



TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
AGENDA WORKSHOP MEETING MINUTES
June 6, 2019

THE BLACK MOUNTAIN BOARD OF ALDERMEN held an agenda workshop on Thursday, June 5, 2019 at 5:00 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of the meeting was to review the agenda for the regular monthly meeting scheduled for Monday, June 10, 2019 at 6:00 p.m.

1. CALL TO ORDER

Mayor Don Collins called the meeting to order at 5:00 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry B. Harris
Alderman Carlos Showers
Alderman Ryan Stone
Alderman Tim Raines

The following staff members were present:

Josh Harrold, Town Manager
Dean Luebbe, Assistant Town Manager
Angela L. Reece, Town Clerk
Ron Sneed, Town Attorney

Shawn Freeman, Police Chief
Scottie Harris, Fire Chief
Jessica Trotman, Planning Director
Joshua Henderson, Recreation Director
Jamey Matthews, Public Works Director

The Board reviewed the items that were proposed for the June 10, 2019 regular session meeting and made no changes.

Mayor Don Collins opened the meeting. Town Manager, Josh Harrold presented the proposed agenda to the Board of Aldermen. Minister Jack Taylor of Mountain View Church, Black Mountain will give the invocation. Manager Harrold stated a proclamation honoring Bob McMurray will be presented at the regular meeting.

Town Manager, Josh Harrold discussed **Item 4A**, System Development Fee Study, stating this study is required by NC General Statutes for municipalities who will issue system development fees (old terminology - "*impact fees*"). Manager Harrold stated Dale Schepers, Senior Consultant with McGill Associates will present the report to the Board at their regular meeting. The following information and notice was posted on the Town's website in accordance with NC House Bill 436 on May 22, 2019.

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Purpose and Statement

The North Carolina General Assembly passed [House Bill 436](#) in July 2017, amending Chapter 162A of the General Statutes by adding “Article 8, System Development Fees.” This amendment was enacted as “An Act to Provide for Uniform Authority to Implement System Development Fees for Public Water and Sewer Systems in North Carolina and to clarify the Applicable Statute of Limitations” which requires compliance with designated calculation methodology.

Through House Bill 436 (HB 436), the General Assembly of North Carolina established a uniform approach and associated methodology required for local governmental units to calculate and implement System Development Fees (SDF) for public water and sewer systems.

What are System Development Fees?

System Development Fees are defined as a charge imposed on each new customer or development that generally offsets the incremental cost of replacing existing and/or constructing new capital assets to provide capacity that will continue to meet the demands placed on the system by each new customer or development. Since water system capacity must, without exception, exceed customer demands, the major infrastructure components providing this capacity, such as water treatment plants, reservoirs, wells, pump stations, etc., must be planned and constructed well in advance and in large enough increments to keep pace with anticipated demand on the available system capacity.

More Information

The Town of Black Mountain retained McGill Associates (McGill) to review and make recommendations for revisions as necessary to water system development fees (SDFs) to conform with HB436. McGill Associates is a qualified in engineering disciplines and financial analysis and has the expertise and experience to determine system development fees. McGill has prepared a report of their findings and are encouraging public comment.

Public Presentation & Hearing Notice

McGill Associates will **present the System Development Fee Study Findings** to the Town of Black Mountain Board of Aldermen and Citizens at the regularly scheduled Board of Aldermen meeting on **Monday, June 10, 2019 at 6:00 p.m.** in the board room of Town Hall located at 160 Midland Ave. Black Mountain NC 28711.

The Town of Black Mountain will hold a **public hearing** on the System Development Fee Study during their regularly scheduled meeting on **Monday, July 8, 2019 at 6:00 p.m.** in the board room of Town Hall located at 160 Midland Ave. Black Mountain NC 28711.

Public Comment

Public comments regarding system development fees are encouraged and may be submitted via email to comments-sffs@townofblackmountain.org . There will also be a comment period during the public hearing in July on this matter. A copy of the System Development Fee Study is available online at www.townofblackmountain.org.

Town Manager, Josh Harrold discussed **Item 5B**, Budget Amendment for Fund Transfer to Fiscal Year 2020 stating this amendment is necessary to move budgeted funds to the next fiscal year to continue installation of automatic water meters.

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Town Manager, Josh Harrold discussed **Item 7D** Town of Black Mountain Procurement Policy stating this policy mainly reflects current processes but places it within a policy.

Attorney Ron Sneed discussed **Item 5E**, Hemphill Property Resolution recalling previous direction given by the Board of Aldermen regarding rejection of a small portion of the Hemphill property in lieu of a secondary park access point as well as a future greenway right of way access. “The Board of Aldermen of the Town of Black Mountain does reject the offer of that portion of the Hemphill property described on the Buncombe County Tax Maps as PIN #0619-55-7327-00000, and that strip of land twenty feet in width bounded on its southern edge by the northern boundary of that property of Wm. Michael Begley shown on the Buncombe County Tax Maps as PIN #0619-65-0344-00000 if the following conditions are met.”

Attorney Ron Sneed discussed **Item 8A**, Offer received to purchase Town owned property located at 2992 U.S. Hwy 70, Black Mountain NC (Former Public Works Building) giving guidance per NC G.S. 160A-265. Article 12, Sale and Disposition of Property. Board members discussed interest in pursuing the sale of this property but agreed having an appraisal beforehand would inform their decisions moving forward. The Board directed staff to obtain an appraisal of the property.

Town Manager, Josh Harrold discussed **Item 8B**, Boards & Commissions Vacancies. Mayor Don Collins stated the preference of the board is to allow members to sit two terms then sit out a year before applying again in order to promote diversity and inclusion on all boards and commissions.

Town Manager, Josh Harrold discussed **Item 9C**, Text Amendment to Building Permit Ordinance stating staff would like to add a sentence to the draft ordinance indicating “the application shall also include any information required by statute”. Attorney Sneed stated the building code will change over time and said the language allows the ordinance to remain current.

Mayor Collins clarified term limits for board and commission members is mandated in their policy manual which is available on the Town’s website at www.townofblackmountain.org along with membership rosters and dates of service.

Manager Harrold stated he has met with John DeWitt (Children and Friends Inc.) who is requesting consideration of a lease of property on White Pine Drive in anticipation of receiving a construction loan for a new daycare facility. Alderman Larry B. Harris inquired regarding a past MOU (memorandum of understanding) in support of Children and Friends. Attorney Sneed stated if the Board was favorable to the idea of leasing property to the daycare he would need direction to prepare a lease. Attorney Sneed stated any lease would be treated as a sale of property if the term is more than 10 years. Alderman Carlos Showers clarified that funding of the facility is contingent upon a lease for the property. The Board agreed to visit this issue at their regularly scheduled July meeting.

Alderman Larry B. Harris moved to enter into closed session to consult with the town attorney, as permitted in NCGS § 143.318.11(a)(3) at 5:15 p.m. The motion was unanimously approved by a vote of 5-0.

Alderman Larry B. Harris moved to return to open session at 5:30 p.m. The motion was unanimously approved by a vote of 5-0.

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Alderman Larry B. Harris moved to enter into closed session to discuss personnel matters, as permitted in NCGS § 143.318.11(a)(6) at 5:15 p.m. The motion was unanimously approved by a vote of 5-0.

Alderman Larry B. Harris moved to return to open session at 5:30 p.m. The motion was unanimously approved by a vote of 5-0.

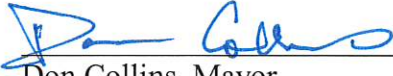
There was no further discussion.

There being no further discussion, on a motion by Alderman Larry B. Harris with a vote of 5-0 Mayor Don Collins adjourned the meeting at 5:30 p.m.

ATTEST:



Angela L. Reece, Town Clerk



Don Collins, Mayor