



TOWN OF BLACK MOUNTAIN

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

Date: December 9, 2019 Time: 6:00 p.m. Regular Session Minutes

*The agenda and all related documentation may be accessed electronically via Wi-Fi in Town Hall. From your laptop or smartphone, access the Town's website at www.townofblackmountain.org. Click on **Town Government** and select **Mayor and Board of Alderman** to download materials for all Town board meetings.*

 **Conserve resources; print only when necessary.**

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act (ADA). Hearing assistive devices are available at the door.

*Should you need other assistance or accommodation for this meeting, please contact
Town Clerk Angela Reece at 419-9310, or by email at townclerk@townofblackmountain.org
(828) 419-9300 / TDD (800) 735-2962*

1. CALL TO ORDER

Mayor Don Collins called the meeting to order at 6:00 p.m. with the following members present:

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

The following staff members were present:

Josh Harrold, Town Manager
Dean Luebbe, Assistant Town Manager/Finance Director
Angela Reece, Assistant to Manager/Town Clerk
Ron Sneed, Town Attorney
Shawn Freeman, Police Chief
Scottie Harris, Fire Chief
Jessica Trotman, Planning Director
Joshua Henderson, Recreation Director

Mayor Don Collins welcomed everyone and led the Pledge of Allegiance. Scottie Harris, Fire Chief of Black Mountain Fire Department gave the invocation.

Mayor Collins thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. The re-broadcast of each regular meeting is shown throughout the month on Charter Cable's Buncombe County Channel 192 at 8:00 p.m. on Sundays. Meetings initially air the same week in which they occur and are shown weekly until the next regularly scheduled meeting. Citizens may also go to the Town website www.townofblackmountain.org at any time and view the most recent regular meeting of the Board.

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In his announcements, Mayor Collins reminded everyone to silence their cell phones and asked them to be respectful of their neighbors by keeping conversations to a minimum or having none at all. Mayor Collins reminded the public to visit the Town’s website and subscribe to alerts to receive notifications of official Town business. www.townofblackmountain.org Mayor Collins also announced the retirement of his good friend, Jerry VeHaun who has given 48 years of service to Buncombe County Emergency Services. Mr. VeHaun is also the Mayor of the Town of Woodfin.

2. PROCLAMATION AND AWARD RECOGNITION - NONE

3. CITIZEN COMMENTS

*Individuals wishing to address the Board are asked to sign in at the entrance to the board room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Board. **Comments by any one speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a public hearing scheduled for this meeting, please reserve your comment for the applicable public hearing.*

Ron Marcello of Black Mountain addressed the Board of Aldermen expressing his concern over even year elections.

Shawn Slome of Black Mountain addressed the Board of Aldermen expressing his concern over boards and commissions appointments.

Marilyn Sobanski of Black Mountain addressed the Board of Aldermen and public regarding the 12th Annual Rainbow Recycling event. The event will be held on Saturday January 4, 2020 at Hopey & Co., 3018 U.S. Hwy 70 West.

4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES

A. Comprehensive Annual Financial Report – Mauldin & Jenkins

James Bence, CPA with Mauldin & Jenkins presented the Annual Financial Report to the Board of Aldermen. Mr. Bence stated the audit firm has issued an unmodified audit report (i.e., “clean opinions”). He stated the respective financial statements are considered to present fairly the financial position and results of operations as of, and for the year ended June 30, 2019. The Comprehensive Annual Financial Report (CAFR) and auditors report may be viewed in its entirety by visiting the Town’s website at www.townofblackmountain.org

B. Financial Report – Dean Luebbe, Assistant Town Manager/Finance Director

Assistant Town Manager/Finance Director, Dean Luebbe presented the annual financial report to the Board. In his report Mr. Luebbe discussed implementing further financial controls as recommended by the auditors specifically regarding payroll. Mr. Luebbe discussed the \$2.1M increase in net position stating this is mainly due to receiving grants. Mr. Luebbe stated the unassigned fund balance decreased slightly due to the purchase of the new Public Works building. Mr. Luebbe stated debt has increased to just under \$1.4M at the end of FY2019 mainly due to the

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new communication equipment lease for the Police Department. Mr. Luebbe stated the town can expect to retire the Town Square Debt in 2028 and the remainder of current debt in 2030.

5. CONSENT AGENDA

All items on the consent agenda are considered routine, to be enacted by one motion without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the consent agenda and considered separately.

Town Manager, Josh Harrold presented the consent agenda to the Board of Aldermen.

A. Adoption of Minutes

Motion: *To adopt the minutes of November 4, 2019 (Agenda Session), and November 4, 2019 (Regular Session).*

B. Adoption of 2020 Annual Schedule of Meetings

Motion: *To adopt the 2020 Board of Aldermen schedule of meetings as presented [or as amended].*

C. Call for Public Hearing for Text Amendments for Traffic Impact Analysis Ordinance

#O-20-01

Manager Harrold stated this item has come from the Planning Board and is adding language to the Land Use Ordinance to require developers to add a traffic impact analysis study for developments producing traffic counts exceeding 798 or more trips per day.

Motion: *To call for the public hearing for text amendments to Traffic Impact Analysis #O-20-01 to be held on Monday, January 13, 2020 at 6:00 p.m. or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.*

D. Call for Public Hearing to Close a Portion of Unopened, Platted Right-of-Way Parallel to Ruby Avenue

#R-19-21

Motion: *To call for the public hearing to close an unopened, platted portion of right-of-way parallel to Ruby Avenue to be held on Monday, February 10, 2020 at 6:00 p.m. or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.*

E. Budget Amendment for Herron St. Property Purchase

#FY20-09

Manager Harrold recalled previous discussions and closed session meetings acquiring this property and stated this budget amendment will reflect the purchase of the lot. There is no plans for developing this property at this time.

Motion: *To approve Budget Amendment #FY20-9 as submitted increasing the expense account, 1000-5000-730 (Capital Outlay) by \$48,561 and the revenues*

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completed and the buyer is ready to close. Attorney Sneed stated he expects the closing by year end pending the reservation of the easement for the pumping station located on the property.

8. NEW BUSINESS

A. Vickers Consulting Services, Inc. Flat Rate AFG Regional Operations Application – Fire Department Grant for Air Packs

Manager Harrold stated the Fire Department wishes to apply for a grant to replace outdated air packs. Manager Harrold stated if the grant is approved it would be a savings of approximately \$130,000 to the town. The \$500.00 fee is a portion of a fee split among fire departments in the region to utilize a grant writer for this project.

Alderman Larry B. Harris moved to authorize the Town Manager to execute the contract with Vickers Consulting Services, Inc. in the amount of \$500.00 for AFG Regional Applications – Fire Department Air Pack Replacement as presented.

The motion was approved by a vote of 4-0.

B. RFP 19th Hole, Black Mountain Golf Course

Manager Harrold stated the Town has received two proposals, one from the current tenant and the other from Karen Davis. Manager Harrold stated upon review staff recommends awarding the RFP for the 19th Hole to Green Tee Grill. Manager Harrold stated this proposal included a higher monthly lease price than what the Town was requesting. Manager Harrold clarified the current lease expires at the end of February 2020.

Vice Mayor Maggie Tuttle moved to direct Town Attorney Ron Sneed to prepare a lease agreement for the 19th Hole Snack Shop at the Black Mountain Golf Course for one year beginning February 2020 and ending March 2021 at a monthly rate of \$400.00 with Karen Davis, Green Tee Grill, and to direct Town Manager Josh Harrold to execute said lease. The motion was approved by a vote of 4-0.

C. Resolution of Support for Swannanoa River Restoration Grant

#R-19-22

Manager Harrold stated the Planning Director, Jessica Trotman has applied for funding and the Town was awarded \$50,000 from Duke Energy. Manager Harrold stated the Town has received another \$33,000 from the Pigeon River Fund, and is asking \$74,000 from the Division of Water Resources to complete about 1,700 linear feet along the Swannanoa River. The Town will have approximately \$5,000 invested at the completion of this project. Manager Harrold stated the resolution is necessary to proceed with requesting the remaining funds from DWQ.

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Alderman Ryan Stone approve Resolution #R-19-22 in support of Swannanoa River Restoration Grant matching funds as presented. The motion was approved by a vote of 4-0.

9. PUBLIC HEARING - NONE

The chair will recognize individuals requesting to address the Board regarding the specific topic of the public hearing. Public hearing comments by any on speaker shall be limited to ten (10) minutes. The Mayor reserves the right to alter time limits and other rules of procedure at the beginning of each Public Hearing.

10. COMMUNICATION FROM STAFF

- A. Town Attorney – Attorney Sneed reminded the Board Sim’s property to the Appalachian Conservancy to be used as a park. Attorney Sneed recalled the prior discussions and negotiations regarding beneficiaries, easements and said the final paperwork would be completed in the coming weeks and the Town could begin working on the park.
- B. Town Manager – Manager Harrold reminded the public of the upcoming special call meeting to discuss the sanitation contract on December 12th. He also reminded everyone town offices will be closed on December 23rd through December 25th for Christmas and on January 1st 2020 for New Years.

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

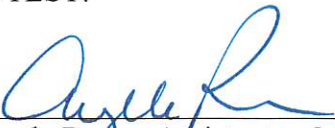
Alderman Larry B. Harris asked the Board to begin thinking about extending a resolution of support to Montreat College for their cyber security program. Alderman Harris stated having a program of this nature would benefit the region and county and encouraged support for the project. Alderman Harris also thanked staff for preparations of the annual Christmas Parade and wished everyone a Merry Christmas.

Mayor Collins wished everyone a Merry Christmas.

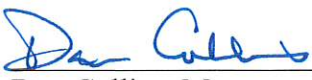
12. ADJOURNMENT

There being no further business, on a motion by Vice Mayor Maggie Tuttle with a vote of 4-0, Mayor Don Collins adjourned the meeting at 7:12 p.m.

ATTEST:



Angela Reece, Assistant to Manger/Town Clerk



Don Collins, Mayor