at any point in the past. Any review is limited by available logs, Microsoft licensing, retention periods, system configuration, and the specific users and dates included in the review.

The appropriate technical question is not:

> *"Can we prove this has never happened?"*

A more appropriate question is:

> *"Do the available Microsoft 365 records show indicators of shared mailbox access, suspicious sign-ins, unusual permissions, abnormal deletion activity, or account compromise for the relevant users and time period?"*

That is a question that can be reviewed.

Cost and Scope Considerations

A broad independent forensic audit would likely be expensive. Based on the type of work being requested, an independent third-party forensic review could reasonably cost approximately $30,000 or more, depending on scope.

Cost would be affected by:

- number of employees reviewed;
- number of mailboxes reviewed;
- date range;
- whether employee devices must be examined;
- whether deleted-data recovery is requested;
- whether Teams, OneDrive, SharePoint, or mobile devices are included;
- whether legal chain-of-custody procedures are required;
- whether a formal expert report or testimony is expected.

There is a significant difference between a limited Microsoft 365 technical review and a full forensic investigation.

Limited Technical Review	Full Forensic Audit
• Microsoft 365 configuration	• Independent forensic firm
• MFA and conditional access settings	• Legal chain of custody
• Sign-in records	• Mailbox collection
• Mailbox permissions	• Device imaging
• Available audit logs	• Deleted-data recovery
• Written technical summary	• Expert report
	• Possible testimony
	• Broader legal support

Absent specific technical indicators of wrongdoing, a full independent forensic audit may be disproportionate to the allegation.

Recommended Path Forward

We recommend a measured, evidence-based approach.

First, the Town should consult with the Town Attorney regarding any public records, preservation, or legal obligations.

Second, if Council wishes to evaluate the technical concern, the Town should define a limited review scope, including:

- the employees involved;
- the relevant mailboxes;
- any shared mailboxes to be included;
- the date range;
- the systems to be reviewed;
- the specific question to be answered.

Third, Advanced Data & Network Solutions can assist with a limited review of available Microsoft 365 configuration and audit information. That review could include MFA status, conditional access controls, unusual sign-in activity, mailbox permissions, shared mailbox access, administrative changes, and available audit records.

If that review identifies suspicious indicators, Council could then consider whether a broader independent forensic audit is justified.

Conclusion

Based on the Town's current Microsoft 365 environment, the alleged use of email draft folders as a covert method of routine staff communication appears technically unlikely.

The Town uses named Microsoft 365 accounts, multi-factor authentication, restrictions against unusual login activity, mailbox permission controls, and Microsoft 365 audit and security records. These safeguards are consistent with commonly accepted cybersecurity practices and materially reduce the practicality of the alleged method.

At the same time, it is important not to overstate what technology can prove. A technical review can look for indicators of suspicious activity within available records, but it cannot prove a universal negative for all users and all time periods.

Our recommendation is that the Town first conduct a limited, well-scoped Microsoft 365 technical review before committing public funds to a broad independent forensic audit. If that review identifies evidence of suspicious access, unusual mailbox activity, or account compromise, the Town can then evaluate whether a formal independent forensic investigation is warranted.

Respectfully submitted,

Advanced Data & Network Solutions

Outlook

Re: Presentation

From Frank Cappelli <frankecappelli@gmail.com>
Date Wed 6/10/2026 10:13 AM
To Richard Hicks <richard.hicks@tobm.org>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Richard -

Thank you for speaking with me. Here is the text:
Frank Cappelli – 1120 Montreat Rd.

Last month, I outlined documented concerns regarding a lack of transparency and retaliatory behavior by town staff.

Not 40 minutes later, the Planning Director took over the meeting to lecture you on town council, chastise the Mayor, and demand citizens be silenced in the name of "decorum." The town attorney said my comments were "just one man's opinion."

Let me be absolutely clear: finding official material in a deleted draft folder—mirroring known tactics used to bypass public records laws—is not an "opinion." It is a liability for our town and it demands investigation.

I understand the knee jerk reaction to question my credibility. for 12 years, my profession has been in the HR Technology space. I advise local and state governments on HR compliance and employee misconduct.

The combative treatment of local businesses and residents by the planning and zoning department is not just one mans "opinion." It is a documented pattern.

The Director claimed I was attacking "front-line staff." That is a deflection. The individuals I named—administrators, directors, and inspectors—wield the heavy regulatory power of Black Mountain. Holding them accountable when they weaponize zoning or operate in the shadows isn't a "personal attack"—it is the public's right.

The staff's reaction last month proved my exact point. Instead of addressing the very serious questions surrounding public records management, department leadership demanded that citizens be silenced for speaking up. They are clearly more offended by accountability than they are by the appearance of misconduct.

Decorum is important, but it must never be used as a gag or protect government overreach.

I am once again calling on this Council to authorize an independent, third-party audit of the email metadata and draft folders of Jessica Trotman, Josh Harrold, Michelle Kennedy, and Russell Cate.

Thank you for your time.

Frank

On Tue, Jun 9, 2026 at 9:30 AM Richard Hicks <richard.hicks@tobm.org> wrote:

> Can you send me a copy of the statement that you made to the Town Council last night?
>
> Richard N Hicks
> Interim Town Manager
> richard.hicks@tobm.org
> 828-419-9311

Quote 13614



www.adnsolutions.com

828-285-8882

60 Ravenscroft Dr, Asheville, NC 28801

Prepared For

Wesley Barker

Town of Black Mountain

160 Midland Avenue
Black Mountain, North Carolina 28711

Phone:

Email: wesley.barker@tobm.org

Prepared By

Alex Newman

Design Desk Specialist

Phone: (828) 210-8805

Email: alex@adnsolutions.com

Quote Information

Quote#	13614
Created	07/07/2026
Expires	08/06/2026

All Mandatory

Description	Price	Qty.	Amount
Limited Technical Microsoft 365 Review Investigate: • Microsoft 365 configuration	$2,150.00 Each	1	$2,150.00

• MFA and conditional access settings
• Sign-in records
• Mailbox permissions
• Available audit logs
• Written technical summary

Looking For:
• Unusual account sign-ins
• Logins from unexpected locations
• Blocked or challenged sign-in attempts
• Mailbox access by someone other than the mailbox owner
• Unusual mailbox delegation or permission changes
• Shared mailbox access
• Unusual deletion patterns
• Relevant administrative changes

Employee Accounts in Question:
Jessica Trotman
Josh Harrold
Michelle Kennedy
Russell Cates



Subtotal	$2,150.00
Tax	$150.50
Total	**$2,300.50**

BILLING TERMS:

- 100% of products and hardware are billed upon signature and due upon receipt
- 50% of labor billed upon signature and due upon receipt
- Remaining 50% of project labor billed upon project completion, Net 30 days

If you wish to proceed, please accept the quote. By signing below, you agree to our standard Terms & Conditions and/or Managed Services Agreement and agree to pay the full amount as shown. Applicable sales tax will be added on all qualifying products. We reserve the right to cancel orders arising from pricing or other errors.

I agree to the terms and conditions of this document with an electronic signature below.

PO Number:

(Wesley Barker)

Name: Wesley Barker

Date:

Terms & Conditions

I. General

These general terms and conditions of sale (along with any directly associated written Seller specification or quotation) exclusively will govern the sale or licensing by Seller of all goods and services (including without limitation, hardware, firmware and software products, training, programming, maintenance, engineering, parts and repair services, collectively, the “Products”) furnished hereunder. No addition or modification to these terms and conditions will be binding on Seller unless agreed to in writing signed by an authorized representative at Seller’s headquarters. Seller objects to other terms and conditions that may be proposed by the customer not otherwise consistent with these or other terms and conditions set forth in Seller’s written specification, quotation or order acknowledgment.

II. Term Duration And Renewal:

1) INITIAL TERM: The initial term of this agreement, if applicable, is listed under the product(s) in the Order above and shall commence on the Effective Date. Not all products will have a term listed - in this case, the Initial Term concludes once the project is completed.

2) RENEWAL TERM: Upon the expiration of the Initial Term, this Agreement shall automatically renew for successive one (1) year terms (each a "Renewal Term"), unless either party provides written notice of termination at least thirty (30) days prior to the end of the then-current term.

3) TERMINATION: Either party may terminate this agreement by providing written notice of termination at least thirty (30) days prior to the end of the Initial Term or any Renewal Term.

III. Payment Terms

Net thirty days from date of invoice with ongoing approved credit as determined by Seller. Seller reserves the right to suspend any further performance under this agreement or otherwise in the event payment is not made when due. No payment by offset is permitted unless approved by Seller.

IV. Delivery Terms

Delivery terms are Ex Works with respect to shipping costs, risk of loss and title transfer, except that title to all intellectual property rights associated with the Products (e.g., software and firmware) remains with Seller (or its suppliers and licensors), and such Products are made available or licensed only for use by the customer pursuant to this agreement or other Seller license agreement. Acknowledged shipping dates are approximate only and based on prompt receipt of all necessary information from the customer.

V. Warranty

THE WARRANTIES CONTAINED BELOW IN THIS ARTICLE IV ARE IN LIEU OF ALL OTHER WARRANTIES WHETHER EXPRESSED, IMPLIED OR STATUTORY, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, OR PERFORMANCE OR APPLICATION WARRANTIES, AND EXTEND ONLY TO CUSTOMERS PURCHASING FROM SELLER OR ITS APPOINTED DISTRIBUTOR.

A. Hardware

Seller warrants for a period of one year from the date of invoice from Seller or its appointed distributor, as the case may be, that hardware Products furnished hereunder will be of merchantable quality, free from defects in material, workmanship and design. Repaired or replacement Products provided under warranty are similarly warranted for a period of six months from the date of shipment to Customer or the remainder of the original warranty term, whichever is longer.

B. Software and Firmware

Unless otherwise provided in a Seller or third-party license agreement, Seller warrants for a period of one year from the date of invoice from Seller or its appointed distributor, as the case may be, that standard software or firmware Products furnished hereunder, when used with Seller-specified hardware, will perform in accordance with published specifications prepared, approved, and issued by Seller’s headquarters. Seller makes no representation or warranty, express or implied, that the operation of the software or firmware Products will be uninterrupted or error free, or that the functions contained therein will meet or satisfy the Customer’s intended use or requirements. Software and firmware corrections are warranted for a period of three months from the date of shipment to Customer or the remainder of the original warranty term, whichever is longer.

C. Service

Seller warrants that Products comprised of services, including engineering and custom application programming services, whether provided on a fixed-cost or time-

and-material basis, will be performed in accordance with generally accepted industry practices to the extent such services are subject to written acceptance criteria agreed to in advance by Seller. All other warranties relative to provided services are disclaimed.

D. Customer Specifications

Seller does not warrant and will not be liable for any design, materials, or construction criteria furnished or specified by Customer and incorporated into the Products or for Products made by or sourced from other manufacturers or vendors specified by Customer. Any warranty applicable to such Customer-specified Products will be limited solely to the warranty, if any, extended by the original manufacturer or vendor other than Seller to the extent permissible thereunder.

E. Remedies

Satisfaction of the above warranties will be limited, at Seller's option, to the replacement, repair, reperformance or modification of, or issuance of a credit for the purchase price of the Products involved, and where applicable, only after the return of such Products with Seller's consent. Replacement Products may be new or reconditioned. Any warranty service (consisting of time, travel and expenses related to such services) performed other than at Seller's factory, will be at Customer's expense.

F. General

Warranty satisfaction is available only if (a) Seller is promptly notified in writing; and (b) Seller's examination discloses, to its satisfaction, that any alleged defect has not been caused by misuse; neglect; improper installation, operation, maintenance, repair, alteration or modification; accident; or unusual deterioration or degradation of the Products or parts thereof due to physical environment or electrical or electromagnetic noise environment.

VI. Limit of Liability

IN NO EVENT WILL SELLER BE LIABLE FOR INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES OF ANY KIND. SELLER'S MAXIMUM CUMULATIVE LIABILITY RELATIVE TO ALL OTHER CLAIMS AND LIABILITIES, INCLUDING THAT WITH RESPECT TO DIRECT DAMAGES AND OBLIGATIONS UNDER ANY INDEMNITY, WHETHER OR NOT INSURED, WILL NOT EXCEED THE COST OF THE PRODUCTS GIVING RISE TO THE CLAIM OR LIABILITY. ANY ACTION AGAINST SELLER MUST BE BROUGHT WITHIN EIGHTEEN MONTHS AFTER THE CAUSE OF ACTION ACCRUES. THESE DISCLAIMERS AND LIMITATIONS OF LIABILITY WILL APPLY REGARDLESS OF ANY OTHER CONTRARY PROVISION OF THE AGREEMENT AND REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT, TORT OR OTHERWISE, AND FURTHER WILL EXTEND TO THE BENEFIT OF SELLER'S VENDORS, APPOINTED DISTRIBUTORS AND OTHER AUTHORIZED RESELLERS AS THIRD-PARTY BENEFICIARIES. EACH PROVISION IN THE AGREEMENT WHICH PROVIDES FOR A LIMITATION OF LIABILITY, DISCLAIMER OF WARRANTY OR CONDITION OR EXCLUSION OF DAMAGES IS SEVERABLE AND INDEPENDENT OF ANY OTHER PROVISION AND IS TO BE ENFORCED AS SUCH.

VII. Intellectual Property

Seller will defend any suit or proceeding brought against the customer based on a claim that the design or construction of the Products sold or licensed hereunder by Seller infringe any U.S. or Canadian Patent, Copyright or Mask Work Registration, provided that the customer promptly notifies Seller of any such claim and resulting suit or proceeding in writing and further provided that, at Seller's expense, (a) the customer gives Seller the sole right to defend or control the defense of the suit or proceeding, including settlement, and (b) the customer provides all necessary information and assistance for that defense. Except for any consequential damages, Seller will pay all costs and damages finally awarded or agreed upon by Seller that are directly related to any such claim. In the event of a charge of infringement Seller's obligation under the Agreement will be fulfilled if Seller, at its option and expense, either (i) procures for the customer the right to continue using such Products; (ii) replaces the same with non-infringing Products; (iii) modifies the same so as to make them non-infringing; or (iv) accepts the return of any infringing Products and refunds their purchase price. Notwithstanding the foregoing, Seller will have no liability with respect to any claim of infringement to the extent based on a configuration or modification incorporated in the Products at the request of the customer, on any process application into which the Products are integrated by the customer, or on use of the Products in combination with other equipment or products not supplied by Seller. THIS PARAGRAPH SETS FORTH SELLER'S ENTIRE LIABILITY WITH RESPECT TO INTELLECTUAL PROPERTY AND INFRINGEMENT OF PATENTS BY ANY PRODUCTS (INCLUDING SOFTWARE PROGRAMS, EQUIPMENT OR PRODUCTS THEREOF) OR BY THEIR OPERATION, AND IS IN LIEU OF ALL WARRANTIES OR CONDITIONS RELATING TO INFRINGEMENT OR INTELLECTUAL PROPERTY, EITHER EXPRESS OR IMPLIED.

VIII. Licensed Software and Firmware

Products comprised of software or firmware may be subject to additional terms and conditions set forth in separate Seller's license agreements that will control to the extent necessary to resolve any conflict with the terms and conditions stated herein. Such Products will not be delivered or made available until the customer also agrees to the terms and conditions of such separate license agreements.

IX. Prices

Prices and other information shown in any Seller publication (including product catalogs and brochures) are subject to change without notice and confirmation by specific quotation. Such publications are not offers to sell and are maintained only as a source of general information. The customer will pay or reimburse Seller for all sales, use, excise or similar taxes. Products comprised of time-and-material services will be provided in accordance with Seller's published service rates (including applicable overtime and travel expenses) in effect as of the date such services are provided, unless otherwise confirmed by Seller's written quotation or order acknowledgment. Billable service time includes travel time to and from the job site and all time Seller's representatives are available for work and waiting (whether on or off the job site) to perform the services.

X. Changes

Customer-requested order changes, including those affecting the identity, scope and delivery of the Products, must be documented in writing and are subject to Seller's prior approval and adjustments in price, scheduling, and other affected terms and conditions. In any event, Seller reserves the right to reject any change that it deems unsafe, technically inadvisable, or inconsistent with established engineering or quality guidelines and standards, or incompatible with Seller's design or manufacturing capabilities.

XI. Returns

All returns of Products will be subject to prior Seller approval. Returns of unused and salable Products for credit will be subject to Seller's return policies in effect at

the time, including applicable restocking charges and other conditions of return. Products returned under warranty must be properly packed and shipped to Seller-specified locations. Shipping containers must be clearly marked per Seller's instruction and shipped freight prepaid by the customer.

XII. Order Cancellation

An order may be canceled by the customer prior to shipment only by written notice and upon payment to Seller of reasonable cancellation and restocking charges, including reimbursement for direct costs, plus allowances for disruption. Cancellation charges associated with orders for custom Products or Products specifically manufactured to the customer's specification may equal the actual selling price of the Products. Seller has the right to cancel an order for cause at any time by written notice, and Seller will be entitled to cancellation and restocking charges as identified above. No termination by the customer for cause will be effective unless and until Seller has failed to correct such alleged cause within forty five (45) days after receipt of the customer's written notice specifying such cause.

XIII. Force Majeure

Seller will not be liable for any loss, damage or delay arising out of its failure to perform hereunder due to causes beyond its reasonable control, including without limitation, acts of God or the customer, acts of civil or military authority, fires, strikes, floods, epidemics, quarantine restrictions, war, riots, delays in transportation, or transportation embargoes. In the event of any such delay, Seller's performance date(s) will be extended for that length of time as may be reasonably necessary to compensate for the delay.

XIV. Disputes

The parties will attempt in good faith promptly to resolve any dispute arising out of this agreement by negotiations between representatives who have authority to settle the controversy. If unsuccessful, the parties further will attempt in good faith to settle the dispute by nonbinding third-party mediation, with fees and expenses of such mediation apportioned equally to each side. Any dispute not so resolved by negotiation or mediation may then be submitted to a court of competent jurisdiction in accordance with the terms of this agreement. These procedures are the exclusive procedures for the resolution of all such disputes between the parties.

XV. Governing Law

This agreement and all disputes arising thereunder will be governed by and interpreted in accordance with the internal laws of the State of North Carolina, without respect to its choice of law principles.

XVI. Assignment

This agreement may not be assigned by either party without the written consent of the other, however, consent will not be required for internal transfers and assignments as between Seller and its parent corporations, subsidiaries or affiliates as part of a consolidation, merger or other form of corporate reorganization.

END OF DOCUMENT

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Richard Hicks, Interim Town Manager	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	New Business	**DEPARTMENT:**	Administration

TITLE OF ITEM: Consideration of Award of Bid for Highway 70 Waterline Project

SUGGESTED MOTION(S):
I move that Council award the bids for the Highway 70 Waterline Project to Cooper Construction Company, Inc. in the amount of $796,345.

SUMMARY:

In November of 2022, the Council appropriated $500,000 for the Highway 70 Waterline Project. The funds were originally appropriated from the Town's ARPA funds. I believe the Town ultimately obligated all of the remaining ARPA funds by reimbursing the Town for salaries.

Based on current and projected expenditures, staff recommends the following budget:

- Civil Design Concepts (Current Expenditures) $ 93,191.00
- Land of Sky Regional Council (Current Expenditures) $ 11,450.00
- Cooper Construction Co., Inc. $ 796,345.00
- Contract Administration $ 9,000.00
- Construction Observation/Inspection $ 17,500.00
- Closeouts $ 5,000.00
- Contingency $ 50,000.00
- Local Project Management $ 7,500.00

Total Cost: $989,986.00

This leaves a balance of $489,986 that will need to be appropriated. Within the next few weeks, FEMA will be reimbursing the water fund just over $900,000 for expenses the town incurred after Helene. My recommendation would be to use a portion of those funds to cover the balance of $489,986. Staff will prepare a formal budget amendment for your approval at the August meeting. With the award of the bids, the contractor can begin getting their payment and performance bonds in place, execute the contract and other necessary documents. All of

this will probably take 30-60 days to complete and will give staff time to prepare the budget amendments.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? Yes, after a budget amendment.

If no, describe how it will be funded. Budget Amendment.

ATTACHMENTS:

1. 2026-07-02-Recommendation for Award Letter to Cooper Construction Company for Hwy 70 Waterline Project
2. HWY 70 Waterline Project - Bid Tabs

July 2nd, 2026

Richard Hicks
Chad Goins
Jamey Matthews
Town of Black Mountain
160 Midland Ave
Black Mountain, NC 28711

Re: US 70 Hwy Water Line
Recommendation for Award of Construction Contract

Dear Mr. Hicks, Mr. Goins, Mr. Matthews,

Pursuant to the receipt and public opening of bids on June 24th, 2026, for the project noted above, and after evaluation of the bid packages and verification of proper licensures, it is our recommendation that the US 70 Hwy Water Line contract be awarded to Cooper Construction Company, Inc. license #4763, for their lump sum bid in the amount of $796,345.00.

Should you have any questions regarding this matter please do not hesitate to contact me.

Sincerely,

Ben Munn
Civil Design Concepts, PA

84 Coxe Avenue, Suite 260, Asheville, NC 28801
Phone 828-252-5388 Fax 828-252-5365

52 Walnut Street- Suite 9, Waynesville, NC 28786
Phone: 828-452-4410 Fax: 828-456-5455

US 70 HWY WATER LINE PROJECT
-
BLACK MOUNTAIN, NC

BID TABULATION

BID DATE: June 24th, 2026 @ 10:00 AM EST (Local Time)
Town of Black Mountain

CONTRACTOR:	Hyatt Pipeline, LLC	Cooper Construction Company, Inc.	Carolina Specialties Construction, LLC	Chonzie, Inc.	T.P. Howard's
CONTRACTOR'S LICENSE NUMBER	75332	4763	41451	80701	83225
BID BOND DOCUMENTS	Yes	Yes	Yes	Yes	Yes
MBE DOCUMENTS	Yes	Yes	Yes	Yes	Yes
ADDENDUM #1 ACKNOWLEDGED	Yes	Yes	Yes	Yes	Yes
ADDENDUM #2 ACKNOWLEDGED	Yes	Yes	Yes	Yes	Yes
ADDENDUM #3 ACKNOWLEDGED	Yes	Yes	Yes	Yes	Yes
ADDENDUM #4 ACKNOWLEDGED	Yes	Yes	Yes	Yes	Yes
LUMP SUM BASE BID PRICE	$971,000.00	$796,345.00	$898,828.00	$1,063,443.51	$970,000.00
UNIT PRICES:					
UNIT PRICE #1: ADDITIONAL PAVEMENT PATCH	$75.00	$157.00	$95.00	$85.00	$200.00
UNIT PRICE / SY, EXTENDED TOTAL 100 SY ($)	$7,500.00	$15,700.00	$9,500.00	$8,500.00	$20,000.00
UNIT PRICE #2: UNDERCUT UNSUITABLE, REMOVE OFFSITE, AND BACKFILL W/ STONE	$12,500.00	$1,120.00	$60.00	$50.00	$60.00
UNIT PRICE / CY, EXTENDED TOTAL 250 CY ($)	$31,250.00	$28,000.00	$15,000.00	$12,500.00	$15,000.00
UNIT PRICE #3: CONCRETE SIDEWALK	$100.00	$210.00	$242.00	$13.25	$150.00
UNIT PRICE / SY, EXTENDED TOTAL 50 SY ($)	$5,000.00	$10,500.00	$12,100.00	$662.50	$7,500.00
UNIT PRICE #4: WASHED #57 STONE	$60.00	$66.00	$40.00	$55.00	$50.00
UNIT PRICE / TON, EXTENDED TOTAL 500 TON ($)	$30,000.00	$33,000.00	$20,000.00	$27,500.00	$25,000.00
UNIT PRICE #5: TRENCH ROCK REMOVAL	$300.00	$265.00	$200.00	$325.00	$200.00
UNIT PRICE / CY, EXTENDED TOTAL 50 CY ($)	$15,000.00	$13,250.00	$10,000.00	$16,250.00	$10,000.00
UNIT PRICE #6: MASS ROCK REMOVAL	$300.00	$200.00	$200.00	$350.00	$150.00
UNIT PRICE / CY, EXTENDED TOTAL 50 CY ($)	$15,000.00	$10,000.00	$10,000.00	$17,500.00	$7,500.00

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Richard Hicks, Interim Town Manager	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	New Business	**DEPARTMENT:**	Administration

TITLE OF ITEM: Concur with NCDOT Award of Bid for Ninth Street Bridge Project

SUGGESTED MOTION(S):
I move that Council concur with the award of bids on the Ninth Street Bridge Project to Kemp Sigmon Construction in the amount of $1,184,032.

SUMMARY:

Based on the current bids and the following cost projections, the estimates for the 9th Street Bridge Project would be as follows:

- Construction $1,361,637.00
- Engineering 500,000.00
- Right-of-Way/Utility Relocation 96,000.00

Total Project Costs $1,957,367.00

Based on a 20% match from the Town of Black Mountain, the Town's share of the project would be $391,527.

In a prior Capital Project Ordinance, the Town appropriated $136,000 towards the match for this project.

As of this date, the Town has paid the following costs for the project:

- 1st Invoice for Town's Share of Engineering Costs $40,000.00
- Duke Energy Costs for Utility Relocation 80,123.62
- Right of Way Consultant 30,750.00
- Right-of-Way Costs:
    - --Lloyd Davis 1,350.00
    - --Love in Motion 5,800.00
    - --Eduardo Montero 12,500.00

Total Town Costs $170,523.62

The Engineering costs listed above covered the Town's 20% match. The remaining balance of $130,523.62, should be eligible for reimbursement if the project moves forward. The Town has not been able to determine if additional payments for Engineering would be due if the project is canceled, or if the Town would be reimbursed for the above-mentioned costs. A great deal of effort was put forth by DOT and the French Broad River Metropolitan Planning Organization to find the additional Federal funds to move the project forward. One June 18, 2026, they were able to allocate an additional $766,110 in federal STBG-DA funds, bringing the total federal dollars to $1,566,110. Canceling the project could potentially have an impact on future requests for funding.

With an initial allocation of $136,000, the balance of funds needed by the Town would be $255,527. The Town may want to consider the following funds as a source for the additional match required:

- General Fund Capital Reserve Balance $405,000
- Anticipated Powell Bill Fund Balance (6/30/26) $205,486
- FY 26/27 Powell Bill Capital Outlay Appropriation $248,000

If the Board wants to move the project forward and can determine the source of the remaining local match, staff can prepare a budget amendment for the August, 2026 meeting. DOT must award the bids by July 15, 2026, or they will no longer be valid. The contractor agreed to honor the bid until July 15, 2026. It would still take several months to get the project started.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? No, it would require a budget amendment.

If no, describe how it will be funded. Budget amendment.

ATTACHMENTS:

None

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Richard Hicks, Interim Town Manager	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	New Business	**DEPARTMENT:**	Administration
TITLE OF ITEM:	Update on Reactiviating Town Wells		

SUGGESTED MOTION(S):
Motion to approve the initial testing of the two (2) inactive wells.

SUMMARY:

Staff reached out to Rachael Kramer with KACE Environmental, Inc., regarding the steps necessary to reactivate the 2 wells that were turned off several years ago. She has been handling the Town's water samples for years. She did recall that Well #1 at the Golf Course had a fairly consistent detection of herbicides and a hit and miss detection of pesticides.

The cost to perform the initial test on each well would be $10,255 per well, for a total of $20,510. To bring these wells back to service, the Town would have to make application to the State and follow the new well sample protocol. There is significantly more testing required, which results in the higher costs.

If the testing is completed and the well is approved for service, a new testing procedure has to be followed to include testing for IOC, RADS, SOC, VOC and PFAS and PFOS. Each well has to be tested quarterly for the first year at a cost of $18,092 per well, for a total of $36,184, For the next 3 years, each well has to be tested every year at a cost of $4,523 per well, or a total of $9,046.

When the wells were taken out of service, the pumps and equipment were removed. New equipment will have to be installed at an estimated cost of $35,000 according to Jamey.

Regarding the limits on pesticides and herbicides, each contaminant would have a maximum contaminant level. The State of North Carolina has a reporting limit and an action level limit. The contaminant may fall below the maximum contaminant level, but could still trigger the reporting limit and would also increase to quarterly monitoring for a year, or until all 4 tests came back as non-detect. The State could ultimately require remediation or treatment of the well. The Town will also have to deal with the public perception of any potential contaminants,

regardless of the level.

Based on this information, the initial first year cost for both wells would be $91,694.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? Yes.

If no, describe how it will be funded.

ATTACHMENTS:

1. Black Mountain Well Sampling Costs 7.7.2026

System Name: Black Mountain
ID # NC 01-11-020

ANALYTE GROUP NAME	REQUIREMENTS			1st Yr	2nd Yr	3rd Yr	4th YR
New Well Sampling	Per Proposed Entry Point		$9,800.00	$9,800.00			
Shipping for New Well Kit	Per Proposed Entry Point		$455.00	$455.00			
Entry Point - Base Montitoring for 1st Year			**Price Each**				
IOC	Quaterly for 1st year		$355.00	$1,420.00			
RADS: 4000 - Gross Alpha	Quaterly for 1st year		$221.00	$884.00			
RADS: 4006 - Combined Uranium	Quaterly for 1st year		$112.00	$448.00			
RADS: 4010 - Combined Radium	Quaterly for 1st year		$275.00	$1,100.00			
SOC	Quaterly for 1st year		$995.00	$3,980.00			
VOC	Quaterly for 1st year		$235.00	$940.00			
PFAS/PFOS	Quaterly for 1st year		$1,875.00	$7,500.00			
Estimated Shipping*			$455.00	$1,820.00			
Entry Point - Standard Monitoring for next 3 Years							
IOC	1 - Annually		$355.00		$355.00	$355.00	$355.00
RADS: 4000 - Gross Alpha	1 - Annually		$221.00		$221.00	$221.00	$221.00
RADS: 4006 - Combined Uranium	1 - Annually		$112.00		$112.00	$112.00	$112.00
RADS: 4010 - Combined Radium	1 - Annually		$275.00		$275.00	$275.00	$275.00
SOC	1 - Annually		$995.00		$995.00	$995.00	$995.00
VOC	1 - Annually		$235.00		$235.00	$235.00	$235.00
PFAS/PFOS	1 - Annually		$1,875.00		$1,875.00	$1,875.00	$1,875.00
Estimated Shipping*			$455.00		$455.00	$455.00	$455.00
		TOTAL FOR YEAR		$28,347.00	$4,523.00	$4,523.00	$4,523.00
*These are current lab prices and are subject to change.							
This Cost Projection was prepared by:							
Rachael G. Kramer							
KACE Environmental, Inc							
7.7.2026							

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER: **MEETING DATE:** July 13, 2026

AGENDA SECTION: New Business **DEPARTMENT:** Town Clerk

TITLE OF ITEM: Advisory Boards & Commissions Appointments

SUGGESTED MOTION(S):

SUMMARY:

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

None

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER: Wesley Barker, Town Clerk **MEETING DATE:** July 13, 2026

AGENDA SECTION: New Business **DEPARTMENT:** Town Clerk

TITLE OF ITEM: ABC Board Appointment & ABC Board Chair Appointment

SUGGESTED MOTION(S):
Motion to appoint _____ to the ABC Board for a three-year term that will expire in July 202 and to appoint _____ as ABC Board Chair.

SUMMARY:

The Black Mountain ABC Board is composed of three members who are appointed by the Town Council. Each member serves three-year terms. Larry Harris served on the ABC Board, but his term has now expired (July 2026). Larry does not wish to seek a second term on the ABC Board, which leaves a vacant seat. One application was received for the ABC Board from Melisa Pressley, and that application is attached. Council should review and choose to appoint Melisa, or continue advertising for more applicants. The appointed member's term will expire in July 2029.

Current ABC Board members and terms are as follows:

Sharon Tabor - Seat Expiration Date: 7/1/2027, Last Appointment Date: 7/1/2024

Jack Heinen - Seat Expiration Date: 7/1/2028, Last Appointment Date: 8/11/2025

Vacant Seat - Seat Expiration Date: 7/1/2029

Council will also need to appoint an ABC Board member as chair as Larry Harris was the previous chair.

Appointment and organization of local ABC Boards are governed under NC General Statutes §18B-700.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. ABC-Board_Melisa Pressley__2026.07.03

Town of Black Mountain
Advisory Board and Commission Application

Thank you for your interest in the Town of Black Mountain's Advisory Boards & Commissions. To ensure that your application will receive full consideration, please submit a complete application. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. If you prefer to fill an application out online, visit: https://www.townofblackmountain.org/154/Boards-Commissions or scan QR code.

SCAN ME

APPLICANT INFORMATION

First Name: *Melisa* ***Last Name:*** *Pressley*

PHYSICAL ADDRESS

Address: *15 John Myra Ave.*

City: ***Black Mountain*** ***State:*** ***NC*** ***Zip:*** ***28711***

MAILING ADDRESS *(if different than above)*:

Address: _____

City: _____ ***State:*** _____ ***Zip:*** _____

Do you live inside the Town Limits of Black Mountain? Yes ✓ No ____

**If you are unsure, please contact the Town Clerk's office via town.clerk@tobm.org or 828-419-9300. Some boards & commissions require that members must reside within the Black Mountain Town Limits to be eligible. Some exceptions may apply.*

EMAIL ADDRESS: melisapressley2@gmail.com

(This is the preferred communication method for advisory board/commission members)

PHONE NUMBER: Main (828) 545-9648 Other( )

Are you seeking re-appointment? Yes ____ No ✓

ADVISORY BOARD/COMMISSION PREFERENCE

PleaseselecttheBoardorCommissionyouwishtoapplyfor(orseeking reappointment to):

✓ ABC Board	____ Recreation Commission
____ Active Mobility Commission	____ Board of Adjustment
____ Historic Preservation Commission	____ Black Mountain Library Maintenance Board*
____ Planning Board	____ MSD (Metropolitan Sewerage District) Board**

- If you are seeking a new appointment, you may apply for more than one board or commission. However, an applicant will only be appointed for one board or commission seat, not multiple seats.
- For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Page at https://www.townofblackmountain.org/154/Boards-Commissions.
- *The Black Mountain Library Maintenance Board is a volunteer board established to assist the Town in fulfilling its responsibilities to support and maintain the physical condition of the Library facility & management of both minor/major maintenance for the Library.
- **The MSD Board is a non-Town body of which Council Members may appoint a member from its own membership or appoint a Town resident. Currently, the Town of Black Mountain has one (1) seat on this board which does not expire until January 2027. Reference MSD Board of Directors Website, https://www.msdbc.org

PRIMARY & SECONDARY BOARD/COMMISSION PREFERENCES:

If you selected multiple boards or commissions that you are interested in, please indicate your preferred primary board/commission choice: ABC Board**, and secondary board/commission choice: _____.**

CIVIC INVOLVEMENT

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement. ***Please use additional sheet if necessary.***

My civic involvement includes current work with the Community Emergency Reponse Team (CERT), Friends of the Black Mountain Public Library Board, and the Town of Black Mountain Library Maintenance Board. Past roles have included Secretary of the Black Mountain Center for the Arts Board of Directors and as a Community Representative on the Swannanoa Valley Christian Ministry Board. I have experience helping manage public resources, supporting budgets and facility priorities, coordinating with governing and advisory bodies, and communicating clearly with a wide range of stakeholders.

STATEMENT OF INTEREST

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member? Please use additional sheet if necessary.

I wish to serve on the Black Mountain ABC Board because I care about responsible local governance and meaningful service to the community in which I live. I would bring a deliberate, prepared, and service-oriented approach to the Board's work, with a commitment to responsible oversight and respect for the staff who manage daily operations.

This appointment also represents an opportunity to continue developing through progressively deeper civic service. I hope to contribute steady judgment and practical experience now, while building the knowledge and perspective that may allow me to serve my community in broader civic roles in the future.

Black Mountain benefits when its public boards include members who are prepared, ethical, collaborative, and willing to take their responsibilities seriously. I would be honored to contribute those qualities to the ABC Board.

EXPERIENCE, EDUCATION, CERTIFICATIONS

Please provide any educational, certifications or experience that you could bring to this Board or Commission. ***Please use additional sheet if necessary.***

I hold a Master of Library and Information Science degree and have more than 20 years of experience in county public service.
Certifications include:

- NC Public Librarian Certification (#10943 issued 2018)
- UNC School of Governance Effective Supervisory Management Program (2017)
- Idaho Commission for Libraries Certificate in Ethics and Public Service (2020)
- Western Carolina University Certification in Effective Managerial and Supervisory Communication (2021)
- National Council for Mental Health Wellbeing Mental Health First Aid Certificate (2025)

OTHER INFORMATION

Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member. ***Please use additional sheet if necessary.***

If appointed, I would bring care, preparation, and a strong sense of responsibility to my service on the ABC Board. I understand that the Board's work requires thoughtful oversight, sound judgment, and respect for the staff who manage daily operations. I would take that responsibility seriously by attending meetings consistently, reviewing materials in advance, honoring conflict-of-interest requirements, and working collaboratively with fellow board members, Town leadership, the ABC Store manager, and staff.
I have spent more than twenty years in public service with Buncombe County, and that experience has shaped the way I approach community work. In my current library role, I work closely with residents, Town representatives, nonprofit partners, volunteers, staff, and community organizations to provide public services that are accessible, accountable, and responsive to local needs. My goal would be to bring that same spirit of integrity, collaboration, and practical stewardship to service on the ABC Board for the Town of Black Mountain.

Before signing the application, please read the information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically, this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon appointment. If you are being reappointed to another term, you will also need to be sworn in. ***Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.***
- Exceptions to the above statement may exist for some boards, and for purposes of regional memberships. Any exceptions will be

made on a case-by-case basis. If an appointed member moves out of the town limits during their term, they must immediately inform the staff liaison, or the Town Clerk.

- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    1. ***Code of Ethics***
    2. ***Attendance Policy***
    3. ***Policies & Procedures for Administering Boards and Commissions.***
- Each appointed member will be provided with the current Handbook for Advisory Board, Commission & Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.
- For any application or appointment questions, please contact the Town Clerk's office via: town.clerk@tobm.org, or 828-419-9310.

SIGNATURE & ACKNOWLEDGEMENT

By providing your signature, you confirm the information provided is correct and you agree to all information contained within this application. You also agree that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.

Melisa Kessler _____ 7/3/2026

Applicant Signature ***Date***

Submitted applications will be kept on file for a period of one (1) year in the Town Clerk's office. Thank you for your interest!

Please return the completed application to the Town Clerk by the following methods:

- Via email: town.clerk@tobm.org
- Drop off at Town Hall, Monday-Friday 8am-5pm, 160 Midland Ave.
- USPS Mail: Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711.

Town of Black Mountain
160 Midland Avenue, Black Mountain, NC 28711
Phone (828) 419-9300 Fax (828) 669-4204
www.townofblackmountain.org

Application revised 05.19.2025

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER:	Wesley Barker, Town Clerk	**MEETING DATE:**	July 13, 2026
AGENDA SECTION:	New Business	**DEPARTMENT:**	Town Clerk
TITLE OF ITEM:	Planning Board Appointment		

SUGGESTED MOTION(S):

Motion to appoint _____ to the Planning Board to a three-year term.

SUMMARY:

The Black Mountain Planning Board consists of seven (7) members each serving three-year staggered terms. Over the last couple years, some of the Planning Board members terms have been extended by one-year at a time by the Council while the Unified Development Ordinance (UDO) process was underway, with the intent of these members remaining on the Board to see the UDO through to adoption.

At the May 2026 Planning Board meeting, Town Attorney Craig Justus suggested that the Planning Board members who are due to rotate off of the Planning Board in July 2026 consider staying one (1) more year, pending Council approval. The following members stated they would be willing to stay on another year: Pam Norton, Lauronda Teeple and Chris Collins. Council Members Berry & Stone were present at the Planning Board members, and were in favor of members serving one more year and suggested the full Council discuss at the June 8, 2026 meeting. At the June 8, 2026 Council meeting, Council voted in favor of extending these named members' terms for an additional one (1) year, expiring July 2027.

Rick Earley resigned from the Planning Board in May 2026, which leaves an open seat on the Planning Board. This vacant seat's term would have expired in July 2026, so whoever is appointed will serve a full three-year term, expiring July 2029.

Two applications were received who chose the Planning Board as their primary preference. These applicants are Alan Simmons and Angela Levine, and their applications are attached.

Council should discuss and make an appointment to fill this vacant seat on the Planning Board. Council may nominate an applicant, or prefer to utilize the ballot voting method which will be tallied by the Town Clerk at the meeting.

Current members are as follows. ***Please note that when appointments are considered in 2027 for Planning Board members a majority of the board will be rotating off, so, the terms of some seats will need to be staggered (a few with only a 2 year term, a few with 3 years, etc.) in order to get back on track with staggered terms, so there is not a majority of the board rotating off at the same time.*

Name	Term Expiration
Chris Collins	7/1/2027
Pam Norton	7/1/2027
Lauronda Teeple	7/1/2027
Kathy Phillips	7/1/2027
Joe Laudenslayer	7/1/2028
Michael Churchman	7/1/2028
VACANT	7/1/2029

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. PB__Bd of Adj__Alan Simmons__June 2026
2. PB__RecCom_Angela Levine__June 2026

Town of Black Mountain Advisory Board and Commission Application

Thank you for your interest in being a member of the Town of Black Mountain's Advisory Boards & Commissions.To ensure that your application will receive full consideration, please answer all questions completely. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. Submitted applications will be kept on file for a period of twelve months.

For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Webpage

Name
Alan Simmons

Do you live inside the Incorporated Town (City) Limits of Black Mountain?
Yes

Physical Address
200 Stafford Street, Black Mountain, North Carolina 28711

Mailing Address (if different than above)

Primary Email
preferthepresent@gmail.com

Primary Phone
(773) 220-5018

Other Phone (if applicable)

Are you seeking reappointment?
No

Please select the Board or Commission you wish to apply for (or seeking reappointment to).
Board of Adjustment
Planning Board

Primary Preference
Plannnig Board

Secondary Preference
Board of Adjustment

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement.
I currently volunteer with Bounty and Soul; Literacy Together; and the Wilson Community Garden.

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member?
I wish to deepen my engagement with my community. As a new homeowner, I appreciate the value of orderly and fast processes, and would like to help facilitate for my fellow homeowners and business

owners processes related to land use.

Experience, Education, Certifications
B.S. Physics, Louisiana State University. Currently an employee of the University of Pittsburgh.

Optional- Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member.

I understand that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.
Yes

Signature

Date
6/7/2026



Please read this information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon appointment. If you are being reappointed to another term, you will also need to be sworn in.
- **Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.** Exceptions to the above statement may exist for some boards, and for purposes of regional memberships.
- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    - ***1) Code of Ethics***
    - ***2) Attendance Policy***
    - ***3) Policies & Procedures for Administering Boards and Commissions.***
- Each appointed member will be provided the current Handbook for Advisory Board, Commission & Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.
- For any application or appointment questions, please contact the Town Clerk's office via:

town.clerk@tobm.org, or 828-419-9310.

Town of Black Mountain Advisory Board and Commission Application

Thank you for your interest in being a member of the Town of Black Mountain's Advisory Boards & Commissions.To ensure that your application will receive full consideration, please answer all questions completely. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. Submitted applications will be kept on file for a period of twelve months.

For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Webpage

Name
Angela Levine

Do you live inside the Incorporated Town (City) Limits of Black Mountain?
Yes

Physical Address
172 Settings Blvd., Black Mountain, North Carolina 28711

Mailing Address (if different than above)

Primary Email
angelalevine@hotmail.com

Primary Phone
(336) 575-0790

Other Phone (if applicable)

Are you seeking reappointment?
No

Please select the Board or Commission you wish to apply for (or seeking reappointment to).
Planning Board
Recreation Commission

Primary Preference
Plannnig Board

Secondary Preference
Recreation Commission

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement.
I served as the President of Dress For Success in Winston-Salem, North Carolina; I've been the Secretary and Second-vice Chair of two different county political groups; I was appointed by the mayor to the City of Winston-Salem University, a leadership cohort for people active within their community; I served on my HOA board

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member?

I've always been involved in the operation of local government and recently (1 1/2 years ago) moved to Black Mountain. Serving on a board seemed like a good way to learn more about the town and connect with other members of the community. I believe in the value of citizen-led boards and commissions and think government works best when community members are involved in solving problems and helping to craft policy.

Experience, Education, Certifications
Experience - 20 years experience in retail and corporate marketing; 5 years as an entrepreneur with one business and 11 years as an entrepreneur with another; 4 years in non-partisan political organizing

Education - B.S. from Virginia Tech, M.B.A. from Georgia State University

Optional- Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member.

I understand that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.
Yes

Signature

Date
6/23/2026



Please read this information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon appointment. If you are being reappointed to another term, you will also need to be sworn in.
- **Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.** Exceptions to the above statement may exist for some boards, and for purposes of regional memberships.
- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    - ***1) Code of Ethics***

    - ***2) Attendance Policy***
    - ***3) Policies & Procedures for Administering Boards and Commissions.***
- Each appointed member will be provided the current Handbook for Advisory Board, Commission & Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.
- For any application or appointment questions, please contact the Town Clerk's office via: town.clerk@tobm.org, or 828-419-9310.

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER: Wesley Barker, Town Clerk **MEETING DATE:** July 13, 2026

AGENDA SECTION: New Business **DEPARTMENT:** Town Clerk

TITLE OF ITEM: Board of Adjustment Appointments

SUGGESTED MOTION(S):

Motion to appoint Mary Kyryk to the Board of Adjustment as alternate #2.
(and if not appointed to Planning Board) Motion to appoint Alan Simmons to the Board of Adjustment as alternate #3.

SUMMARY:

The Board of Adjustment consists of 5 members each serving a 3-year term, and 3 alternate members without expiring terms. The Town Council appoints this membership. When a vacancy occurs within the regular membership, alternate members move forward from the alternate seats (in which their 3-year terms begin), and any new membership is appointed to the alternate seats. Having alternate appointments, ensures the Board of Adjustment can have quorums to conduct business if a regular member is absent.

Current Board of Adjustment members are as follows:

Linda Brinson, Term Expires: July 2028
David Barley, Term Expires: July 2028
John Hines, Term Expires: July 2028
Nicole Stallings, Term Expires: July 2027
Mary E. Hall, Term Expires: July 2027

Alternates
Alt. 1. Ted Rausch
Alt. 2. Vacant
Alt. 3. Vacant

Currently, the Board of Adjustment's regular membership is full, but 2 alternate seats are available. One application was received that indicated the Board of Adjustment as a primary preference. This was from Mary Kyryk. Application attached. Additionally, an application submitted by Alan Simmons indicated the Board of Adjustment as a secondary preference

(Planning Board primary preference), so if Alan Simmons is not appointed to the Planning Board, he can be considered to fill the other alternate seat on Board of Adjustment.

It is recommended that Council appoint Mary Kyryk to the Alternate #2 seat. Then, ***if*** Alan Simmons is not appointed to the Planning Board, it is recommended he be appointed to the Alternate #3 seat.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. Bd of Adj__PB_Mary Kyryk__May 2026
2. PB__Bd of Adj__Alan Simmons__June 2026

Town of Black Mountain Advisory Board and Commission Application

Thank you for your interest in being a member of the Town of Black Mountain's Advisory Boards & Commissions.To ensure that your application will receive full consideration, please answer all questions completely. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. Submitted applications will be kept on file for a period of twelve months.

For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Webpage

Name

Mary
First

Kyryk
Last

Do you live inside the Incorporated Town (City) Limits of Black Mountain?

⊙ Yes ○ No

*if you are unsure, please contact the Town Clerk's office via town.clerk@tobm.org or 828-419-9300. Some boards & commissions require that members must reside within the Black Mountain Town Limits to be eligible.

Physical Address

23 Eagles Pass Drive
Address Line 1

Address Line 2

Black Mountain
City

North Carolina
State

28711
Zip Code

Mailing Address (if different than above)

Address Line 1

Address Line 2

City

State

Zip Code

Primary Email

mkyryk@live.com

This is the primary method of communicating with board/commission members and will be how you will receive agendas and meeting notifications.

Primary Phone

(484) 213-1157

Other Phone (if applicable)

Are you seeking reappointment?
○ Yes ⦿ No

Please select the Board or Commission you wish to apply for (or seeking reappointment to).

☐ ABC Board
☐ Active Mobility Commission
☑ Board of Adjustment
☐ Historic Preservation Commission
☑ Planning Board
☐ Recreation Commission
☐ Black Mountain Library Maintenance Board*
☐ MSD (Metropolitan Sewerage District Board)**

For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Page

**The Black Mountain Library Maintenance Board is a volunteer board established to assist the Town in fulfilling its responsibilities to support & maintain the physical condition of the Library facility and management of both minor/major maintenance for Library.*

***The MSD Board is a non-Town body of which Council Members may appoint a member from its own membership or appoint a Town resident. Currently, the Town of Black Mountain has one (1) seat on this board which does not expire until January 2027. Reference MSD Board of Directors Website.*

If you are seeking a new appointment, you may apply for more than one advisory board or commission. However, an applicant will only be appointed for one board or commission seat, not multiple seats. The Library Board is exempt from this rule.

Primary Preference

Board of Adjustment

If you selected multiple boards or commissions that you are interested in, please indicate your preferred primary choice in the dropdown menu.

Secondary Preference

Plannnig Board

If you selected multiple boards or commissions that you are interested in, please indicate your secondary choice in the dropdown menu.

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement.

I volunteered for four years on the Economic Development Committee in Collegeville, PA (the town of our prior residence), which worked to attract new small businesses to the downtown district. I am also currently volunteering on the Planning Committee for the Sourwood Festival.

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member?

We searched for several years before selecting Black Mountain as our home. It's a wonderful place to live and we plan to stay here. I'm very interested in getting involved to help guide the future direction and growth of our community.

Experience, Education, Certifications

Please provide any educational, certifications or experience that you could bring to this Board/Commission.

Optional- Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member.

☑ I understand that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.

Signature



Date

5/13/2026

By providing your signature, you confirm the information provided is correct and you agree to all information contained within this application.

Please read this information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon

appointment. If you are being reappointed to another term, you will also need to be sworn in.

- **Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.** Exceptions to the above statement may exist for some boards, and for purposes of regional memberships.
- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    - ***1) Code of Ethics***
    - ***2) Attendance Policy***
    - ***3) Policies & Procedures for Administering Boards and Commissions.***
- Each appointed member will be provided the current Handbook for Advisory Board, Commission & Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.
- For any application or appointment questions, please contact the Town Clerk's office via: town.clerk@tobm.org, or 828-419-9310.

Town of Black Mountain Advisory Board and Commission Application

Thank you for your interest in being a member of the Town of Black Mountain's Advisory Boards & Commissions.To ensure that your application will receive full consideration, please answer all questions completely. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. Submitted applications will be kept on file for a period of twelve months.

For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Webpage

Name
Alan Simmons

Do you live inside the Incorporated Town (City) Limits of Black Mountain?
Yes

Physical Address
200 Stafford Street, Black Mountain, North Carolina 28711

Mailing Address (if different than above)

Primary Email
preferthepresent@gmail.com

Primary Phone
(773) 220-5018

Other Phone (if applicable)

Are you seeking reappointment?
No

Please select the Board or Commission you wish to apply for (or seeking reappointment to).
Board of Adjustment
Planning Board

Primary Preference
Plannnig Board

Secondary Preference
Board of Adjustment

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement.
I currently volunteer with Bounty and Soul; Literacy Together; and the Wilson Community Garden.

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member?
I wish to deepen my engagement with my community. As a new homeowner, I appreciate the value of orderly and fast processes, and would like to help facilitate for my fellow homeowners and business

owners processes related to land use.

Experience, Education, Certifications
B.S. Physics, Louisiana State University. Currently an employee of the University of Pittsburgh.

Optional- Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member.

I understand that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.
Yes

Signature

Date
6/7/2026

J. Alan Simmons

Please read this information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon appointment. If you are being reappointed to another term, you will also need to be sworn in.
- **Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.** Exceptions to the above statement may exist for some boards, and for purposes of regional memberships.
- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    - ***1) Code of Ethics***
    - ***2) Attendance Policy***
    - ***3) Policies & Procedures for Administering Boards and Commissions.***
- Each appointed member will be provided the current Handbook for Advisory Board, Commission & Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.
- For any application or appointment questions, please contact the Town Clerk's office via:

town.clerk@tobm.org, or 828-419-9310.

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER: Wesley Barker, Town Clerk **MEETING DATE:** July 13, 2026

AGENDA SECTION: New Business **DEPARTMENT:** Town Clerk

TITLE OF ITEM: Active Mobility Commission Appointments

SUGGESTED MOTION(S):

Recommeded Motion: To re-appoint Kristie Bergna, and appoint Edwin Aaronson to the Active Mobility Commission each for a three-year term.

SUMMARY:

The Active Mobility Commission (AMC) consists of seven (7) members each serving three-year terms. Currently, two seats on the AMC are expiring and there is one vacant seat. One of these current members has reapplied to serve a second three-year term, while the other member chose not to serve a second three-year term. Two applications were submitted by citizens who indicated the AMC as their primary preference. These were Kristie Bergna (applying for re-appointment) and Edwin Aaronson (new applicant). These applications are attached, and both are eligible to serve. Council should review and make these 2 appointments to the AMC. There will still be one vacancy on the AMC, and recruitment will continue.

Last Name	First Name	Expiration Date
Claeys	Jeremy	7/1/2028
White	Julie	7/1/2027
Neal	Karen	7/1/2027
Bergna	Kristie **applied for re-appointment*	7/1/2029

Vacant		7/1/2029
Rausch	Janice	7/1/2028
Vacant		7/1/2028

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. AMC_Edwin Aaronson__June 2026
2. AMC_Kristie Bergna__June 2026

Town of Black Mountain Advisory Board and Commission Application

Thank you for your interest in being a member of the Town of Black Mountain's Advisory Boards & Commissions.To ensure that your application will receive full consideration, please answer all questions completely. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. Submitted applications will be kept on file for a period of twelve months.

For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Webpage

Name
Edwin Aaronson

Do you live inside the Incorporated Town (City) Limits of Black Mountain?
Yes

Physical Address
167 Vance Ave, Black Mountain, North Carolina 28711

Mailing Address (if different than above)
North Carolina

Primary Email
edwinaaronson@gmail.com

Primary Phone
(610) 470-1584

Other Phone (if applicable)

Are you seeking reappointment?
No

Please select the Board or Commission you wish to apply for (or seeking reappointment to).
Active Mobility Commission

Primary Preference	Secondary Preference
Active Mobility Commission	

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement.
I have attended most of the Active Mobility Commission meetings this year and thoroughly enjoyed them. I also regularly oversee projects from braistorm to final product as I've run my own business for the past 10 years.

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member?
I am fortunate to live in a spot where I can ride my bike or walk to all my town needs, but there are still improvements that can be made for others who want to walk or bike and I think I will have a unique and

knowledgeable perspective to bring to the table during commission meetings.

Experience, Education, Certifications
I graduated with a Bachelor of Fine Arts in Communication Design from Kutztown University of Pennsylvania in 2013.
Before that, I had reached the rank of Eagle Scout at 18
And as of now I have been a woodworker for over 10 years and been running my own business for that same length of time, and I'm a first time home owner her in Black Mountain.

Optional- Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member.
I am excited to have this opportunity and am excited to see what the next few years hold for Black Mountain.

I understand that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.
Yes

Signature

Date
6/14/2026



Please read this information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon appointment. If you are being reappointed to another term, you will also need to be sworn in.
- **Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.** Exceptions to the above statement may exist for some boards, and for purposes of regional memberships.
- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    - ***1) Code of Ethics***
    - ***2) Attendance Policy***
    - ***3) Policies & Procedures for Administering Boards and Commissions.***

- Each appointed member will be provided the current Handbook for Advisory Board, Commission & Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.
- For any application or appointment questions, please contact the Town Clerk's office via: town.clerk@tobm.org, or 828-419-9310.

Town of Black Mountain Advisory Board and Commission Application

Thank you for your interest in being a member of the Town of Black Mountain's Advisory Boards & Commissions.To ensure that your application will receive full consideration, please answer all questions completely. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. Submitted applications will be kept on file for a period of twelve months.

For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Webpage

Name
Kristie Bergna

Do you live inside the Incorporated Town (City) Limits of Black Mountain?
Yes

Physical Address
37 Winding Poplar Road, Black Mountain, North Carolina 28711

Mailing Address (if different than above)
37 Winding Poplar Road, Black Mountain, North Carolina 95616

Primary Email
kbergna@gmail.com

Primary Phone
(707) 291-7805

Other Phone (if applicable)

Are you seeking reappointment?
Yes

Please select the Board or Commission you wish to apply for (or seeking reappointment to).
Active Mobility Commission

Primary Preference **Secondary Preference**

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement.
I worked in environmental engineering with a specific love for redesigning commercial and industrial areas to both serve their intended purpose and also be an outdoor space that employees could enjoy. Some projects I oversaw were: creating and designing a one mile nature trail around an industrial complex, an industrial wastewater cleaning system for water reuse in crop irrigation, and creating dry creek beds with native species plantings for stormwater management thus reducing erosion and sediment traveling into public waterways. I specifically enjoyed getting employees out in nature, involved in these projects, and excited for protecting the land around them.

I have also served on the AMC board for the past three years and volunteer with Bounty and Soul.

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member?
Due to a degenerative eye disease I have limited vision and know first hand how important having non motorized pathways, sidewalks, etc is to people of different abilities. I want our town to be accessible and welcoming to as many people as possible; ranging from those with disabilities, to families with strollers, pet owners, elderly, and everyone in between. In the past three years I've enjoyed problem solving with the AMC in finding creative solutions to connectivity issues around town.

Experience, Education, Certifications
B.A. Art History, Minor Exercise Physiology University of California, Davis 2008
Active Mobility Commission Member August 2023 - Current

Optional- Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member.
As I said previously, I also deal with limited mobility due to vision impairment. This means that I have a keen eye (haha, pun intended) for ways to make accessibility broader. I'm able to notice things that those without impairment may not have needed to think about. This allows me to predict issues from the start rather than addressing issues as they arise. If issues do arise, I'm very open to asking the person needing assistance for suggestions and fully understanding the scope of why something is difficult for them. I believe you can only truly know from your own experience, but the best way of helping others and learning about their lived experience is to fully listen and engage with what they are expressing.

I understand that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.
Yes

Signature

Date
6/20/2026

Kristie Bergna

Please read this information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon

appointment. If you are being reappointed to another term, you will also need to be sworn in.

- **Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.** Exceptions to the above statement may exist for some boards, and for purposes of regional memberships.
- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    - ***1) Code of Ethics***
    - ***2) Attendance Policy***
    - ***3) Policies & Procedures for Administering Boards and Commissions.***
- Each appointed member will be provided the current Handbook for Advisory Board, Commission & Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.
- For any application or appointment questions, please contact the Town Clerk's office via: town.clerk@tobm.org, or 828-419-9310.

TOWN OF BLACK MOUNTAIN

AGENDA ITEM SUMMARY

SUBMITTER: Wesley Barker, Town Clerk **MEETING DATE:** July 13, 2026

AGENDA SECTION: New Business **DEPARTMENT:** Town Clerk

TITLE OF ITEM: Historic Preservation Commission Appointment

SUGGESTED MOTION(S):
Motion to appoint, or reappoint, _____ to the Historic Preservation Commission for a three-year term.

SUMMARY:

The Historic Preservation Commission consists of 5 members each serving a 3-year term. The current appointed members are as follows with the term expiration dates:

Debra Norman, Term Expires: July 2026**
Melinda Hester, Term Expires: July 2027
Chris Zajac, Term Expires: July 2027
Lardner Moore, Jr., Term Expires: July 2028
Elizabeth Swann, Term Expires: July 2028

**Debra Norman's term is expiring on the HPC. She has served one full three-year term, but is eligible and interested in serving a second three-year term.
Additionally, two other applications were submitted, and noted HPC as their primary preference. These applicants were Paul Clark and Mary Soyenova. Their applications are attached.
Council should review and determine who to appoint, or reappoint, to the HPC for a three-year term. If preferred, voting can be conducted via ballot method if a singular nominee is not made.

BUDGET IMPACT:

Is this expenditure approved in the current fiscal year budget? n/a

If no, describe how it will be funded. n/a

ATTACHMENTS:

1. HPC__Mary Soyenova_March 2026
2. HPC_BMLMB__Paul Clark__May 2026
3. HPC_Debbie Norman (for reappointment_2023 application)

Town of Black Mountain
Advisory Board and Commission Application

Thank you for your interest in the Town of Black Mountain's Advisory Boards & Commissions. To ensure that your application will receive full consideration, please submit a complete application. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. If you prefer to fill an application out online, visit: https://www.townofblackmountain.org/154/Boards-Commissions or scan QR code.

SCAN ME

APPLICANT INFORMATION

First Name: MARY ***Last Name:*** SOYENOVA

PHYSICAL ADDRESS

Address: 237 OLD TOWN CIRCLE

City: BLACK MOUNTAIN ***State:*** NC ***Zip:*** 28711

MAILING ADDRESS *(if different than above)*:

Address: SAME

City: _____ ***State:*** _____ ***Zip:*** _____

Do you live inside the Town Limits of Black Mountain? Yes____ No X

**If you are unsure, please contact the Town Clerk's office via town.clerk@tobm.org or 828-419-9300. Some boards & commissions require that members must reside within the Black Mountain Town Limits to be eligible. Some exceptions may apply.*

EMAIL ADDRESS: MARYSOYENOVA@BELLSOUTH.NET
(This is the preferred communication method for advisory board/commission members)

PHONE NUMBER: Main (828)216-7511 **Other** (____) _____

Are you seeking re-appointment? Yes ✓ No ____

ADVISORY BOARD/COMMISSION PREFERENCE

Please select the Board or Commission you wish to apply for (or seeking reappointment to):

____ ABC Board	____ Recreation Commission
____ Active Mobility Commission	____ Board of Adjustment
✓ Historic Preservation Commission	____ Black Mountain Library Maintenance Board*
____ Planning Board	____ MSD (Metropolitan Sewerage District) Board**

- If you are seeking a new appointment, you may apply for more than one board or commission. However, an applicant will only be appointed for one board or commission seat, not multiple seats.
- For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Page at https://www.townofblackmountain.org/154/Boards-Commissions.
- *The Black Mountain Library Maintenance Board is a volunteer board established to assist the Town in fulfilling its responsibilities to support and maintain the physical condition of the Library facility & management of both minor/major maintenance for the Library.
- **The MSD Board is a non-Town body of which Council Members may appoint a member from its own membership or appoint a Town resident. Currently, the Town of Black Mountain has one (1) seat on this board which does not expire until January 2027. Reference MSD Board of Directors Website, https://www.msdbc.org

PRIMARY & SECONDARY BOARD/COMMISSION PREFERENCES:

If you selected multiple boards or commissions that you are interested in, please indicate your preferred primary board/commission choice: _____, and secondary board/commission choice: _____.

CIVIC INVOLVEMENT

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement. *Please use additional sheet if necessary.*

I'VE BEEN A SIGN MAKER IN BLACK MOUNTAIN FOR 32 YEARS. I'VE BEEN THE PRESIDENT OF THE CHAMBER OF COMMERCE, AND VOLUNTEER AT BOUNTY & SOUL (FOR 10 YEARS!)

STATEMENT OF INTEREST

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member? *Please use additional sheet if necessary.*

THE TOWN OF BLACK MOUNTAIN IS A UNIQUE VILLAGE. IT'S IMPORTANT TO KEEP THAT SPECIAL FEEL. WE CAN'T LEGISLATE GOOD TASTE, BUT WE CAN TRY TO KEEP THE HISTORICAL FLAVOR OF A TOWN THAT RELIES ON TOURISM.

EXPERIENCE, EDUCATION, CERTIFICATIONS

Please provide any educational, certifications or experience that you could bring to this Board or Commission. *Please use additional sheet if necessary.*

OTHER INFORMATION

Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member. *Please use additional sheet if necessary.*

Before signing application, please read this information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically, this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon appointment. If you are being reappointed to another term, you will also need to be sworn in.
- ***Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.*** Exceptions to the above statement may exist for some boards, and for purposes of regional memberships. Any exceptions will be

made on a case-by-case basis. If an appointed member moves out of the town limits during their term, they must immediately inform the staff liaison, or the Town Clerk.

- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    1. ***Code of Ethics***
    2. ***Attendance Policy***
    3. ***Policies & Procedures for Administering Boards and Commissions.***
- Each appointed member will be provided with the current Handbook for Advisory Board, Commission & Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.
- For any application or appointment questions, please contact the Town Clerk's office via: town.clerk@tobm.org, or 828-419-9310.

SIGNATURE & ACKNOWLEDGEMENT

By providing your signature, you confirm the information provided is correct and you agree to all information contained within this application. You also agree that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.

Mary Gonzalez — 3/19/2026

Applicant Signature ***Date***

Submitted applications will be kept on file for a period of one (1) year in the Town Clerk's office. Thank you for your interest!

Please return the completed application to the Town Clerk by the following methods:

- Via email: town.clerk@tobm.org
- Drop off at Town Hall, Monday-Friday 8am-5pm, 160 Midland Ave.
- USPS Mail: Attn: Town Clerk, 160 Midland Ave., Black Mountain, NC 28711.

Town of Black Mountain
160 Midland Avenue, Black Mountain, NC 28711
Phone (828) 419-9300 Fax (828) 669-4204
www.townofblackmountain.org

Application revised 05.19.2025

Town of Black Mountain Advisory Board and Commission Application

Thank you for your interest in being a member of the Town of Black Mountain's Advisory Boards & Commissions.To ensure that your application will receive full consideration, please answer all questions completely. Incomplete applications will not be considered. Please note this application is a public record upon submittal per N.C.G.S. Chapter 132.-1. Submitted applications will be kept on file for a period of twelve months.

For more information about each board/commission, visit Town of Black Mountain Advisory Boards & Commissions Webpage

Name
Paul Clark

Do you live inside the Incorporated Town (City) Limits of Black Mountain?
Yes

Physical Address
1 Gold Leaf Walk Way, Black Mountain, North Carolina 28711

Mailing Address (if different than above)

Primary Email
pclark57@live.com

Primary Phone
(703) 474-0095

Other Phone (if applicable)

Are you seeking reappointment?
No

Please select the Board or Commission you wish to apply for (or seeking reappointment to).
Historic Preservation Commission

Primary Preference	Secondary Preference
Historic Preservation Commission	Black Mountain Library Board

Please list any relevant experience related to the board/commission you are applying for and any prior (or current) civic involvement.
Served on the Fairfax County, VA Community Action Advisory Board (CAAB) 2009-2014 - oversaw Federal Community Service Block Grant (CSBG) funding to local social service organizations providing support to economically marginalized communities in Fairfax/Fairfax County VA.

Why do you wish to serve (or continue serving) the Town in this capacity as a Board or Commission member?
Serving on the Historic Preservation Commission is of great interest in that I believe much can be learned from the past.I have long held a deep interest in history and in the ways our shared past continues to

shape the character, values, and challenges of the present. Historic preservation is important to me not simply as the protection of buildings or places, but as a means of preserving the stories, experiences, and cultural memory of a community. I believe thoughtful preservation can strengthen civic identity, foster a richer understanding of current events, and help communities make wiser decisions about the future while remaining connected to their roots.

Experience, Education, Certifications
B.A. Sociology, Master of Social Work (MSW), PhD Social Work, Licensed Clinical Social Worker (LCSW)

Optional- Please provide any other helpful information you'd like to share about your intentions to serve as a Board/Commission member.

I understand that by submitting this application it becomes a public record per N.C.G.S. Chapter 132-1.
Yes

Signature



Date
5/21/2026

Please read this information below for next steps in the appointment process and general information.

- Applications will be compiled and presented to the Town Council for consideration of appointment at an upcoming meeting. Typically this will occur at the July Council meeting for annual appointments, but if resignations occur, the Council may consider appointments at other times during the year. Submitted applications will remain on file for a period of one (1) year.
- Individuals selected for appointment by the Town Council will assume their position once they are duly sworn in. The Town Clerk will contact you to make arrangements for swearing in upon appointment. If you are being reappointed to another term, you will also need to be sworn in.
- **Some Boards & Commissions require that members must reside within the Black Mountain Town Limits to be eligible to serve.** Exceptions to the above statement may exist for some boards, and for purposes of regional memberships.
- All Town of Black Mountain Advisory Board and Commission members must operate under the following policies set forth by the Town Council and are included in the 'Handbook for Advisory Board, Commission & Committee Members' last adopted by Town Council on November 4, 2019.
    - ***1) Code of Ethics***
    - ***2) Attendance Policy***
    - ***3) Policies & Procedures for Administering Boards and Commissions.***
- Each appointed member will be provided the current Handbook for Advisory Board, Commission &

Committee Members, and must indicate they have received and will abide by said material by signing an acknowledgement form, which will be kept on file by the Town Clerk's office for the duration of their term.

- For any application or appointment questions, please contact the Town Clerk's office via: town.clerk@tobm.org, or 828-419-9310.

Board and Commission Application

The Town of Black Mountain Town Council have adopted this application for use by individuals interested in appointment to the Town's advisory boards and commissions. To ensure that your application will receive full consideration, please answer all questions completely. Incomplete applications will NOT be considered. Contact town.clerk@tobm.org with questions. Thank you for your interest in appointment to the Town of Black Mountain's Boards and Commissions. Individuals selected for appointment by the Town Council will assume their position on the date of Town Council approval and after they are sworn in. The Town Clerk will contact you to make arrangements for swearing in. All Town of Black Mountain Advisory Boards and Commissions must operate by the ethics, policies and laws set forth in the Boards & Commissions Handbook. **Application is a public record**

Name
Debra Norman

Address
230 N. Fork Rd, Black Mountain, North Carolina 28711

Do you live inside the town limits of Black Mountain?
No

Phone
(919) 410-1363

Email
debinormannc@gmail.com

ADVISORY BOARD/COMMISSION PREFERENCE
Historic

Are you seeking reappointment?
No

Why do you wish to serve the Town (or continue serving) in this capacity?
I am all about History. We have such a beautiful, historic community; I would like to be part of preserving it.

Experience & Civic Involvement

Education & Certifications
I am a nurse

Other Helpful Information (not required)

Signature



Date
7/13/2023

I understand that this application is a public record
Yes