



TOWN OF BLACK MOUNTAIN

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

Date: February 10, 2020 Time: 6:00 p.m.

Regular Session Agenda

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

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

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

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

1. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Invocation – *Moment of Silence (Alderman Carlos Showers & Commissioner Mike Fryar)*
- Announcements – *Mayor Don Collins*

2. PROCLAMATIONS, AWARDS & RECOGNITION

- A. Certificate of Achievement for Excellence in Financial Reporting FY18 CAFR –
Government Finance Officers Association

3. CITIZEN COMMENTS

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

4. COMMUNICATIONS FROM STAFF, BOARDS, COMMISSIONS & AGENCIES

- A. Avadim Industries Building Project & Water/Sewer Infrastructure – *Steve Woody, CEO and Director of Avadim Health, and David Fann, President and Director of Avadim Health*
- B. Police Department Annual Report – *Shawn Freeman, Police Chief*
- C. Finance Quarterly Report – *Dean Luebbe, Assistant Town Manager/Finance Director*

TOWN OF BLACK MOUNTAIN- REGULAR SESSION AGENDA
February 10, 2020

5. CONSENT AGENDA

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

A. Adoption of Minutes

Motion: *To adopt the minutes of January 9, 2020 (Special Call), January 9, 2020 (Agenda Session), January 13, 2020 (Regular Session) and January 13, 2020 (Closed Session).*

B. Audit Accounts Contract Amendment for Mauldin & Jenkins

Motion: *To approve the amended contract with Mauldin & Jenkins, increasing the audit fees for the FY19 audit by \$3,400.*

C. Budget Amendment for Golf Course Snack Shop Water Damage Repairs #FY20-12

Motion: *To approve Budget Amendment #FY20-12 as submitted. In the Golf Fund, this budget amendment will increase the expense account, 5092-6310-730 (Capital Outlay) by \$21,875 and the revenue account, 5092-3808-800 (Transfer from General Fund) for \$21,875.*

D. Budget Amendment for Additional funding for Comprehensive Plan #FY20-13

Motion: *To approve Budget Amendment #FY20-13 as submitted, increasing the line item 1010-5400-730 (Capital Outlay) by \$10,000 and decreasing the line item 1010-5400-021 (Part Time Salaries) by \$10,000.*

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

6. CITIZEN COMMENTS

*The chair will recognize individuals requesting to address the Board regarding the specific New Business or Unfinished Business items below. Comments by any one **speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a **public hearing** scheduled for this meeting, please reserve your comment for the applicable public hearing.*

7. UNFINISHED BUSINESS

A. 2020 Sanitation Contract

B. NC Highway 9 Sidewalk Construction Contract Approval

Motion: *To award contract for NC Highway 9 sidewalk construction to Southern Appalachian Grading and Excavating, Inc. in the amount of \$125,240.*

TOWN OF BLACK MOUNTAIN- REGULAR SESSION AGENDA
February 10, 2020

8. NEW BUSINESS

- A. Resolution to Provide Additional Matching Funds for River Walk Greenway Phase II
#R-20-02

Motion: *To approve Resolution #R-20-02 committing to matching funds, if awarded, in the amount of \$240,000, which is twenty-percent (20%) of the total request of the grant application for 2020 STBG to provide funding for construction for the River Walk Greenway Phase II.*

- B. Ordinance Amending Section 47-12, Specified Places Prohibited and 47-13, Penalty and Enforcement of Article IV. – Stopping, Standing, and Parking of the Town of Black Mountain Code of Ordinances
#O-20-03

Motion: *To approve Ordinance O-20-03 as presented [or as amended].*

C. **Library Board** – **(1) un-expiring term**

Recommendation by Library Board Membership: **Ron Collins**

Nomination: _____

Motion: *To appoint _____ to fill an **un-expiring term** on the Black Mountain Library Board.*

9. PUBLIC HEARING

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

- A. Public Hearing of Intent to Close ROW Ruby Avenue #R-20-01

Motions:

1. *To open the public hearing for **Resolution #R-20-01** to Close Unopened, Platted Right-of-Way Parallel to Ruby Avenue*
2. *To close the public hearing.*
3. *To approve **Resolution #R-20-01** closing the unopened, platted right-of-way parallel to Ruby Avenue at presented.*

TOWN OF BLACK MOUNTAIN- REGULAR SESSION AGENDA

February 10, 2020

- B. Public Hearing – Rezoning Portions of Flat Creek Road and Montreat Road from Suburban Residential (SR-2) to Town Residential (TR-4) *Zoning Ordinance #Z-O-20-01***

Motions:

1. *To open the public hearing to rezone multiple parcels on Flat Creek and Montreat Road from SR-2 (suburban residential) to TR-4 (town residential).*
2. *To close the public hearing.*
3. *To adopt the Statement of Consistency as presented [or as amended].*
4. *To adopt **Zoning Ordinance #Z-O-20-01** to rezone multiple parcels on Flat Creek Road and Montreat Road from SR-2 (suburban residential) to TR-4 (town residential).*

- C. Public Hearing – Rezoning of 1068 Old US 70 Hwy. *Zoning Ordinance #Z-O-20-02***

Motion:

1. To open the public hearing to rezone 1068 Old US 70 Hwy from OI-6 (office and institutional) to HB-8 (highway business).
2. To close the public hearing.
3. To adopt the Statement of Consistency as presented [or as amended].
4. To adopt **Zoning Ordinance #R-O-20-02** to rezone 1068 Old US 70 Hwy from OI-6 (office and institutional) to HB-8 (highway business).

- D. Public Hearing Public Hearing to Rezone 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential) *Zoning Ordinance #Z-O-20-03***

Motion:

1. To open the public hearing to rezone 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential).
2. To close the public hearing.
3. To adopt the Statement of Consistency as presented [or as amended].
4. To adopt **Zoning Ordinance #Z-O-20-03** to rezone 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential).

TOWN OF BLACK MOUNTAIN- REGULAR SESSION AGENDA
February 10, 2020

10. COMMUNICATION FROM STAFF

- A. Town Attorney – Ron Sneed
- B. Town Manager – Josh Harrold

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

12. ADJOURNMENT



Josh Harrold
Town Manager



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

September 18, 2019

Dean M. Luebbe
Assistant Town Manager/Finance Director
Town of Black Mountain
160 Midland Avenue
Black Mountain, NC 28711

Dear Mr. Luebbe:

We are pleased to notify you that your 2018 fiscal year end comprehensive annual financial report (CAFR) qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment. Congratulations for having satisfied the high standards of the program. We hope that your example will encourage others in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

A "Summary of Grading" form and a confidential list of comments and suggestions for possible improvements are enclosed. We want to strongly encourage the recommended improvements be made in the next report, and that the report be submitted to the program within six months of your next fiscal year end. Certificate of Achievement Program policy requires that written responses to the comments and suggestions for improvement accompany the next fiscal year's submission. The written responses should provide details about how each item is addressed within this report. These responses will be provided to those Special Review Committee members participating in the review. If a comment is unclear or there appears to be a discrepancy, please contact the Technical Services Center at (312) 977-9700 and ask to speak with a Certificate of Achievement Program in-house reviewer.

When a Certificate of Achievement for Excellence in Financial Reporting is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. An AFRA is enclosed for the preparer as designated on the application.

Continuing participants will find a brass medallion enclosed with these results. First-time recipients will receive a plaque in about 10 weeks. We hope that appropriate publicity will be given to this notable achievement. A sample news release has been enclosed.

A current holder of a Certificate of Achievement may include a reproduction of the Certificate in its immediately subsequent CAFR. A camera-ready copy of your Certificate is enclosed for that purpose. If you reproduce your Certificate in your next report, please refer to the enclosed instructions. A Certificate of Achievement is valid for a period of one year.

Over the course of the year, we are anticipating some changes to our application process. We will still be asking governments for the same documents we asked for in the past, but we are encouraging electronic submissions to cafrprogram@gfoa.org and expect to be making other changes going forward. We will keep members informed of any changes via email, and application instructions will be updated on our website.

Your continued interest in and support of the Certificate of Achievement Program is most appreciated. If we may be of any further assistance, please contact the Technical Services Center at (312) 977-9700.

Sincerely,

A handwritten signature in cursive script that reads "Michele Mark Levine". The signature is written in black ink and is positioned above the printed name and title.

Michele Mark Levine
Director, Technical Services Center



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**Town of Black Mountain
North Carolina**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

June 30, 2018

Christopher P. Morill

Executive Director/CEO

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 10, 2020

SUBJECT: Audit Accounts Contract Amendment for Mauldin & Jenkins

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number: 5B
Department: Finance
Contact: Dean Luebbe, Assistant Town Manager/Finance Director
Presenter: Josh Harrold, Town Manager

BRIEF SUMMARY: In completing the FY19 audit for the Town of Black Mountain, Maudlin & Jenkins discovered a misstatement in the FY18 audit, involving depreciation on a fire truck. The amount of the misstatement was \$84,763 and was deemed to be material by the audit firm. The Town is responsible for the accuracy of the financial statements. This will not affect the agreed upon contract amount for the next 2 years.

MOTION FOR CONSIDERATION: To approve the amended contract with Mauldin & Jenkins, increasing the audit fees for the FY19 audit by \$3,400.

FUNDING SOURCE: N/A.

ATTACHMENTS: LGC-205 Amendment.

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

Whereas	Primary Government Unit Town of Black Mountain
and	Discretely Presented Component Unit (DPCU) (If applicable)
and	Auditor Mauldin & Jenkins

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending 06/30/19	and originally due on	Audit Report Due Date 10/31/19
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hereby agree that it is now necessary that the contract be modified as follows.

☐ Modification to due date:	Original due date 10/31/19	Modified due date
☒ Modification to fee:	Original fee 21000	Modified fee 24400

EXPLANATION OF MODIFIED CONTRACT TERMS

Please provide an explanation for the modification to due date and/or fees.

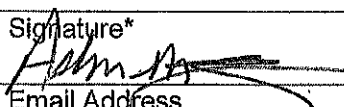
During the audit for the fiscal year ended June 30, 2019, there were unanticipated costs associated with a restatement to opening balances.

If the amendment is submitted to extend the due date, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years.

By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Mauldin & Jenkins	
Authorized Firm Representative* (typed or printed)	Signature*
Adam M. Fraley	
Date*	Email Address
11/20/19	afraley@mjcpa.com

GOVERNMENTAL UNIT

Governmental Unit*	
Town of Black Mountain	
Date Primary Government Unit Governing Board Approved <u>Amended</u> Audit Contract* (if required by governing board policy)	
Mayor/Chairperson* (typed or printed)	Signature*
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT
(Pre-audit certificate not required for charter schools or hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer*	Signature*
Date of Pre-Audit Certificate*	Email Address*

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU	
Date DPCU Governing Board Approved <u>Amended Audit Contract</u> (if required by governing board policy)	
DPCU Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT

(Pre-audit certificate not required for charter schools or hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 10, 2020

SUBJECT: Budget Amendment for Golf Course Snack Shop Water Damage Repairs
#FY20-12

AGENDA INFORMATION

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

BRIEF SUMMARY: Water damage was discovered at the 19th Hole in the late summer of 2019. The areas involved are the Ladies Lounge interior (the lower portion of the building) and sections of the deck. Portions of the exterior of the lower level also need to be replaced, and the job is complicated because of the location of the electrical panel. In the fall of 2019, the Town made unsuccessful efforts to obtain acceptable estimates to repair these damages. On 12/19/2019, CRC Rebuilders submitted an estimate which the Town finds acceptable. Monies for this project will need to be transferred from the General Fund, as the Golf Fund currently has a deficit in fund balance.

MOTION FOR CONSIDERATION: To approve Budget Amendment #FY20-12 as submitted. In the Golf Fund, this budget amendment will increase the expense account, 5092-6310-730 (Capital Outlay) by \$21,875 and the revenue account, 5092-3808-800 (Transfer from General Fund) for \$21,875.

In the General Fund, this budget amendment will increase the expense account 1000-5000-560 (Transfer to Golf Fund) by \$21,875 and the revenue account, 1000-3905-900 (Fund Balance Appropriated) by \$21,875.

FUNDING SOURCE: Fund Balance from the General Fund.

ATTACHMENTS: Budget Amendment #FY20-12, and two quotes from CRC Rebuilders.

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

Budget Amendment # 2020-12
Fiscal Year 2019-2020

Dept.	Account #	Account Name	Debit	Credit	Comments
	5092-6310-730	Capital Outlay	21,875		Transfer from
	5092-3808-800	Transf from GF		21,875	General Fund to
					Golf Fund for 19th
	1000-5000-560	Transf to Golf Fund	21,875		Hole water damage
	1000-3905-900	Fund Balance Approp		21,875	repair.

Totals:	43,750	43,750
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BD #

Entered By:

Journal #

Fiscal Yr

Approved By:

Date

Date



crc rebuilders

Client: Town of Black Mountain
Property: 15 Ross Dr
Black Mountain, NC 28711

Home: (828) 664-5052

Operator: ASHCRCIN

Estimator: Jason Girard
Company: CRC Rebuilders
Business: 65 American way
Fletcher N.C 28732

Business: (828) 712-2955

Type of Estimate: Water Damage

Date Entered: 12/19/2019

Date Assigned:

Price List: NCAS8X_DEC19

Labor Efficiency: Restoration/Service/Remodel

Estimate: 2019-12-19-0750-1



2019-12-19-0750-1

SKETCH2

Main Level

Deck1

Height: 3'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
1. Haul debris - per pickup truck load - including dump fees	1.00 EA @	118.70 =	118.70
2. General Demolition - per hour	16.00 HR @	38.84 =	621.44
2 men 8 hours to remove existing framing install new header's and post			
3. Header - double 2" x 10" - treated	22.00 LF @	8.72 =	191.84
4. 4" x 4" wood post - treated (1.33 BF per LF)	22.00 LF @	3.95 =	86.90
5. 6" x 6" square wood post - treated (3 BF per LF)	16.00 LF @	7.57 =	121.12
6. 2" x 6" x 12' #2 treated pine (material only)	12.00 EA @	10.05 =	120.60
these are to replace deck board's			
7. Stairway - treated stringers and treads (per tread)	13.00 EA @	56.14 =	729.82
8. Deck guard rail - treated lumber	26.00 LF @	27.59 =	717.34
9. R&R Meter base - 200 amp	2.00 EA @	637.53 =	1,275.06
this is to relocate to block wall			
10. R&R Meter base - 400 to 2000 amp	1.00 EA @	1,586.20 =	1,586.20
this is to relocate to block wall			

Grand Total Areas:

3,470.67 SF Walls	3,884.07 SF Ceiling	7,354.74 SF Walls and Ceiling
3,884.07 SF Floor	431.56 SY Flooring	609.50 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	433.83 LF Ceil. Perimeter
3,884.07 Floor Area	3,994.79 Total Area	3,470.67 Interior Wall Area
3,454.50 Exterior Wall Area	383.83 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



crc rebuilders

Summary

Line Item Total	5,569.02
Overhead	556.89
Profit	556.89
Total Tax	391.25
Replacement Cost Value	\$7,074.05
Net Claim	\$7,074.05

Jason Girard



crc rebuilders

Recap by Room

Estimate: 2019-12-19-0750-1

Area: SKETCH2

Area: Main Level

Deck1

5,569.02 100.00%

Area Subtotal: Main Level

5,569.02 100.00%

Area Subtotal: SKETCH2

5,569.02 100.00%

Subtotal of Areas

5,569.02 100.00%

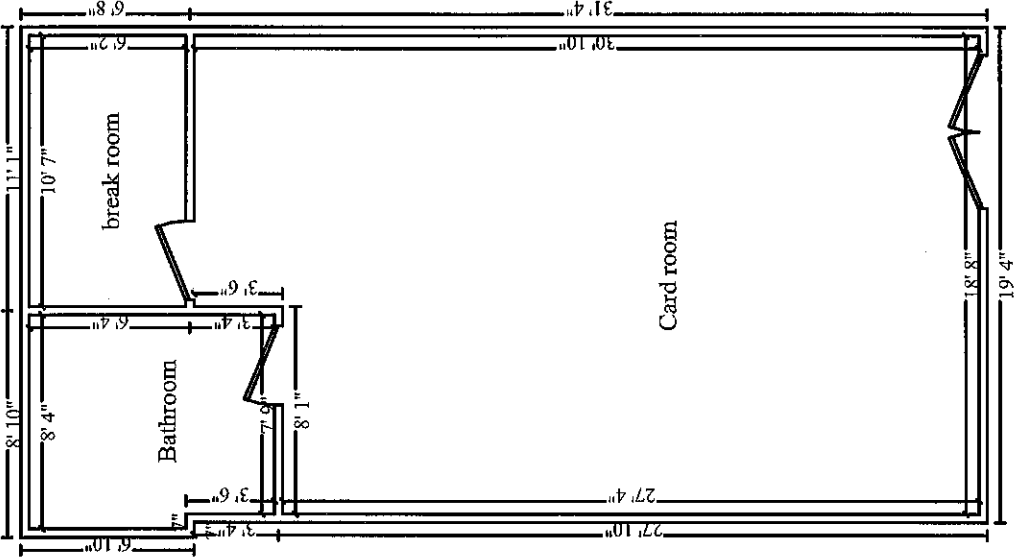
Total

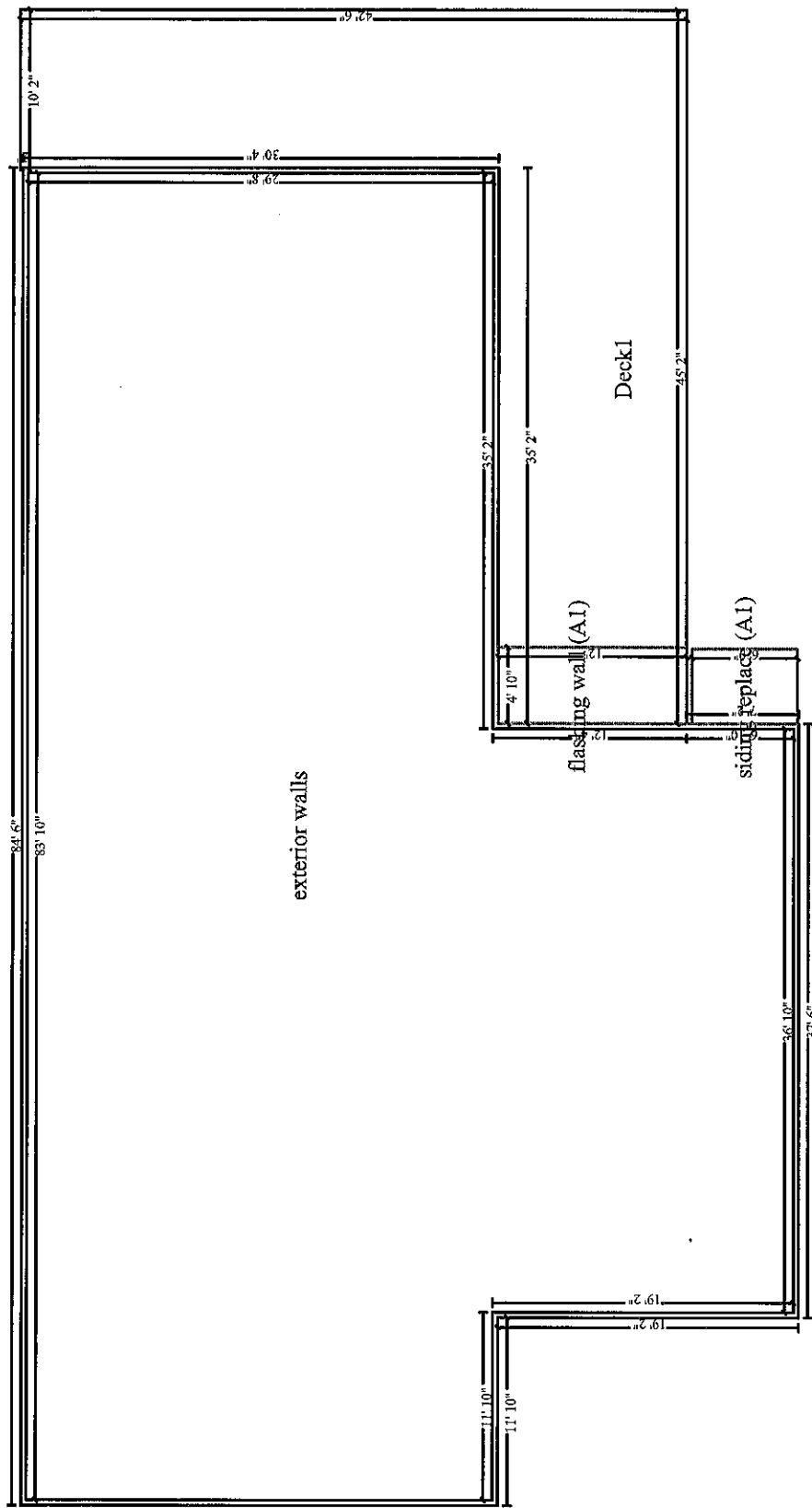
5,569.02 100.00%



Recap by Category

O&P Items	Total	%
GENERAL DEMOLITION	911.40	12.88%
ELECTRICAL	2,690.00	38.03%
FRAMING & ROUGH CARPENTRY	1,237.80	17.50%
STAIRS	729.82	10.32%
O&P Items Subtotal	5,569.02	78.72%
Overhead	556.89	7.87%
Profit	556.89	7.87%
Total Tax	391.25	5.53%
Total	7,074.05	100.00%







crc rebuilders

Client: Town of Black Mountain
Property: 15 Ross Dr
Black Mountain, NC 28711

Home: (828) 664-5052

Operator: ASHCRCIN

Estimator: Jason Girard
Company: CRC Rebuilders
Business: 65 American way
Fletcher N.C 28732

Business: (828) 712-2955

Type of Estimate: Water Damage

Date Entered: 12/19/2019

Date Assigned:

Price List: NCAS8X_DEC19

Labor Efficiency: Restoration/Service/Remodel

Estimate: 2019-12-19-0750



crc rebuilders

2019-12-19-0750

SKETCH1

Main Level

Main Level

DESCRIPTION	QTY	UNIT PRICE	TOTAL
1. Taxes, insurance, permits & fees (Bid Item)	1.00 EA @	500.00 =	500.00
2. Single axle dump truck - per load - including dump fees	1.00 EA @	184.04 =	184.04

break room

Height: 8'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
3. Refrigerator - Remove & reset	1.00 EA @	27.05 =	27.05
4. Dehumidifier (per 24 hour period) - No monitoring 1 unit 2 days	2.00 EA @	51.00 =	102.00
5. Apply anti-microbial agent to the floor	65.26 SF @	0.19 =	12.40
6. R&R 1/2" - drywall per LF - up to 2' tall	16.00 LF @	9.27 =	148.32
7. R&R Batt insulation replacement per LF - 4" - up to 2' tall	16.00 LF @	2.13 =	34.08
8. Tape joint for new to existing drywall - per LF	16.00 LF @	7.06 =	112.96
9. Remove Glue down carpet - Premium grade	65.26 SF @	0.49 =	31.98
10. Glue down carpet - Premium grade	75.05 SF @	4.05 =	303.95
15 % waste added for Glue down carpet - Premium grade.			
11. R&R Cove base molding - rubber or vinyl, 4" high	33.50 LF @	1.99 =	66.67
12. Seal/prime then paint the walls and ceiling (2 coats)	333.26 SF @	1.04 =	346.59
13. Final cleaning - construction - Commercial	65.26 SF @	0.15 =	9.79

Bathroom

Height: 8'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
14. Detach & Reset Toilet	1.00 EA @	180.76 =	180.76
15. R&R Plumbing fixture supply line	1.00 EA @	19.49 =	19.49
16. R&R 1/2" drywall - hung, taped, floated, ready for paint	80.00 SF @	2.22 =	177.60
17. Tape joint for new to existing drywall - per LF	30.00 LF @	7.06 =	211.80
18. R&R Batt insulation - 4" - R15 - paper faced	80.00 SF @	1.24 =	99.20
19. Dehumidifier (per 24 hour period) - No monitoring 1 unit 2 days	2.00 EA @	51.00 =	102.00
20. Apply anti-microbial agent to the surface area	150.00 SF @	0.19 =	28.50
21. Cleaning Technician - per hour this is to clean mold from studs and plates	2.00 HR @	30.75 =	61.50



CONTINUED - Bathroom

DESCRIPTION	QTY	UNIT PRICE	TOTAL
22. R&R Vinyl tile - High grade	78.52 SF @	6.33 =	497.03
23. R&R Cove base molding - rubber or vinyl, 4" high	36.00 LF @	1.99 =	71.64
24. Seal/prime then paint the walls and ceiling (2 coats)	366.52 SF @	1.04 =	381.18
25. Clean toilet	1.00 EA @	15.17 =	15.17
26. Clean vanity - inside and out	1.00 LF @	9.20 =	9.20
27. Clean bathroom fan	2.00 EA @	19.53 =	39.06
28. Final cleaning - construction - Commercial	78.52 SF @	0.15 =	11.78
29. Detach & Reset Handicap grab bar - Stainless steel, 1 1/2" x 36"	2.00 EA @	28.70 =	57.40

Card room

Height: 8'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
30. Floor protection - cloth - skid resistant, breathable	130.00 SF @	0.91 =	118.30

SKETCH2

Main Level

exterior walls

Height: 8'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
31. R&R Gutter / downspout - aluminum - up to 5"	342.00 LF @	5.92 =	2,024.64
32. R&R Fascia - 1" x 8" - #3 cedar This is the facial board's	43.00 LF @	6.32 =	271.76
33. R&R Fascia - 1" x 4" - #3 cedar this is the drip edge on the facial	43.00 LF @	4.45 =	191.35
34. Prime & paint exterior fascia - wood, 6"- 8" wide	43.00 LF @	2.38 =	102.34
35. R&R Siding - hardboard panel - paint grade	300.00 SF @	2.53 =	759.00
36. R&R Siding trim - 1" x 4" hardboard trim board	20.00 LF @	4.92 =	98.40
37. Exterior - paint two coats	300.00 SF @	1.23 =	369.00
38. R&R Metal Z flashing / drip cap	19.00 LF @	2.59 =	49.21
39. Detach & Reset Meter base and main disconnect - 250 amp	2.00 EA @	425.00 =	850.00
40. Detach & Reset Meter base and main disconnect - 400 to 2000 amp	1.00 EA @	475.00 =	475.00
41. Electrician - per hour	8.00 HR @	85.04 =	680.32



CONTINUED - exterior walls

DESCRIPTION	QTY	UNIT PRICE	TOTAL
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2 men 4 hours to make all exterior wires code

Deck1

Height: 3'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
42. 2" x 6" x 12' #2 treated pine (material only) decking board's	3.00 EA @	10.05 =	30.15
43. Deck flashing - galvanized - 6" wide - L shape	20.00 LF @	2.89 =	57.80
44. R&R Deck hand rail/guard rail - Labor only this is to get hand rail off of facial	4.00 LF @	19.90 =	79.60
45. 4" x 4" square wood post (1.33 BF per LF) this is to end hand rail	8.00 LF @	3.81 =	30.48
46. Carpenter - General Framer - per hour 2 men 7 hours to remove and replace deck boards, cut and bolt new post to finish hand rail, remove header board away from house to replace siding	14.00 HR @	69.68 =	975.52
47. 2" x 8" x 16' #2 treated pine (material only) banned board's against building	3.00 EA @	16.79 =	50.37
48. R&R Framing hanger	10.00 EA @	15.65 =	156.50

Labor Minimums Applied

DESCRIPTION	QTY	UNIT PRICE	TOTAL
49. General labor - labor minimum	1.00 EA @	14.11 =	14.11
50. Carpet labor minimum	1.00 EA @	101.21 =	101.21
51. Insulation labor minimum	1.00 EA @	84.80 =	84.80
52. Plumbing labor minimum	1.00 EA @	36.05 =	36.05
53. Water extract/remediation labor minimum	1.00 EA @	75.77 =	75.77
54. Toilet & bath accessory labor minimum	1.00 EA @	77.10 =	77.10



Grand Total Areas:

3,470.67 SF Walls	3,884.07 SF Ceiling	7,354.74 SF Walls and Ceiling
3,884.07 SF Floor	431.56 SY Flooring	609.50 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	433.83 LF Ceil. Perimeter
3,884.07 Floor Area	3,994.79 Total Area	3,470.67 Interior Wall Area
3,454.50 Exterior Wall Area	383.83 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



Summary

Line Item Total	11,601.92
Mat Tax (Rpr/Maint)	5.20
Subtotal	11,607.12
Overhead	1,160.74
Profit	1,160.74
Total Tax	869.20
Replacement Cost Value	\$14,797.80
Net Claim	\$14,797.80

Jason Girard



Recap by Room

Estimate: 2019-12-19-0750

Area: SKETCH1

Area: Main Level	684.04	5.90%
break room	1,195.79	10.31%
Bathroom	1,963.31	16.92%
Card room	118.30	1.02%
Area Subtotal: Main Level	3,961.44	34.14%
Area Subtotal: SKETCH1	3,961.44	34.14%

Area: SKETCH2

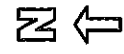
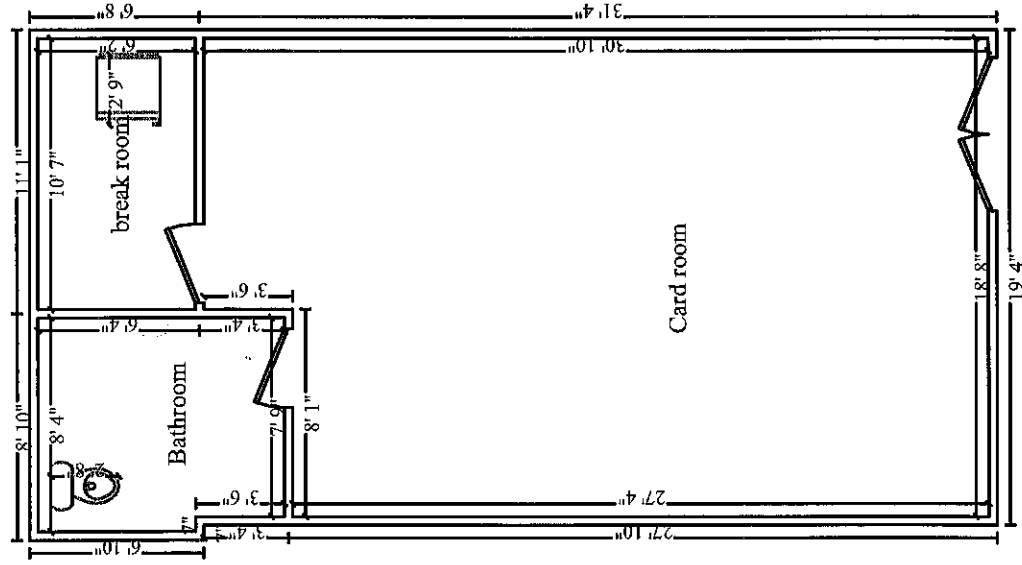
Area: Main Level		
exterior walls	5,871.02	50.60%
Deck1	1,380.42	11.90%
Area Subtotal: Main Level	7,251.44	62.50%
Area Subtotal: SKETCH2	7,251.44	62.50%
Labor Minimums Applied	389.04	3.35%

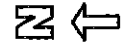
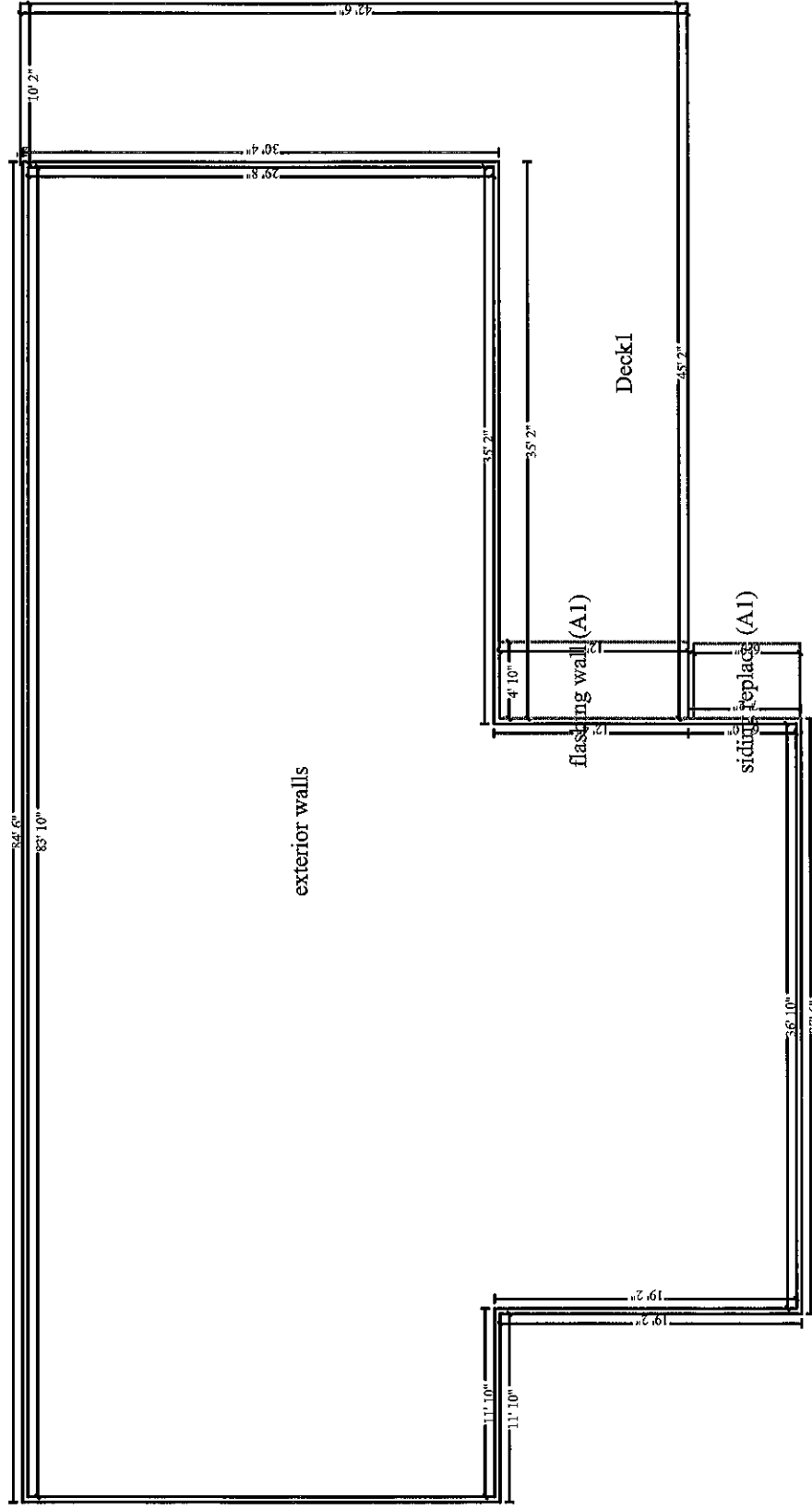
Subtotal of Areas	11,601.92	100.00%
Total	11,601.92	100.00%



Recap by Category

O&P Items	Total	%
APPLIANCES	27.05	0.18%
CLEANING	85.00	0.57%
GENERAL DEMOLITION	787.50	5.32%
DRYWALL	596.44	4.03%
ELECTRICAL	2,005.32	13.55%
FLOOR COVERING - CARPET	405.16	2.74%
FLOOR COVERING - VINYL	549.56	3.71%
PERMITS AND FEES	500.00	3.38%
FRAMING & ROUGH CARPENTRY	1,338.10	9.04%
INSULATION	192.80	1.30%
LAB	14.11	0.10%
PLUMBING	232.42	1.57%
PAINTING	1,199.11	8.10%
SIDING	820.67	5.55%
SOFFIT, FASCIA, & GUTTER	2,332.01	15.76%
TOILET & BATH ACCESSORIES	134.50	0.91%
WATER EXTRACTION & REMEDIATION	382.17	2.58%
O&P Items Subtotal	11,601.92	78.40%
Mat Tax (Rpr/Maint)	5.20	0.04%
Overhead	1,160.74	7.84%
Profit	1,160.74	7.84%
Total Tax	869.20	5.87%
Total	14,797.80	100.00%





TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 10, 2020

SUBJECT: Budget Amendment for Additional funding for Comprehensive Plan #FY20-13

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number: 5D
Department: Finance
Contact: Dean Luebbe, Assistant Town Manager/Finance Director
Presenter: Josh Harrold, Town Manager

BRIEF SUMMARY: A \$10,000 increase is needed to expand the scope of the Comprehensive Plan. With the large turnout at our 1st public meeting, we realize more public input will be key to success of the plan. The Planning Department has been unable to hire a part time building inspector at this time, so the funding for this increase will come from the money budgeted for this position.

MOTION FOR CONSIDERATION: To approve Budget Amendment #FY20-13 as submitted, increasing the line item 1010-5400-730 (Capital Outlay) by \$10,000 and decreasing the line item 1010-5400-021 (Part Time Salaries) by \$10,000.

FUNDING SOURCE: Part Time Salaries in the Planning Department.

ATTACHMENTS: Budget Amendment #FY20-13.

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

Budget Amendment # 2020-13
Fiscal Year 2019-2020

Dept.	Account #	Account Name	Debit	Credit	Comments
	1010-5400-730	Capital	10,000		Increase in
	1010-5400-021	Part Time Salaries		10,000	Comprehensive Plan

Totals:	10,000	10,000
---------	--------	--------

BD #

Entered By:

Journal #

Fiscal Yr

Approved By:

Date

Date

AFFIDAVIT OF PUBLICATION

BUNCOMBE COUNTY

SS.

NORTH CAROLINA



Town of Black Mountain
Solid Waste Services
Request for Proposal

The Town of Black Mountain (the Town) is requesting Proposals for the collection and disposal of residential and commercial garbage and the collection of residential and commercial recyclables, bulky items, white goods, yard waste and seasonal leaf collection.

It is the intent of this Request for Proposal (RFP) to lead to an agreement between the selected contractor(s) and the Town, which will provide these services as a single contract. The entire RFP may be viewed on the Town's website at www.townofblackmountain.org by selecting Business - Bid Opportunities.

Sealed proposals must be received and on file with the office of the Town Manager at 160 Midland Avenue, Black Mountain, North Carolina, 28711 on or before 3:00 p.m. on Monday, February 3, 2020, at which time they will be publicly opened and read aloud. The envelope containing the Proposal must be sealed and clearly marked "Solid Waste Services Request for Proposals." One (1) original and five (5) copies of the proposal must be presented with the name and address of the proposer clearly shown and in accordance with instructions and upon forms furnished by the Town.

The Town of Black Mountain reserves the right to reject any and all Proposals and to decline to award a contract for these services. The Town will bear no responsibility for cost incurred in preparation of responses to this RFP. Prior to the submission deadline, questions regarding this Request for Proposal may be directed to the following address.

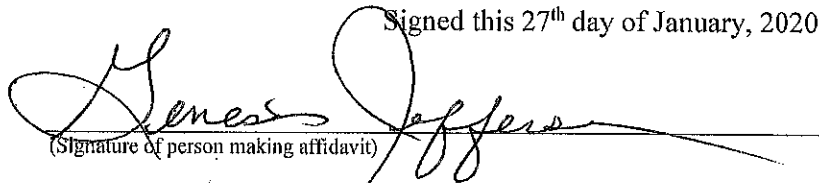
Town of Black Mountain
Attention: Josh Harrold, Town Manager
160 Midland Avenue
Black Mountain, N.C. 28711
Telephone: (828) 419-9300 x311
Fax: (828) 669-4204
E-Mail: townmanager@townofblackmountain.org

Published in the Asheville Citizen-Times the weeks of: 1/3/20, 1/10/20, 1/17/20, 1/24/20
Posted to the Town's website on 1/2/20

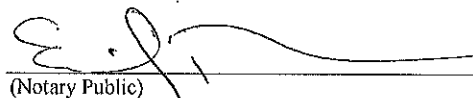
Jan. 3, 10, 17, 24, 2020
0003971372

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified and authorized by law to administer oaths, personally appeared **Genesis Jefferson**, who, being first duly sworn, deposes and says: that she is the **Legal Clerk of The Asheville Citizen-Times**, engaged in publication of a newspaper known as **The Asheville Citizen-Times**, published, issued, and entered as first class mail in the City of Asheville, in said County and State; that she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in **The Asheville Citizen-Times** on the following date: January 3, 10, 17, 24, 2020. And that the said newspaper in which said notice, paper, document or legal advertisement was published was, at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

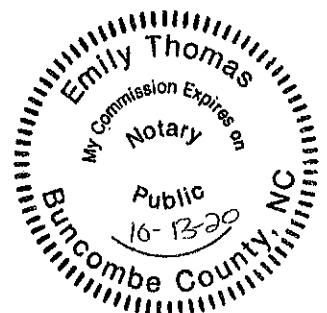
Signed this 27th day of January, 2020


(Signature of person making affidavit)

Sworn to and subscribed before me the 27th day of January, 2020.


(Notary Public)

My Commission expires the 13th day of October, 2020



CITIZEN-TIMES

PART OF THE USA TODAY NETWORK

Agency:

TOWN OF BLACK MOUNTAIN
TOWN OF BLACK MOUNTAIN
160 MIDLAND AVE
BLACK MOUNTAIN NC 28711

Acct: GRE-A213527

Phone: (828) 669-9102

Client:

TOWN OF BLACK MOUNTAIN
160 MIDLAND AVE,
BLACK MOUNTAIN, NC 28711

Acct: GRE-A213527

Phone: (828) 669-9102

Ad #	Advertisement/Description		Items	# Col x # Lines	Cost
0003971372	TOWNOFBLACKMOUNTAINS OLIDWASTESERVICESREQU ESTEORPROPOSALHETOW	0.00	Legal Notices	1 col x 62 lines	\$714.88
			Affidavit of Publication Charge	1	\$0.00
			Tearsheet Charge		\$0.00
			Subtotal:		\$714.88
<u>Affidavits:</u> 1					Net Total Due: \$792.88

Run Dates: 01/03/20, 01/10/20, 01/17/20, 01/24/20

NOT AN INVOICE

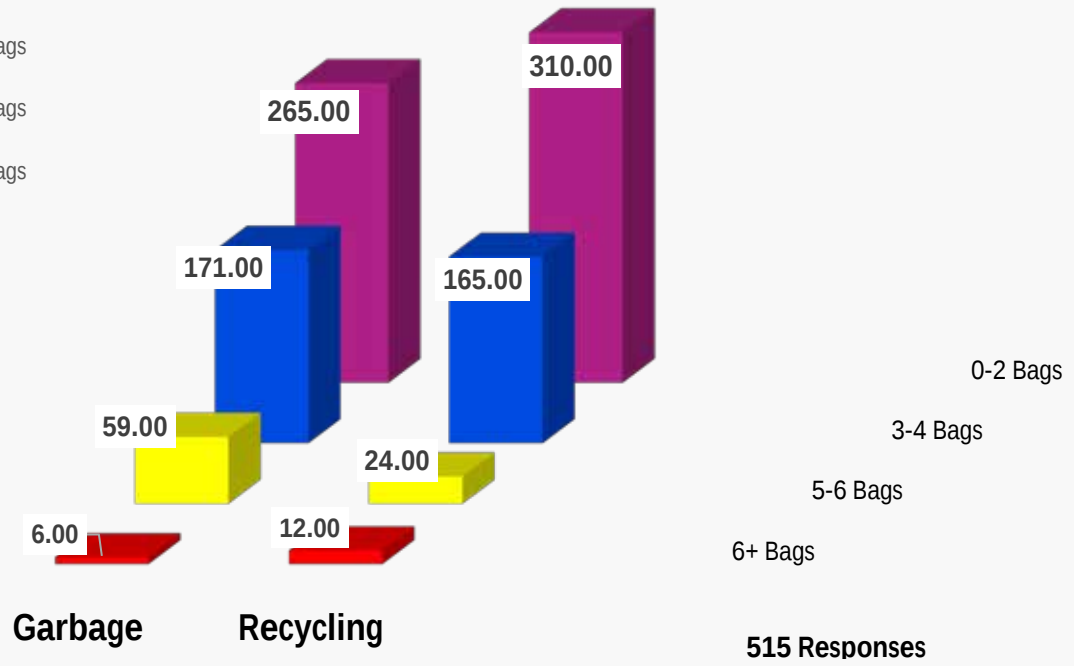
Bags of Garbage & Recycling Per Week

6+ Bags

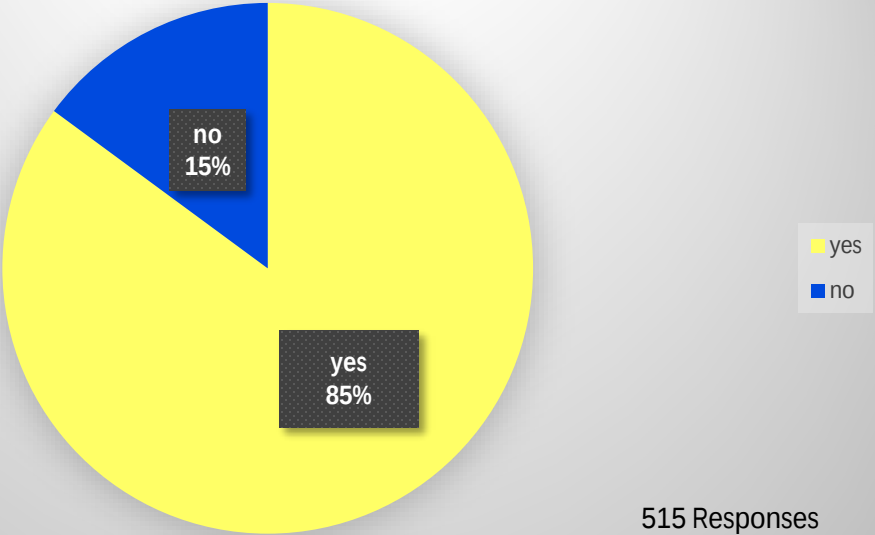
5-6 Bags

3-4 Bags

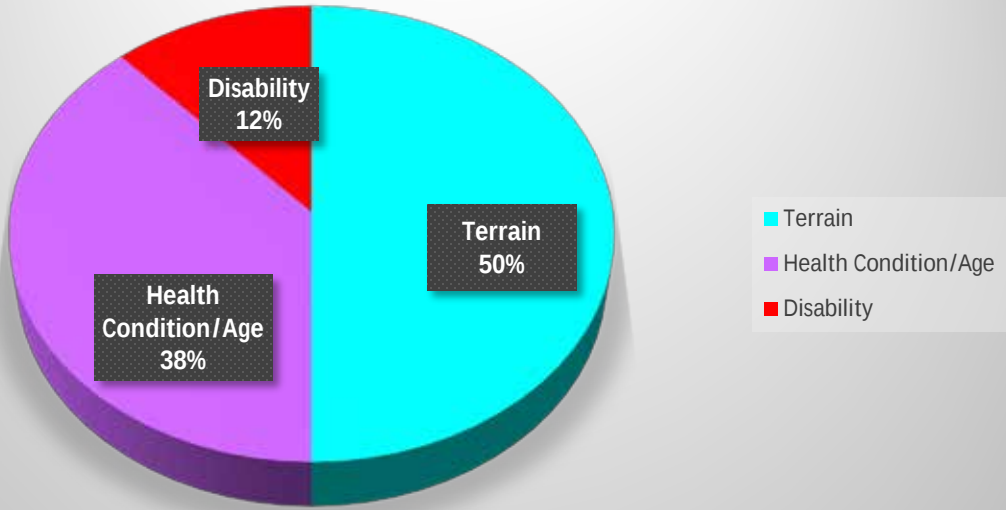
0-2 Bags



Able to Use Rolloff Carts?



Unable to Use Rolloff Carts



515 Responses

NC-9 Sidewalk - Phase 2

Black Mountain, NC

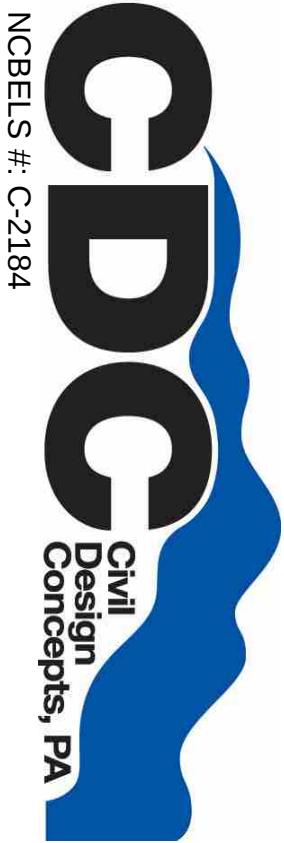
BID TABULATION

BID DATE: November 21, 2019 @ 2:00 PM
Black Mountain Town Hall
160 Midland Ave, Black Mountain, NC 28711

CONTRACTOR:

Southern Appalachain Grading
and Excavating, Inc

HNH Construction Company



CONTRACTOR'S LICENSE NUMBER	64831	711728		
ADDENDUM #1 ACKNOWLEDGED	Y	Y		
LUMP SUM BASE BID PRICE	\$190,740	\$233,943		
ALTERNATE 1: SWITCH TO ALL CONCRETE SIDEWALK	-\$65,500	-\$89,807		
UNIT PRICES:				
UNIT PRICE #1: UNDERCUT/ REPLACE WITH STONE (5 CY) UNIT PRICE / CY	\$60.00	\$56.00		
UNIT PRICE #2: UNDERCUT/ REPLACE WITH SOIL (5 CY) UNIT PRICE / CY	\$50.00	\$35.00		
UNIT PRICE #3: CABC STONE (5 TON) UNIT PRICE / TON	\$45.00	\$42.00		
UNIT PRICE #4: BRICK PAVER SIDEWALK (5 SY) UNIT PRICE / SY	\$120.00	\$19.00		
UNIT PRICE #5: CONCRETE SIDEWALK (5 SY) UNIT PRICE / SY	\$65.00	\$51.00		
UNIT PRICE #6: MIRAFI (5 SY) UNIT PRICE / SY	\$300.00	\$8.00		
EXTENDED TOTAL	\$125,240	\$144,136		

BID

Proposal of HNH Construction Company (hereinafter called "Bidder"); organized and existing under the laws of the State of North Carolina doing business as HNH Construction Company **
_____ to **Town of Black Mountain** (**Insert "a corporation", "a partnership", or "an individual" as applicable) of North Carolina is (hereinafter called "Owner").

In compliance with your Advertisement for Bids, Bidder hereby proposes to perform all work for the construction of:

NC-9 Sidewalk – Phase 2 in strict accordance with the Contract Documents, within the time set forth therein, and at the prices stated below.

By submission of this Bid, each Bidder certifies, and in the case of a joint Bid each party thereto certifies as to his own organization, that this Bid has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this Bid with any other Bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed and to fully complete the project within **75 consecutive calendar days** thereafter in accordance with the included project schedule. Bidder further agrees to pay, as liquidated damages, the sum of **\$250.00 per day** for each consecutive calendar day thereafter beyond any portion of the aforementioned construction schedules.

Bidder agrees to perform all the work indicated and described in the Contract Documents for the following price. Failure to fully complete the following bid schedule shall result in an informal Bid and the Owner reserves the right to reject the bid.

BASE BID DESCRIPTION AND QUANTITY

A LUMP SUM BID PRICE FOR ALL WORK AS NOTED ON THE DRAWINGS, TECHNICAL SPECIFICATIONS AND CONTRACT DOCUMENTS:

\$ Two hundred, thirty-three thousand, nine hundred forty-three dollars
(words)

\$ 233,943.00
(numbers)

ALTERNATES: Each alternate will be shown as a deduct or add to the lump sum bid price should the Owner decide to change the scope of the project as noted on the drawings. The Owner reserves the right to accept or reject a specified alternate or any combination thereof.

Alternate 1: Switch to all concrete sidewalk as shown in the detail on sheet C921

\$ Eighty-nine thousand, eight hundred, seven dollars
(words)

\$ 89,807.00
(numbers)

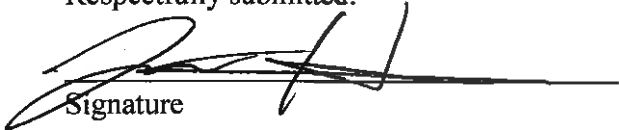
UNIT PRICE WORK: Unit prices will be in effect only when necessary work falls outside the scope of the original contract work. Please insert unit price for all the items listed below. For all Unit Price Work that occurs outside the above lump sum price, payment shall be made in an amount equal to the sum of the established unit price for each separately identified item of Unit Price Work times the quantity of that item.

<u>Description</u>	<u>Unit Price</u>	
No. 1 Undercut Unsuitable backfill with stone	(5 CY)	<u>56</u> Dollars/ CY
No. 2 Undercut Unsuitable backfill with soil	(5 CY)	<u>35</u> Dollars/ CY
No. 3 CABC Stone	(5 Tons)	<u>42</u> Dollars / Ton
No. 4 Brick Paver Sidewalk	(5 SY)	<u>19</u> Dollars / SY
No. 5 Concrete Sidewalk	(5 SY)	<u>51</u> Dollars / SY
No. 6 MIRAFI	(5 SY)	<u>8</u> Dollars / SY

Contract Time: 75 Calendar days, in accordance with the included project schedule

Bidder acknowledges receipt of the following Addendum:

Respectfully submitted:


Signature

Laron Huntley

Name

President

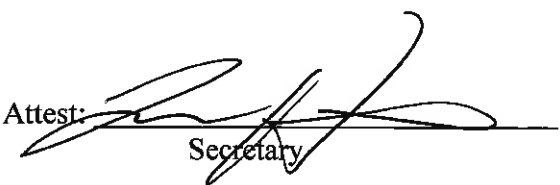
Title

71728

North Carolina Contractor's License Number

Seal - if Bid is by a Corporation

Attest:


Secretary

P.O. Box 362, Fletcher, NC 28732

Address

11-12-19

Date

7 Thorn Ridge Drive, Asheville, N C 28803

Corporate (Partnership) Address

North Carolina

State of Incorporation

828-713-8664

Telephone Number

State of North Carolina AFFIDAVIT A – Listing of Good Faith Efforts

County of Buncombe

(Name of Bidder)

Affidavit of HNH Construction Company

I have made a good faith effort to comply under the following areas checked:

Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive. (1 NC Administrative Code 30 I.0101)

- ☐ 1 – (10 pts) Contacted minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor, or available on State or local government maintained lists, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- ☒ 2 – (10 pts) Made the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bids are due.
- ☒ 3 – (15 pts) Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- ☐ 4 – (10 pts) Worked with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- ☐ 5 – (10 pts) Attended prebid meetings scheduled by the public owner.
- ☐ 6 – (20 pts) Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- ☐ 7 – (15 pts) Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- ☐ 8 – (25 pts) Provided assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- ☐ 9 – (20 pts) Negotiated joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- ☐ 10 – (20 pts) Provided quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon scope of contract to be executed with the Owner. Substitution of contractors must be in accordance with GS143-128.2(d) Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: 11-12-19 Name of Authorized Officer: Laron Huntley

Signature: _____

Title: President

SHERISSA COCHRAN BYERS
NOTARY PUBLIC
HENDERSON COUNTY, NC
MY COMMISSION EXPIRES:
FEBRUARY 18, 2020

State of NC, County of Henderson
 Subscribed and sworn to before me this 12th day of November 2019

Notary Public Sherissa Cochran Byers
 My commission expires 2/18/20

**State of North Carolina --AFFIDAVIT B-- Intent to Perform Contract
with Own Workforce.**

County of Buncombe

Affidavit of HNH Construction Company

(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the _____

NC-9 Sidewalk - Phase 2

(Name of Project)

contract.

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and

The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement. The Bidder agrees to make a Good Faith Effort to utilize minority suppliers where possible.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: 11-12-19 Name of Authorized Officer: Laron Huntley

Signature: _____

Title: President

SHERISSA COCHRAN BYERS
NOTARY PUBLIC
HENDERSON COUNTY, NC
MY COMMISSION EXPIRES:
FEBRUARY 8, 2020

State of NC, County of Henderson

Subscribed and sworn to before me this 12th day of November 2019

Notary Public Sherissa Cochran Byers

My commission expires 2/8/20

BID

Proposal of SAGE Inc (hereinafter called "Bidder"); organized and existing under the laws of the State of NC doing business as a corporation **
_____ to **Town of Black Mountain** (**Insert "a corporation", "a partnership", or "an individual" as applicable) of North Carolina is (hereinafter called "Owner").

In compliance with your Advertisement for Bids, Bidder hereby proposes to perform all work for the construction of:

NC-9 Sidewalk – Phase 2 in strict accordance with the Contract Documents, within the time set forth therein, and at the prices stated below.

By submission of this Bid, each Bidder certifies, and in the case of a joint Bid each party thereto certifies as to his own organization, that this Bid has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this Bid with any other Bidder or with any competitor.

Bidder hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed and to fully complete the project within **75 consecutive calendar days** thereafter in accordance with the included project schedule. Bidder further agrees to pay, as liquidated damages, the sum of **\$250.00 per day** for each consecutive calendar day thereafter beyond any portion of the aforementioned construction schedules.

Bidder agrees to perform all the work indicated and described in the Contract Documents for the following price. Failure to fully complete the following bid schedule shall result in an informal Bid and the Owner reserves the right to reject the bid.

BASE BID DESCRIPTION AND QUANTITY

A LUMP SUM BID PRICE FOR ALL WORK AS NOTED ON THE DRAWINGS, TECHNICAL SPECIFICATIONS AND CONTRACT DOCUMENTS:

\$ One hundred ninety thousand seven hundred forty dollars \$ 190,740
(words) (numbers)

ALTERNATES: Each alternate will be shown as a deduct or add to the lump sum bid price should the Owner decide to change the scope of the project as noted on the drawings. The Owner reserves the right to accept or reject a specified alternate or any combination thereof.

Alternate 1: Switch to all concrete sidewalk as shown in the detail on sheet C921

\$ Sixty five thousand five hundred dollars \$ deduct 65,500
(words) (numbers)

UNIT PRICE WORK: Unit prices will be in effect only when necessary work falls outside the scope of the original contract work. Please insert unit price for all the items listed below. For all Unit Price Work that occurs outside the above lump sum price, payment shall be made in an amount equal to the sum of the established unit price for each separately identified item of Unit Price Work times the quantity of that item.

<u>Description</u>	<u>Unit Price</u>	
No. 1 Undercut Unsuitable backfill with stone	(5 CY)	<u>60</u> Dollars/ CY
No. 2 Undercut Unsuitable backfill with soil	(5 CY)	<u>50</u> Dollars/ CY
No. 3 CABC Stone	(5 Tons)	<u>45</u> Dollars / Ton
No. 4 Brick Paver Sidewalk	(5 SY)	<u>120</u> Dollars / SY
No. 5 Concrete Sidewalk	(5 SY)	<u>65</u> Dollars / SY
No. 6 MIRAFL	(5 SY)	<u>300</u> Dollars / SY

Contract Time: 75 Calendar days, in accordance with the included project schedule

Bidder acknowledges receipt of the following Addendum:

yes, Addendum 1

Respectfully submitted:


Signature

Amanda Blair
Name

Vice President
Title

64831
North Carolina Contractor's License Number

Seal - if Bid is by a Corporation

Attest: 
Secretary

2034 Big Branch Rd Clyde NC 28721
Address

11/12/19
Date

2034 Big Branch Rd Clyde NC 28721
Corporate (Partnership) Address

NC
State of Incorporation

828-507-5166
Telephone Number

State of North Carolina AFFIDAVIT A - Listing of Good Faith Efforts

County of Burrow

(Name of Bidder)

Affidavit of Southern Appalachian Grading and Excavation Inc.

I have made a good faith effort to comply under the following areas checked:

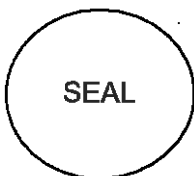
Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive. (1 NC Administrative Code 30 I.0101)

- ☐ 1 - (10 pts) Contacted minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor, or available on State or local government maintained lists, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- ☐ 2 - (10 pts) Made the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bids are due.
- ☐ 3 - (15 pts) Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- ☐ 4 - (10 pts) Worked with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- ☒ 5 - (10 pts) Attended prebid meetings scheduled by the public owner.
- ☒ 6 - (20 pts) Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- ☐ 7 - (15 pts) Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- ☐ 8 - (25 pts) Provided assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- ☐ 9 - (20 pts) Negotiated joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- ☒ 10 - (20 pts) Provided quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon scope of contract to be executed with the Owner. Substitution of contractors must be in accordance with GS143-128.2(d) Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: 11/12/19 Name of Authorized Officer: Amanda Black
 Signature: [Signature]
 Title: vice president



State of North Carolina County of Haywood
 Subscribed and sworn to before me this 12 day of November 2019
 Notary Public [Signature]
 My commission expires Nov. 14, 2024

**State of North Carolina --AFFIDAVIT B-- Intent to Perform Contract
with Own Workforce.**

County of Buncombe

Affidavit of Southern Appalachian Grading and Excavation Inc
(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the _____

NC-9 Sidewalk - Phase 2 contract.
(Name of Project)

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and

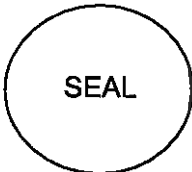
The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement. The Bidder agrees to make a Good Faith Effort to utilize minority suppliers where possible.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: 11/12/19 Name of Authorized Officer: Amenda Blair

Signature: [Signature]

Title: vice president



State of North Carolina, County of HAYWOOD

Subscribed and sworn to before me this 12 day of Nov. 2019

Notary Public [Signature]

My commission expires Nov. 14, 2024

State of North Carolina

AFFIDAVIT D – Good Faith Efforts

County of Buncombe

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the goal of 10% participation by HUB Certified/ minority business **is not** achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts:

Affidavit of Southern Appalachian Grading and Excavation, Inc
(Name of Bidder)
NC - 9 Sidewalk - Phase 2
(Project Name)
Project ID# CDC Job No 2H29 Amount of Bid \$ 190,740

I will expend a minimum of 0 % of the total dollar amount of the contract with HUB certified/ minority business enterprises. Minority businesses will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below. (Attach additional sheets if required)

Name and Phone Number	*Minority Category	**HUB Certified Y/N	Work Description	Dollar Value

*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

** HUB Certification with the state HUB Office required to be counted toward state participation goals.

Examples of documentation that may be required to demonstrate the Bidder's good faith efforts to meet the goals set forth in these provisions include, but are not necessarily limited to, the following:

- Copies of solicitations for quotes to at least three (3) minority business firms from the source list provided by the State for each subcontract to be let under this contract (if 3 or more firms are shown on the source list). Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received.
- Copies of quotes or responses received from each firm responding to the solicitation.
- A telephone log of follow-up calls to each firm sent a solicitation.
- For subcontracts where a minority business firm is not considered the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
- Documentation of any contacts or correspondence to minority business, community, or contractor organizations in an attempt to meet the goal.
- Copy of pre-bid roster
- Letter documenting efforts to provide assistance in obtaining required bonding or insurance for minority business.
- Letter detailing reasons for rejection of minority business due to lack of qualification.
- Letter documenting proposed assistance offered to minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required.

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.

Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with Minority Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

Do not submit with the bid Do not submit with the bid Do not submit with the bid Do not submit with the bid Do not submit with the bid

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: 11/12/19 Name of Authorized Officer: Amunda Blair

Signature: *Amunda Blair*

Title: vice president



State of North Carolina, County of Haywood
Subscribed and sworn to before me this 12 day of November 2019
Notary Public J. Diane Dean
My commission expires Nov. 14, 2024

**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION**

Meeting Date: February 10, 2020

SUBJECT: Resolution to Provide Additional Matching Funds for Riverwalk Greenway Phase II

AGENDA INFORMATION

Agenda Location: New Business
Item Number: 8A
Department: Planning
Contact: Jessica Trotman, Planning Director
Presenter: Josh Harrold, Town Manager

BRIEF SUMMARY: The Town is applying for additional funding through the current STBG call for projects from the MPO to fully fund the Riverwalk Phase II project. The application requires a resolution indicating the Town will provide matching funds if awarded. The total request for additional funding is \$1,200,000 (80%) with the Town responsible for \$240,000 (20%).

MOTION FOR CONSIDERATION: To approve Resolution #R-20-02 committing to matching funds, if awarded, in the amount of \$240,000, which is twenty-percent (20%) of the total request of the grant application for 2020 STBG to provide funding for construction for the River Walk Greenway Phase II.

FUNDING SOURCE: General Fund and grants as available

ATTACHMENTS: Resolution R-20-02 to Provide Matching Funds

MANAGER'S COMMENTS AND RECOMMENDATIONS: To approve as presented.

RESOLUTION #R-20-02

**RESOLUTION TO PROVIDE MATCHING FUNDS FOR
RIVER WALK GREENWAY PHASE II**

WHEREAS, the Board of Alderman for the Town of Black Mountain intends to apply for 2020 STBG grant in the amount of \$1,200,00 which is to provide funding for construction of the Riverwalk Greenway Phase II; and,

WHEREAS, as a condition of such grant is that the local jurisdiction provide matching fund in the amount \$240,000, which is twenty-percent of the total request of the grant application; and,

WHEREAS, the Board of Alderman wishes to assure the availability of such matching funds in needed for the success of the project;

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF ALDERMAN OF THE TOWN OF BLACK MOUNTAIN, NORTH CAROLINA THAT the Board of Alderman will appropriate from general revenues, its fund balance, contributed funds received from supporting agencies and organizations, or in any combination thereof, the amount required to satisfy the matching funds requirement condition of the grant.

I move the adoption of the foregoing resolution:

Alderman

READ, APPROVED AND ADOPTED, by a vote of ____ to ____ this 10th day of February, 2020.

Don Collins, Mayor

ATTEST:

Angela Reece, Assistant to Manager/Town Clerk

Josh Harrold, Town Manager

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 10, 2020

SUBJECT: Ordinance Amending Section 47-12, Specified Places Prohibited and 47-13, Penalty and Enforcement of Article IV. – Stopping, Standing, and Parking of the Town of Black Mountain Code of Ordinances **#O-20-03**

AGENDA INFORMATION

Agenda Location:	NEW BUSINESS
Item Number:	8B
Department:	Administration
Contact:	Ron Sneed, Town Attorney
Presenter:	Josh Harrold, Town Manager

BRIEF SUMMARY: In response to public concerns of pedestrian safety along Cherry Street and State Street staff have recommended the following additions to Article IV. – Stopping, Standing, and Parking of the Town of Black Mountain Code of Ordinances. The additions will allow lawful signage to be placed prohibiting parking in areas designated by the Town as well as allowing for towing.

MOTION FOR CONSIDERATION:

Approve as presented

FUNDING SOURCE: N/A

ATTACHMENTS: Ordinance #O-20-03

MANAGER’S COMMENTS AND RECOMMENDATIONS: To approve as presented.

AN ORDINANCE TO AMEND ARTICLE IV. - STOPPING, STANDING AND PARKING
OF THE TOWN OF BLACK MOUNTAIN CODE OF ORDINANCES

WHEREAS, the Town of Black Mountain did commission a Parking and Circulation Study to learn how it might improve parking and circulation of vehicular traffic within the Town; and

WHEREAS, one of the recommendations from that study was that parking in the commercial areas of Cherry Street and State Street downtown be subjected to limited parking times to discourage the all-day use of spaces in those areas to increase parking availability for those people shopping and dining downtown; and

WHEREAS, the Board of Aldermen have determined that of all the recommendations in the Parking and Circulation Study, this improvement can be implemented at a low cost to the Town with the largest benefit from such expenditure.

IT IS NOW, THEREFORE, ORDAINED that section 47-121 is hereby amended to read as follows:

Sec. 47-121. - Specified places prohibited.

It shall be unlawful for any person to stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device in any of the following places:

- (1) On a sidewalk.
- (2) In a crosswalk.
- (3) Within an intersection.
- (4) Within 30 feet of any flashing beacon, stop sign, or traffic control signal located at the side of a street or roadway.
- (5) On either side of any street approaching a railroad underpass.
- (6) On either side of any street approaching a grade crossing within 50 feet of the closest rail; provided that where existing permanent structures are located along the street and closer than 50 feet, parking may be permitted in front of the structures, unless otherwise prohibited, if the parking does not interfere with the view in either direction of an approaching locomotive or train.
- (7) Alongside or opposite any street excavation or obstruction when the stopping, standing or parking would obstruct traffic.
- (8) Upon any bridge or other elevated structure or within any underpass structure.
- (9) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanitarium or any public building.
- (10) On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street.
- (11) Along the north side of U.S. 70 from the east leg of the Primary School driveway eastward for a distance of 1,500 feet.
- (12) On the east side along Montreat Road (NC Highway 9) between First and Second Streets and from Cotton Avenue to East Street.
- (13) Along either side of Vance Avenue from NC Highway 9 to the dead end of the street.

- (14) Along the south side of Rec Park Drive from Blue Ridge Road to the dead end.
- (15) Along either side of Cherry Street for the full length of Cherry Street, or along the north side of State Street between Richardson Boulevard and Dougherty Street, for any period of time in excess of two hours.
- (16) At any other location where the Town has erected signs limiting times, duration, locations, uses or facilities served for parking.

Section 47-131 of the Town of Black Mountain Code of Ordinance is amended to read as follows.

Section 47-131. – Penalty and Enforcement

- (a) Any person who violates a provision of this article shall be required to pay a civil penalty of not more than \$50.00, payable to the Town of Black Mountain.
- (b) Any vehicle which is parked in a handicapped designated space in violation of Section 47-130 is subject to a civil penalty of a minimum of \$250.00 per violation unless the owner of the vehicle clearly displays the appropriate tags or placards that the vehicle is authorized by state or any other state to occupy handicap spaces.
- (c) The owner of any vehicle parked in violation of this Article which has been adopted pursuant to N.C.G.S. §160A-301 shall be deemed to have appointed the Town Manager or any police officer of the Town as his agent for the purpose of arranging for the transportation and safe storage of such vehicle, and such owner shall be required to pay the cost of transporting and storing such vehicle.

This ordinance shall be effective immediately upon adoption, except that section 47-121(15) shall not be in effect and enforced until signs are placed along Cherry Street and State Street giving notice of this time limitation.

I move the adoption of the foregoing ordinance amendment.

Alderman

READ, APPROVED AND ADOPTED, by a vote of ____ to ____ this 10th day of February, 2020.

Donald S. Collins, Mayor

ATTESTED:

Angela Reece, Assistant to Manager / Town Clerk

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 10, 2020

SUBJECT: Public Hearing to Close Portion of Unopened, Platted Right-of-Way Parallel to Ruby Avenue
#R-20-01

AGENDA INFORMATION

Agenda Location: PUBLIC HEARING
Item Number: 9A
Department: Planning & Development Department
Contact: Jessica Trotman, Planning Director
Presenter: Jessica Trotman, Planning Director

BRIEF SUMMARY: Richard “Kenny” Capps and Ora Lee Kerlee have filed a petition to close a portion of a right-of-way between Ruby Avenue and Old State 10 Road. The properties that abut the right-of-way are 212 Ruby Avenue and 213 Old State 10 Road. The requested closure is approximately 75 feet in the length and 14 feet wide. The right-of-way is not identified in any adopted plans nor is part of a proposed greenway or roadway system. The right-of-way is not part of a stormwater system nor is it in any drainage area. The Planning Board recommended the closure with a vote of 5-0 at the November 18, 2019 meeting.

The Town has the authority to close dedicated but unopened streets within its jurisdiction on its own motion.

MOTION FOR CONSIDERATION:

1. To open the public hearing for **Resolution #R-20-01** to Close Unopened, Platted Right-of-Way Parallel to Ruby Avenue
2. To close the public hearing.
3. To approve **Resolution #R-20-01** closing the unopened, platted right-of-way parallel to Ruby Avenue at presented.

FUNDING SOURCE: N/A

ATTACHMENTS: Resolution #R-20-01, Map, Aerial Photo

MANAGER’S COMMENTS AND RECOMMENDATIONS: To approve **Resolution #R-20-01** as presented.

Black Mountain News

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: TOWN OF BLACK MOUNTAIN

Address: 160 MIDLAND AVE
BLACK MOUNTAIN NC 28711
USA

Ad No.: 0003946090

Pymt Method Invoice

Net Amt: \$424.72

Run Times: 4

No. of Affidavits: 1

Run Dates: 01/02/20, 01/09/20, 01/16/20, 01/23/20

Text of Ad:



RESOLUTION OF INTENT # R-19-21

LEGAL NOTICE
RESOLUTION DECLARING THE INTENT OF
THE BOARD OF ALDERMEN OF THE TOWN
OF BLACK MOUNTAIN TO CONSIDER THE
CLOSING OF AN UNOPENED, PLATTED
PORTION OF RIGHT-OF-WAY PARALLEL TO
RUBY AVENUE AND TO HOLD A PUBLIC
HEARING ON THIS ISSUE
FEBRUARY 10, 2020

WHEREAS, G.S. 160A-299 authorizes the Board of Aldermen of the Town of Black Mountain to permanently close public streets or alleys; and

WHEREAS, The Town of Black Mountain has received a request from the Planning Board to close that unopened, platted portion of right-of-way parallel to Ruby Avenue; and

WHEREAS, the Planning Board for the Town of Black Mountain, after reviewing petitioners' request, did recommend that the unopened, platted portion of right-of-way parallel to Ruby Avenue be closed; and

WHEREAS, the Board of Aldermen of the Town of Black Mountain must set a public hearing to consider any comments concerning the above referenced request before taking any action; and

WHEREAS, in accordance therewith, the Board of Aldermen of the Town of Black Mountain desires to take the following actions:

DESCRIPTION:

LYING AND BEING in the Town of Black Mountain, Black Mountain Township, Buncombe County, North Carolina:

BEGINNING at the northwest corner of Lot 7, Block 5, as shown on that Plat of C.P. Kerlee's Addition to Black Mountain recorded in Plat Book 154 at Page 173, Buncombe County Registry; thence from said Beginning North 15° 50' East 14 feet to the southwest corner of Lot 2, Block 5, as shown on said plat; thence with the southern boundary of Lot 2 South 74° 20' East 73 feet to the southeast corner of said Lot 2; thence South 15° 50' West 14 feet to the northeast corner of Lot 7, Block 5, as shown on the aforesaid plat; thence with the northern boundary of said Lot 7 North 74° 20' West 73 feet to the BEGINNING.

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

Section 1. Pursuant to G.S. 160A-299, the Board of Aldermen declares its intent to close the unopened, platted portion of right-of-way parallel to Ruby Avenue.

Section 2. A public hearing on the question of closing said street is hereby called at Town Hall, 160 Midland Avenue, Black Mountain, N.C. 28711 on Monday, February 10, 2020 at 6:00 p.m.

Section 3. Following the public hearing called hereby, the Board of Aldermen shall consider the passage of an order closing the street identified above.

Section 4. The Town of Black Mountain Town Clerk is hereby directed to publish

this Resolution once a week for four successive weeks in the Black Mountain News, or other newspaper of general circulation in the area.

Section 5. The Town of Black Mountain Zoning Administrator is hereby directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution.

Section 6. The Town of Black Mountain Zoning Administrator is further directed to cause adequate notices of the proposed closing and of the public hearing to be posted as required by G.S. 160A-299.

I move the adoption of the foregoing resolution:

Maggie Tuttle, Vice Mayor

READ, APPROVED AND ADOPTED, by a vote of 4_ to 0_ this the 9th day of December, 2019.

ATTEST:

Don Collins, Mayor

Angela Reece, Assistant to Manager/
Town Clerk

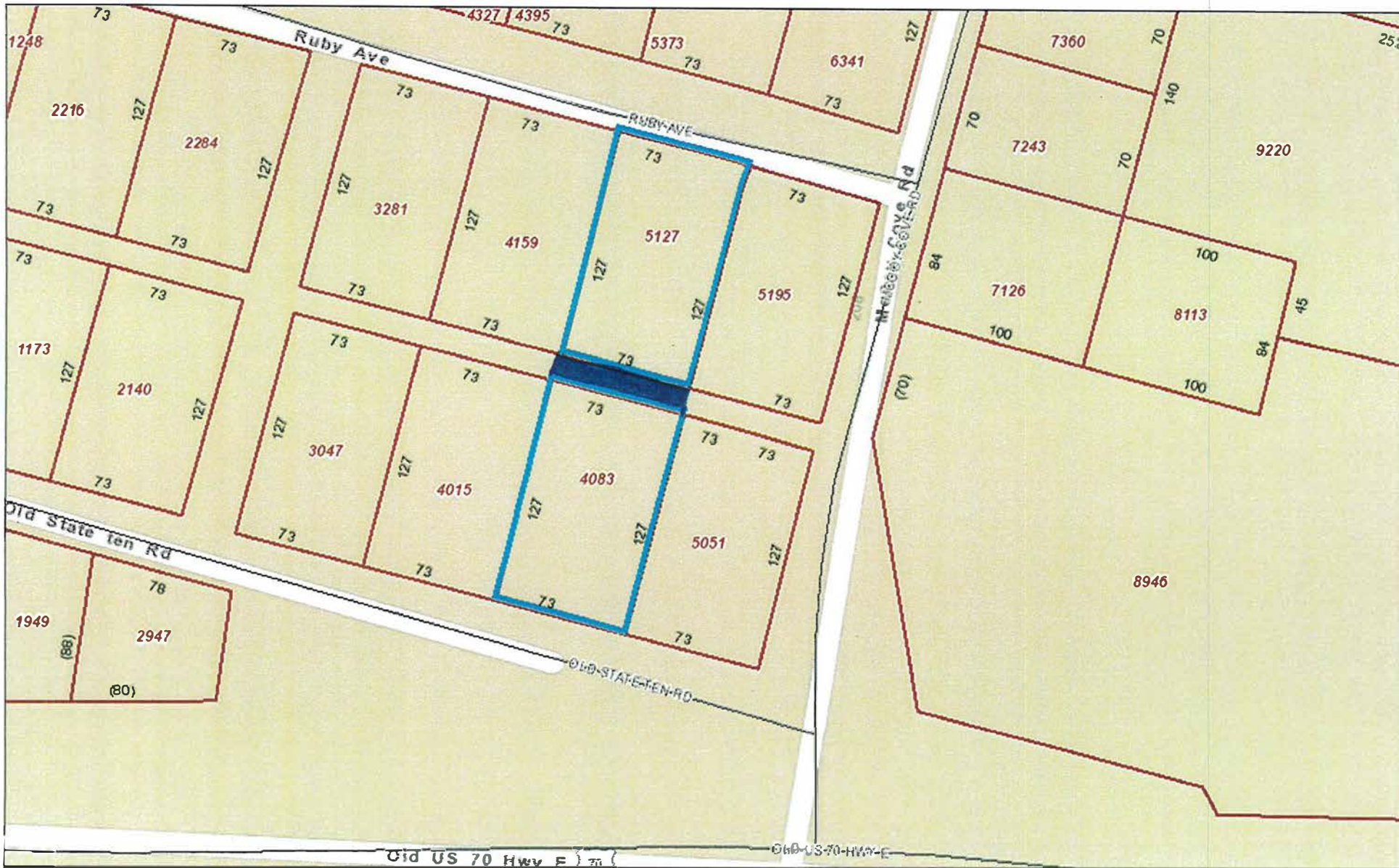
Posted to the Town Bulletin Board
12/12/19

Published in the Black Mountain News
01/02/20, 01/09/20, 01/16/20 and 01/23/20

www.townofblackmountain.org

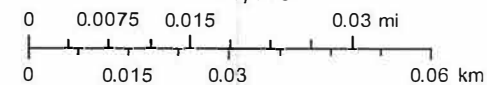
January 02, 09, 16, 23, 2020
0003946090

Buncombe County



October 29, 2019

1:1,128

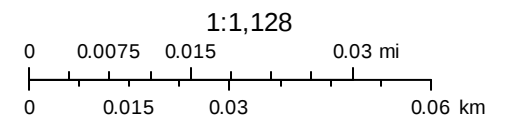


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Buncombe County



December 18, 2019



RESOLUTION #R-20-01

RESOLUTION TO CLOSE A PORTION OF AN UNOPENED, PLATTED RIGHT-OF-WAY PARALLEL TO RUBY AVENUE

WHEREAS, the Town of Black Mountain has received a request from the adjoining property owners to close that unopened, platted portion of right-of-way parallel to Ruby Avenue; and

WHEREAS, the Planning Board for the Town of Black Mountain did recommend that the street be closed; and

WHEREAS, the Town of Black Mountain has the authority to close dedicated streets within its jurisdiction on its own motion pursuant to N.C.G.S. 160A-299; and

WHEREAS, the unopened, platted portion of right-of-way parallel to Ruby Avenue to be closed is more particularly described as follows:

LYING AND BEING in the Town of Black Mountain, Black Mountain Township, Buncombe County, North Carolina:

BEGINNING at the northwest corner of Lot 7, Block S, as shown on that Plat of C.P. Kerlee's Addition to Black Mountain recorded in Plat Book 154 at Page 173, Buncombe County Registry; thence from said Beginning North 15° 50' East 14 feet to the southwest corner of Lot 2, Block S, as shown on said plat; thence with the southern boundary of Lot 2 South 74° 20' East 73 feet to the southeast corner of said Lot 2; thence South 15° 50' West 14 feet to the northeast corner of Lot 7, Block S, as shown on the aforesaid plat; thence with the northern boundary of said Lot 7 North 74° 20' West 73 feet to the BEGINNING.

WHEREAS, the Board of Aldermen of the Town of Black Mountain considered the above referenced request at its regular meeting at 6:00 p.m. on the 9th day of December, 2019 and for good cause shown, the Board of Aldermen declared its intent to close the described unopened, platted portion of right-of-way parallel to Ruby Avenue; and

WHEREAS, a copy of the resolution adopted by the Board of Aldermen at their December 9, 2019 meeting was published in the Black Mountain News for four (4) consecutive weeks; and

WHEREAS, notice of the adoption of the resolution of intent and the public hearing on the closing of the described unopened, platted portion of right-of-way parallel to Ruby Avenue was posted at two prominent places along said street no later than January 10, 2020; and

WHEREAS, a public hearing was held to receive public comment at the regular meeting of the Board of Aldermen in the Board meeting room in the Town Hall Building on Monday, February 10, 2020 at 6:00 p.m.; and

WHEREAS, it appears to the satisfaction of the Board of Aldermen that closing the described unopened, platted portion of right-of-way parallel to Ruby Avenue is not contrary to the Town, and that no individual owning property in the vicinity of said unopened, platted portion of right-of-way parallel to Ruby Avenue would be hereby deprived of reasonable means of ingress or egress; but

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Black Mountain that:

1. Pursuant to the North Carolina General Statute Section 160A-299, that unopened, platted portion of right-of-way parallel to Ruby Avenue described shall be permanently closed to public use.
2. The closing is subject to the retention by the Town of easements for any existing water, sewer, or other existing utility lines.
3. Pursuant to North Carolina General Statute Section 160A-299, a certified copy of this resolution and order shall be filed in the Office of the Register of Deeds for Buncombe County, North Carolina, if and at such time as the contingencies set out above are met.

I move the adoption of the foregoing resolution:

Alderman

READ, APPROVED AND ADOPTED, by a vote of ____ to ____ this the 10th day of February, 2020.

ATTEST:

Don Collins, Mayor

Angela Reece, Assistant to Manager/Town Clerk

Josh Harrold, Town Manager

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 10, 2020

SUBJECT: Public Hearing to Rezone Portions of Flat Creek Road and Montreat Road from
Suburban Residential (SR-2) to Town Residential (TR-4) **#Z-O-20-01**

AGENDA INFORMATION

Agenda Location: PUBLIC HEARING
Item Number: 9B
Department: Planning & Development Department
Contact: Jessica Trotman, Planning Director
Presenter: Jessica Trotman, Planning Director

BRIEF SUMMARY: The Planning Board evaluated a large area of Flat Creek and Montreat Road to be rezoned to better meet the conditions that are currently on the ground. The Planning Board held a community meeting with owners in the proposed area and there was wide support for the TR-4 zoning district. The Planning Board received the application at their December 16, 2020 meeting and voted 5 to 0 to recommend the rezoning to the Board of Aldermen.

The properties are as follows:

298 Flat Creek Road	0710-51-2184	7 Burgess Branch Road	0710-52-4028
302 Flat Creek Road	0710-51-3391	336 Flat Creek Road	0710-52-6344
304 Flat Creek Road	0710-51-3407	1204 Montreat Road	0710-53-8260
308 Flat Creek Road	0710-51-3519	99999 Flat Creek Road	0710-53-8028
310 Flat Creek Road	0710-51-3720	1158 Montreat Road	0710-53-7123
312 Flat Creek Road	0710-51-3850	1156 Montreat Road	0710-53-6085
99999 Flat Creek Road	0710-51-3837	1154 Montreat Road	0710-53-6021
314 Flat Creek Road	0710-51-3953	1152 Montreat Road	0710-52-5956
316 Flat Creek Road	0710-51-4858	1150 Montreat Road	0710-52-4879
1148 Montreat Road	0710-52-3883	1144 Montreat Road	0710-52-2768
1140 Montreat Road	0710-52-1628	1136 Montreat Road	0710-52-0566
1134 Montreat Road	0710-52-0453	1130 Montreat Road	0710-42-9288
1124 Montreat Road	0710-42-9124	1122 Montreat Road	0710-42-9013
1120 Montreat Road	0710-41-7958	12 Rushing Brook Lane	0710-41-8984
15 Rushing Brook Lane	0710-41-9858	99999 Flat Creek Road	0710-51-0195
299 Flat Creek Road	0710-51-0292	99999 Flat Creek Road	0710-51-0370
303 Flat Creek Road	0710-51-0347	4 Carefree Lane	0710-51-0472
99999 Flat Creek Road	0710-41-9413	12 Carefree Lane	0710-41-9458
7 Carefree Lane	0710-51-1502	11 Carefree Lane	0710-41-9548
309 Flat Creek Road	0710-51-1624	20 Cool River Drive	0710-41-9697
311 Flat Creek Road	0710-51-1718	313 Flat Creek Road	0710-51-1985
99999 Montreat Road	0710-52-0085	321 Flat Creek Road	0710-52-2123

MOTION FOR CONSIDERATION:

1. To open the public hearing to rezone multiple parcels on Flat Creek and Montreat Road from SR-2 (suburban residential) to TR-4 (town residential).
2. To close the public hearing.
3. To adopt the Statement of Consistency as presented [or as amended].
4. To adopt ***Ordinance #Z-O-20-01*** to rezone multiple parcels on Flat Creek Road and Montreat Road from SR-2 (suburban residential) to TR-4 (town residential).

FUNDING SOURCE: N/A

ATTACHMENTS: ***Ordinance #O-20-03***, Statement of Consistency, Rezoning Area Map

MANAGER'S COMMENTS AND RECOMMENDATIONS: To adopt ***Ordinance #Z-O-20-01*** to rezone the property as presented and to adopt the Statement of Consistency as presented [or as amended}.

Black Mountain News

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: TOWN OF BLACK MOUNTAIN

Address: 160 MIDLAND AVE
BLACK MOUNTAIN NC 28711
USA

Ad No.: 0004002995

Pymt Method Invoice

Net Amt: \$220.88

Run Times: 2

No. of Affidavits: 1

Run Dates: 01/23/20, 01/30/20

Text of Ad:



LEGAL NOTICE

**BLACK MOUNTAIN BOARD OF
ALDERMEN**

PUBLIC HEARING

Monday, February 10, 2020, at 6:00 p.m.

The Black Mountain Board of Aldermen will meet on **Monday, February 10, 2020, at 6:00 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hold a public hearing to rezone portions of Flat Creek Road and Montreat Road, from SR-2 (suburban residential) to TR-4 (town residential).

Properties are identified as follows:

298 Flat Creek Road	0710-51-2184	7 Burgess Branch Road	0710-52-4028
302 Flat Creek Road	0710-51-3391	336 Flat Creek Road	0710-52-6344
1304 Flat Creek Road	0710-51-3407	1204 Montreat Road	0710-53-8260
h308 Flat Creek Road	0710-51-3519	99999 Flat Creek Road	0710-53-8028
e310 Flat Creek Road	0710-51-3720	1158 Montreat Road	0710-53-7123
312 Flat Creek Road	0710-51-3850	1156 Montreat Road	0710-53-6085
m99999 Flat Creek Road	0710-51-3837	1154 Montreat Road	0710-53-6021
e314 Flat Creek Road	0710-51-3953	1152 Montreat Road	0710-52-5956
e316 Flat Creek Road	0710-51-4858	1150 Montreat Road	0710-52-4879
t1148 Montreat Road	0710-52-3883	1144 Montreat Road	0710-52-2768
i1140 Montreat Road	0710-52-1628	1136 Montreat Road	0710-52-0566
n1134 Montreat Road	0710-52-0453	1130 Montreat Road	0710-42-9288
g1124 Montreat Road	0710-42-9124	1122 Montreat Road	0710-42-9013
1120 Montreat Road	0710-41-7958	12 Rushing Brook Lane	0710-41-8984
115 Rushing Brook Lane	0710-41-9858	99999 Flat Creek Road	0710-51-0195
s299 Flat Creek Road	0710-51-0292	99999 Flat Creek Road	0710-51-0370
303 Flat Creek Road	0710-51-0347	4 Carefree Lane	0710-51-0472
o99999 Flat Creek Road	0710-41-9413	12 Carefree Lane	0710-41-9458
p7 Carefree Lane	0710-51-1502	11 Carefree Lane	0710-41-9548
e309 Flat Creek Road	0710-51-1624	20 Cool River Drive	0710-41-9697
n311 Flat Creek Road	0710-51-1718	313 Flat Creek Road	0710-51-1985
99999 Montreat Road	0710-52-0085	321 Flat Creek Road	0710-52-2123

The meeting is open to the public.

Angela L. Reece
Assistant to Manager/Town Clerk

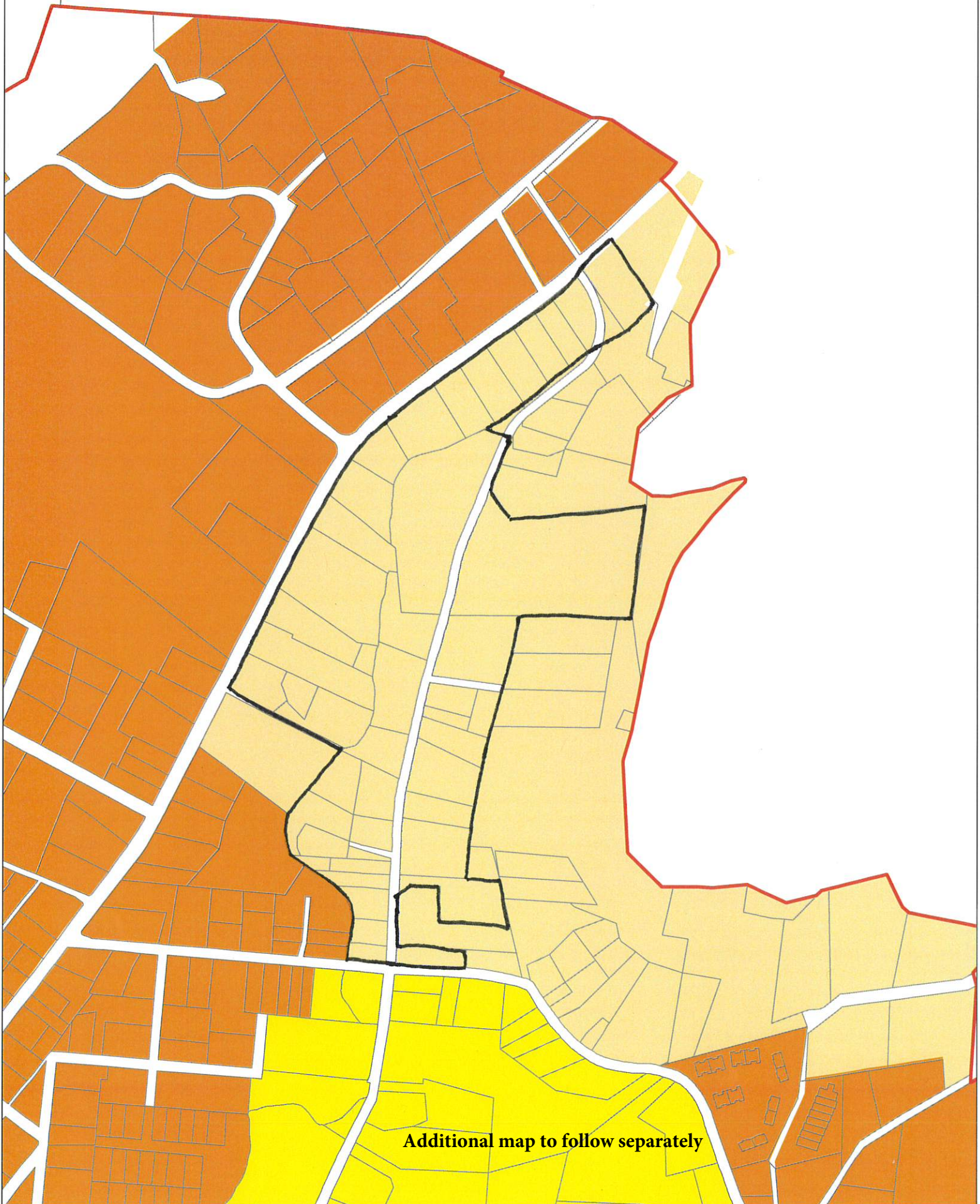
The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact, Angela Reece, Town Clerk at 419-9310 or by email at angela.reece@townofblackmountain.org

Posted to the Town Bulletin Board 01/16/20
Published in the Black Mountain News 01/23/20 and 01/30/20

www.townofblackmountain.org

January 23, 30, 2020
0004002995

Flat Creek and Montreat Road Rezoning Area



Additional map to follow separately

A STATEMENT OF CONSISTENCY TO REZONE PORTIONS OF FLAT CREEK ROAD AND MONTREAT ROAD FROM SUBURBAN RESIDENTIAL TO TOWN RESIDENTIAL

BE IT ORDAINED by the Board of Aldermen for the Town of Black Mountain, North Carolina, that they adopt the following STATEMENT OF CONSISTENCY;

WHEREAS, when the Board of Aldermen adopted the Town of Black Mountain Code of Ordinances, the Planning Board committed to reviewing these regulations in order to improve their application to our community and context; and

WHEREAS, in accordance with the provisions of North Carolina General Statute §160A-383, it is determined that the adoption of the recommended rezoning is consistent with vision statement seven of the adopted 2014 Comprehensive Plan and the 2008 adopted Comprehensive Pedestrian Plan; and

WHEREAS, the Board of Aldermen find, that the proposed rezoning is consistent with current state regulations and find that this recommendation promotes the general welfare and is in keeping with good zoning practice; and

WHEREAS, the Board of Aldermen find that the proposed rezoning is reasonable as the changes in zoning will not be incongruous with the surrounding character of the neighborhood and that there are minor differences in the two zoning districts

BE IT ORDAINED by the Board of Aldermen for the Town of Black Mountain, North Carolina, that the rezoning for portions of Flat Creek Road and Montreat Road (as identified below) from suburban residential to town residential is consistent with the Town's 2014 Comprehensive Plan and 2008 Comprehensive Pedestrian Plan.

298 Flat Creek Road	0710-51-2184	7 Burgess Branch Road	0710-52-4028
302 Flat Creek Road	0710-51-3391	336 Flat Creek Road	0710-52-6344
304 Flat Creek Road	0710-51-3407	1204 Montreat Road	0710-53-8260
308 Flat Creek Road	0710-51-3519	99999 Flat Creek Road	0710-53-8028
310 Flat Creek Road	0710-51-3720	1158 Montreat Road	0710-53-7123
312 Flat Creek Road	0710-51-3850	1156 Montreat Road	0710-53-6085
99999 Flat Creek Road	0710-51-3837	1154 Montreat Road	0710-53-6021
314 Flat Creek Road	0710-51-3953	1152 Montreat Road	0710-52-5956
316 Flat Creek Road	0710-51-4858	1150 Montreat Road	0710-52-4879
1148 Montreat Road	0710-52-3883	1144 Montreat Road	0710-52-2768
1140 Montreat Road	0710-52-1628	1136 Montreat Road	0710-52-0566
1134 Montreat Road	0710-52-0453	1130 Montreat Road	0710-42-9288
1124 Montreat Road	0710-42-9124	1122 Montreat Road	0710-42-9013
1120 Montreat Road	0710-41-7958	12 Rushing Brook Lane	0710-41-8984
15 Rushing Brook Lane	0710-41-9858	99999 Flat Creek Road	0710-51-0195
299 Flat Creek Road	0710-51-0292	99999 Flat Creek Road	0710-51-0370
303 Flat Creek Road	0710-51-0347	4 Carefree Lane	0710-51-0472
99999 Flat Creek Road	0710-41-9413	12 Carefree Lane	0710-41-9458

Statement of Consistency for Zoning Ordinance #Z-O-20-01

7 Carefree Lane	0710-51-1502	11 Carefree Lane	0710-41-9548
309 Flat Creek Road	0710-51-1624	20 Cool River Drive	0710-41-9697
311 Flat Creek Road	0710-51-1718	313 Flat Creek Road	0710-51-1985
99999 Montreat Road	0710-52-0085	321 Flat Creek Road	0710-52-2123

I move the adoption of the foregoing resolution:

Alderman

READ, APPROVED AND ADOPTED by a vote of ____ to ____ this 10th day of February, 2020.

Donald Collins, Mayor

Josh Harrold, Town Manager

ATTEST:

Angela Reece, Assistant to Manager/Town Clerk

ZONING ORDINANCE NO. #Z-O-20-01

AN ORDINANCE AMENDING ZONING FOR MULTIPLE PROPERTIES ON MONTREAT ROAD AND FLAT CREEK ROAD

WHEREAS, the Town of Black Mountain has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the Town's zoning regulations was adopted on January 11, 2010, (Ordinance No. #O-10-01) and is codified in Appendix A of the Town of Black Mountain Code of Ordinances (herein "Zoning Ordinance"), and maps dividing and classifying the property within the Town's zoning jurisdiction were adopted on January 11, 2010, (Ordinance No. #O-10-01) and are on file and maintained in the Offices of the Town of Black Mountain Planning and Development Department (herein "Official Zoning Map"); and

WHEREAS, this proposed amendment is consistent with the Town of Black Mountain Comprehensive Plan and other official plans of the Town and is determined to be reasonable and in the public interest for the following reasons:

- a. The overall size of the tract of land proposed for the rezoning is reasonable compared to the size of the zoning district in which the subject property is located.
- b. The proposed rezoning is consistent with the comprehensive plan or elements thereof.
- c. The impact to the adjacent property owners and surrounding community is reasonable and the benefits of the zoning shall outweigh any potential inconveniences or harm to the community.
- d. The allowed uses within the proposed zoning district are similar or comparable to the permitted uses as currently zoned.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN THAT:

The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain all real property described in Exhibit A and identified on the Buncombe County tax maps by the following PIN numbers, 0710-51-2184, 0710-51-3391, 0710-51-3407, 0710-51-3519, 0710-51-3720, 0710-51-3850, 0710-51-3837, 0710-51-3953, 0710-51-4858, 0710-52-3883, 0710-52-1628, 0710-52-0453, 0710-42-9124, 0710-41-7958, 0710-41-9858, 0710-51-0292, 0710-51-0347, 0710-51-9413, 0710-51-4028, 0710-52-6344, 0710-53-8260, 0710-53-8028, 0710-53-7123, 0710-53-6085, 0710-53-6021, 0710-52-5956, 0710-52-4879, 0710-52-2768, 0710-52-0566, 0710-42-9288, 0710-42-9013, 0710-41-8984, 0710-51-0195, 0710-51-0370, 0710-51-0472, 0710-41-9458, 0710-51-1502, 0710-51-1624, 0710-51-1718, 0710-52-0085, 0710-41-9548, 0710-41-9697, 0710-51-1985, and

0710-52-2123, from Suburban Residential (SR-2) to Town Residential (TR-4). A copy of the official zoning map showing said lot is attached hereto as Exhibit “A” and made a part thereof.

This ordinance shall be in full force and effective on the date of adoption.

READ, APPROVED AND ADOPTED, by a vote of ____ to ____ this the 10th day of February, 2020.

Angela Reece, Assistant to Manager/Town Clerk

Don Collins, Mayor

Approved as to form

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 10, 2020

SUBJECT: Public Hearing to Rezone 1068 Old US 70 Hwy from OI-6 (office and institutional) to HB-8 (highway business) ***Zoning Ordinance #Z-O-20-02***

AGENDA INFORMATION

Agenda Location: PUBLIC HEARING
Item Number: 9C
Department: Planning & Development Department
Contact: Jessica Trotman, Planning Director
Presenter: Jessica Trotman, Planning Director

BRIEF SUMMARY: Walker Ferguson, the owner of 1068 Old US 70 Hwy, has requested that their property located at 1068 Old US 70 Hwy be rezoned from OI-6 (office and institutional) to HB-8 (highway business). The property sits at the corner of Old US 70 Hwy and Tabernacle road and abuts and is adjacent to other highway business zoned properties. The property is .64 acres and rezoning would give the owner the opportunity to get one additional lot if they chose to subdivide. The Planning Board heard this request at their December 16, 2019 meeting and voted 4 to 1 to recommend the rezoning request to the Board of Aldermen

The property is as follows:
1068 Old US 70 Hwy – PIN #0609-53-4523.00000

MOTION FOR CONSIDERATION:

1. To open the public hearing to rezone 1068 Old US 70 Hwy from OI-6 (office and institutional) to HB-8 (highway business).
2. To close the public hearing.
3. To adopt the Statement of Consistency as presented [or as amended].
4. To adopt ***Rezoning Ordinance #R-O-20-02*** to rezone 1068 Old US 70 Hwy from OI-6 (office and institutional) to HB-8 (highway business).

FUNDING SOURCE: N/A

ATTACHMENTS: ***Rezoning Ordinance #R-O-20-02***, Statement of Consistency, Zoning Map, Aerial Map

MANAGER’S COMMENTS AND RECOMMENDATIONS: To adopt *Rezoning Ordinance #R-O-20-02* to rezone the property as presented and to adopt the Statement of Consistency as presented [or as amended]

Black Mountain News

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: TOWN OF BLACK MOUNTAIN

Ad No.: 0004002940

Address: 160 MIDLAND AVE
BLACK MOUNTAIN NC 28711
USA

Pymt Method Invoice

Net Amt: \$102.62

Run Times: 2

No. of Affidavits: 1

Run Dates: 01/23/20, 01/30/20

Text of Ad:



LEGAL NOTICE

**BLACK MOUNTAIN BOARD OF
ALDERMEN**

PUBLIC HEARING

Monday, February 10, 2020, at 6:00 p.m.

The Black Mountain Board of Aldermen will meet on **Monday, February 10, 2020, at 6:00 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hold a public hearing to rezone 1068 Old US 70 Hwy, further identified as PIN #0609-53-4523.00000, from OI-6 (office and institutional) to HB-8 (highway business).

The meeting is open to the public.

Angela L. Reece
Assistant to Manager/Town Clerk

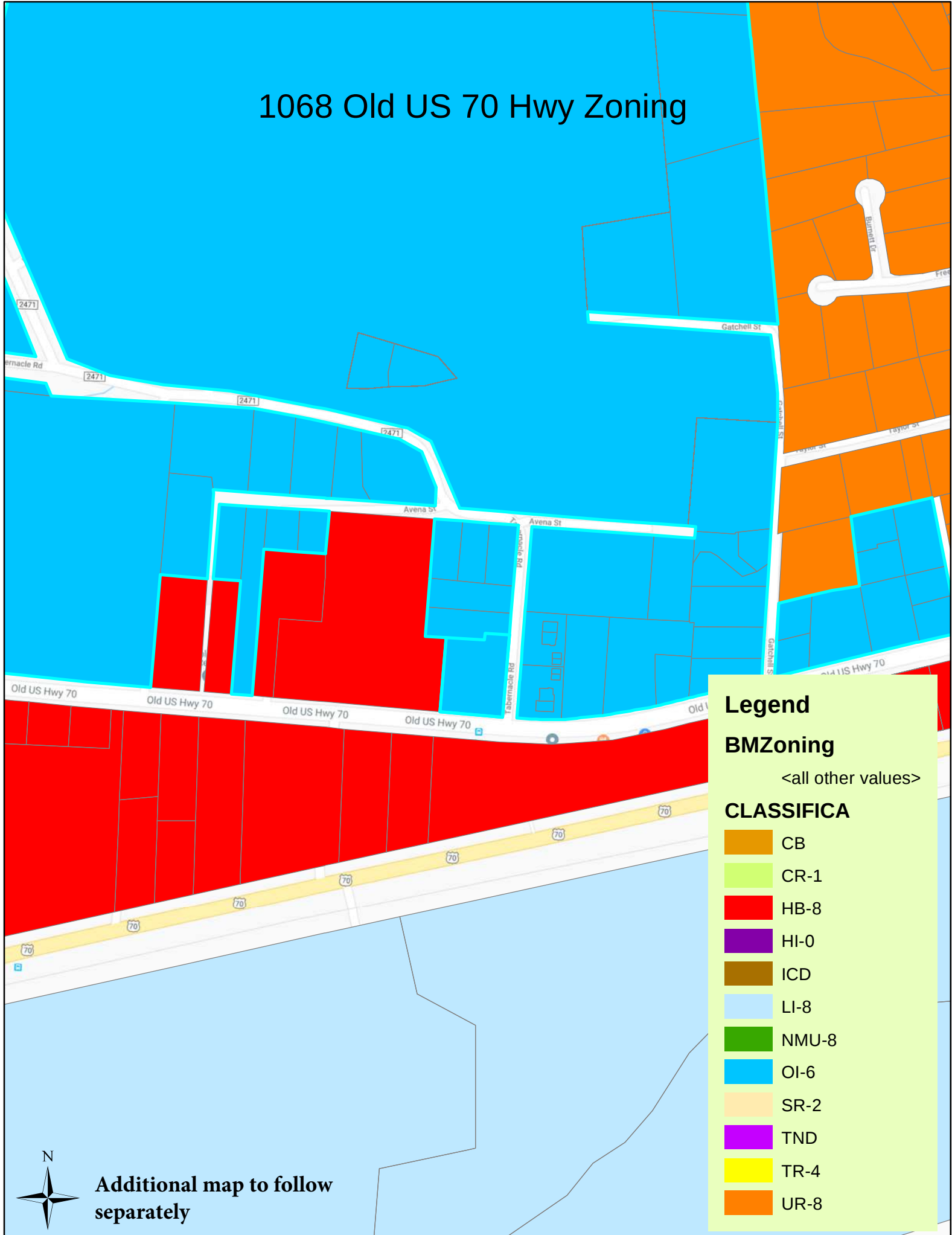
The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact, Angela Reece, Town Clerk at 419-9310 or by email at angela.reece@townofblackmountain.org

Posted to the Town Bulletin Board
01/16/20

Published in the Black Mountain News
01/23/20 and 01/30/20

www.townofblackmountain.org
January 23, 30, 2020
0004002940

1068 Old US 70 Hwy Zoning



Legend

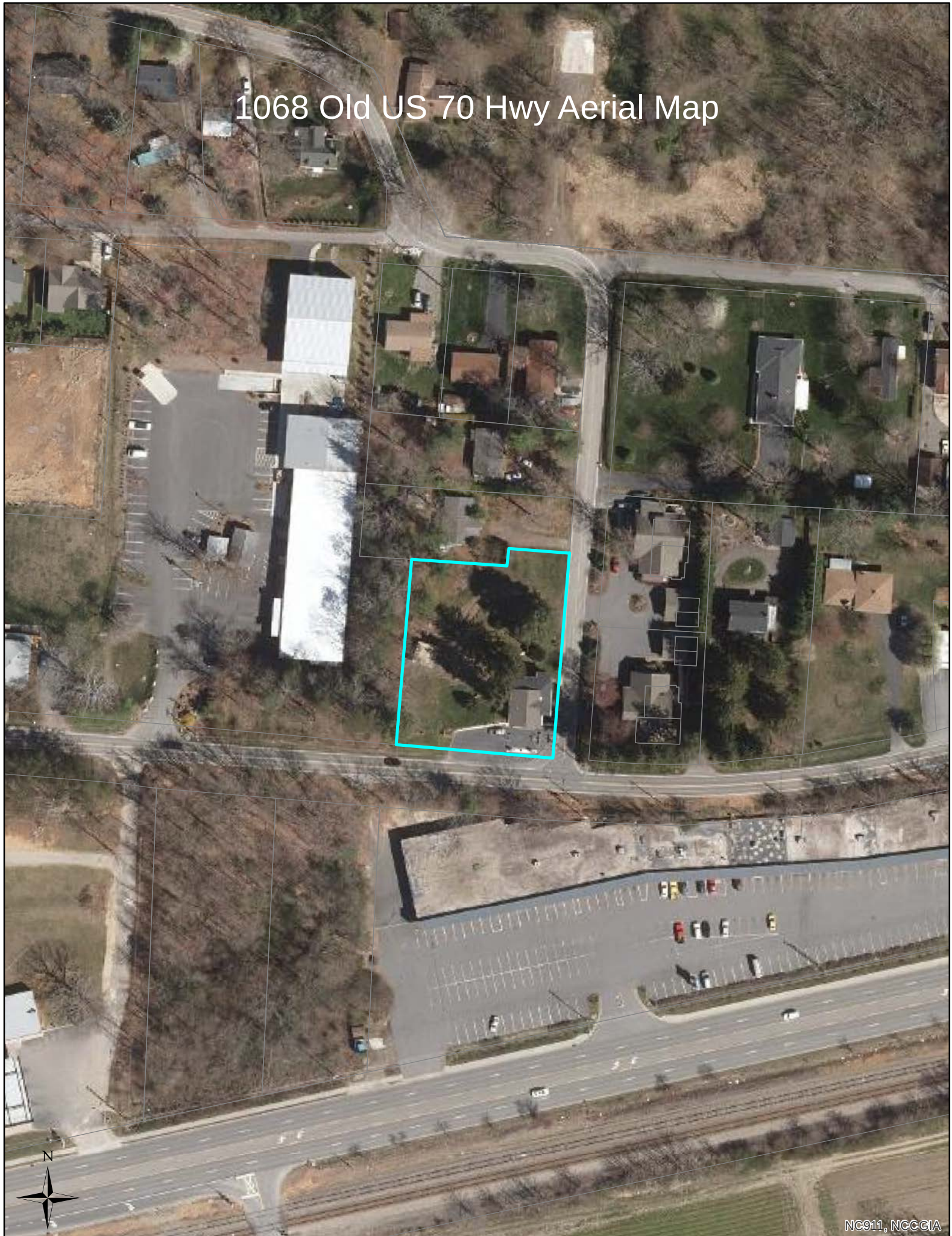
BMZoning

<all other values>

CLASSIFICA

- CB
- CR-1
- HB-8
- HI-0
- ICD
- LI-8
- NMU-8
- OI-6
- SR-2
- TND
- TR-4
- UR-8

1068 Old US 70 Hwy Aerial Map



STATEMENT OF CONSISTENCY FOR ZONING ORDINANCE NO. #Z-O-20-02

**A STATEMENT OF CONSISTENCY TO REZONE 1068 OLD US 70 HIGHWAY FROM
OFFICE AND INSTITUTIONAL TO HIGHWAY BUSINESS**

BE IT ORDAINED by the Board of Aldermen for the Town of Black Mountain, North Carolina, that they adopt the following STATEMENT OF CONSISTENCY;

WHEREAS, when the Board of Aldermen adopted the Town of Black Mountain Code of Ordinances, the Planning Board committed to reviewing these regulations in order to improve their application to our community and context; and

WHEREAS, in accordance with the provisions of North Carolina General Statute §160A-383, it is determined that the adoption of the recommended rezoning is consistent with vision statement seven of the adopted 2014 Comprehensive Plan and the 2008 adopted Comprehensive Pedestrian Plan; and

WHEREAS, the Board of Aldermen find, that the proposed rezoning is consistent with current state regulations and find that this recommendation promotes the general welfare and is in keeping with good zoning practice; and

WHEREAS, the Board of Aldermen find that the proposed rezoning is reasonable as the changes in zoning will not be incongruous with the surrounding character of the neighborhood and that there are minor differences in the two zoning districts

BE IT ORDAINED by the Board of Aldermen for the Town of Black Mountain, North Carolina, that the rezoning for 1068 Old US 70 Highway from office and institutional to highway business is consistent with the Town's 2014 Comprehensive Plan and 2008 Comprehensive Pedestrian Plan.

READ, APPROVED AND ADOPTED by a vote of ____ to ____ this 10th day of February, 2020.

Donald Collins, Mayor

Josh Harrold, Town Manager

ATTEST:

Angela Reece, Town Clerk

ZONING ORDINANCE NO. #Z-O-20-02

AN ORDINANCE AMENDING ZONING FOR PROPERTY LOCATED AT 1068 OLD US 70 HWY

WHEREAS, the Town of Black Mountain has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the Town's zoning regulations was adopted on January 11, 2010, (Ordinance No. #O-10-01) and is codified in Appendix A of the Town of Black Mountain Code of Ordinances (herein "Zoning Ordinance"), and maps dividing and classifying the property within the Town's zoning jurisdiction were adopted on January 11, 2010, Ordinance No. #O-10-01) and are on file and maintained in the Offices of the Town of Black Mountain Planning and Development Department (herein "Official Zoning Map"); and

WHEREAS, this proposed amendment is consistent with the Town of Black Mountain Comprehensive Plan and other official plans of the Town and is determined to be reasonable and in the public interest for the following reasons:

- a. The overall size of the tract of land proposed for the rezoning is reasonable compared to the size of the zoning district in which the subject property is located.
- b. The proposed rezoning is consistent with the comprehensive plan or elements thereof.
- c. The impact to the adjacent property owners and surrounding community is reasonable and the benefits of the zoning shall outweigh any potential inconveniences or harm to the community.
- d. The allowed uses within the proposed zoning district are similar or comparable to the permitted uses as currently zoned.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN THAT:

The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain real property described in Exhibit A and identified on the Buncombe County tax maps as PIN 0609-53-4523, recorded in Deed Book 5645, Pages 1829 and currently owned by Walker Ferguson, from Office & Institutional (OI-6) to Highway Business (HB-8). A copy of the official zoning map showing said lot is attached hereto as Exhibit "A" and made a part thereof.

ZONING ORDINANCE NO. #Z-O-20-02

This ordinance shall be in full force and effective on the date of adoption.

READ, APPROVED AND ADOPTED, by a vote of ____ to ____ this the 10th day of February, 2019.

Angela Reece, Assistant to Manager/Town Clerk

Don Collins, Mayor

Approved as to form

TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 10, 2020

SUBJECT: Public Hearing to Rezone 1114 Montreat Road from SR-2 (suburban residential) to
UR-8 (urban residential) ***Zoning Ordinance #Z-O-20-03***

AGENDA INFORMATION

Agenda Location: PUBLIC HEARING
Item Number: 9D
Department: Planning & Development Department
Contact: Jessica Trotman, Planning Director
Presenter: Jessica Trotman, Planning Director

BRIEF SUMMARY: John Pomeroy and Micah Larimore (1114 Montreat Rd LLC), the owners of 1114 Montreat Road, have requested that their property located at 1114 Montreat Road be rezoned from SR-2 (suburban residential) to UR-8 (urban residential). The property abuts and is adjacent to other urban residential zoned properties. The difference in uses between districts is comparable and while it would allow more density, the property is encumbered by sewer lines, a stream, floodway and floodplain. The Planning Board heard this request at their December 16, 2019 meeting and voted 5 to 0 to recommend the rezoning request to the Board of Aldermen.

The property is as follows:
1114 Montreat Road – PIN #0710-41-7795.00000

MOTION FOR CONSIDERATION:

1. To open the public hearing to rezone 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential).
2. To close the public hearing.
3. To adopt the Statement of Consistency as presented [or as amended].
4. To adopt ***Zoning Ordinance #Z-O-20-03*** to rezone 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential).

FUNDING SOURCE: N/A

ATTACHMENTS: ***Zoning Ordinance #Z-O-20-03***, Statement of Consistency, Zoning Map, Aerial Map

MANAGER’S COMMENTS AND RECOMMENDATIONS: To adopt ***Zoning Ordinance #Z-O-20-03*** to rezone the property as presented and to adopt the Statement of Consistency as presented [or as amended].

Black Mountain News

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: TOWN OF BLACK MOUNTAIN

Ad No.: 0004002959

Address: 160 MIDLAND AVE
BLACK MOUNTAIN NC 28711
USA

Pymt Method Invoice

Net Amt: \$102.62

Run Times: 2

No. of Affidavits: 1

Run Dates: 01/23/20, 01/30/20

Text of Ad:



LEGAL NOTICE

**BLACK MOUNTAIN BOARD OF
ALDERMEN**

PUBLIC HEARING

Monday, February 10, 2020, at 6:00 p.m.

The Black Mountain Board of Aldermen will meet on Monday, February 10, 2020, at 6:00 p.m. in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hold a public hearing to rezone 1114 Montreat Road, further identified as PIN #0710-41-7795.00000, from SR-2 (suburban residential) to UR-8 (urban residential).

The meeting is open to the public.

Angela L. Reece
Assistant to Manager/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, Angela Reece, Town Clerk at 419-9310 or by email at angela.reece@townofblackmountain.org

Posted to the Town Bulletin Board

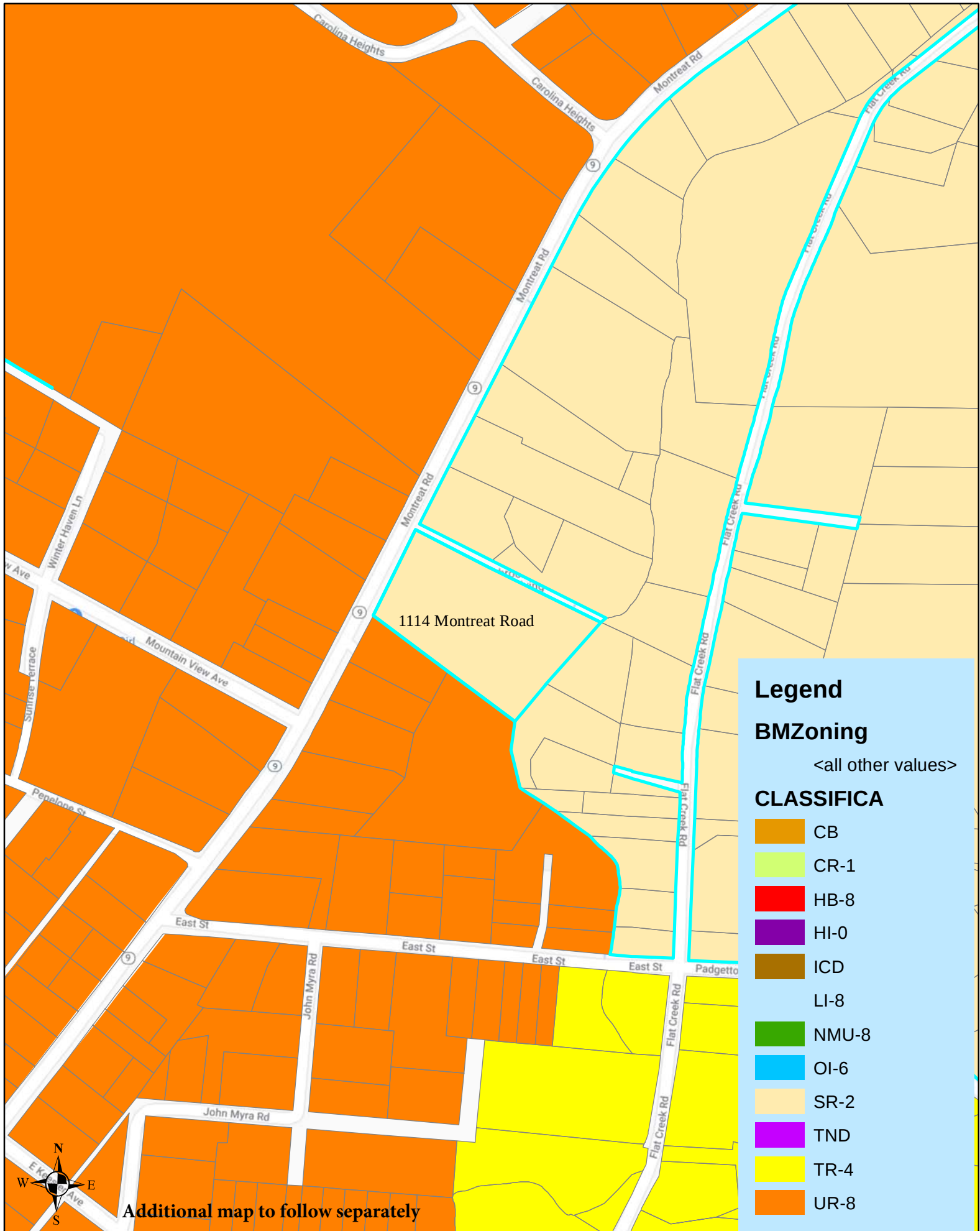
01/16/20

Published in the Black Mountain News
01/23/20 and 01/30/20

www.townofblackmountain.org

January 23, 30, 2020
0004002959

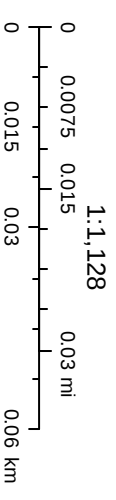
1114 Montreat Road Zoning Classification



Buncombe County



November 25, 2019



**A STATEMENT OF CONSISTENCY TO REZONE 1114 MONTREAT ROAD FROM
SUBURBAN RESIDENTIAL TO URBAN RESIDENTIAL**

BE IT ORDAINED by the Board of Aldermen for the Town of Black Mountain, North Carolina, that they adopt the following STATEMENT OF CONSISTENCY;

WHEREAS, when the Board of Aldermen adopted the Town of Black Mountain Code of Ordinances, the Planning Board committed to reviewing these regulations in order to improve their application to our community and context; and

WHEREAS, in accordance with the provisions of North Carolina General Statute §160A-383, it is determined that the adoption of the recommended rezoning is consistent with vision statement seven of the adopted 2014 Comprehensive Plan and the 2008 adopted Comprehensive Pedestrian Plan; and

WHEREAS, the Board of Aldermen find, that the proposed rezoning is consistent with current state regulations and find that this recommendation promotes the general welfare and is in keeping with good zoning practice; and

WHEREAS, the Board of Aldermen find that the proposed rezoning is reasonable as the changes in zoning will not be incongruous with the surrounding character of the neighborhood and that there are minor differences in the two zoning districts

BE IT ORDAINED by the Board of Aldermen for the Town of Black Mountain, North Carolina, that the rezoning for 1114 Montreat Road from suburban residential to urban residential is consistent with the Town's 2014 Comprehensive Plan and 2008 Comprehensive Pedestrian Plan.

READ, APPROVED AND ADOPTED by a vote of ____ to ____ this 10th day of February, 2020.

Donald Collins, Mayor

Josh Harrold, Town Manager

ATTEST:

Angela Reece, Assistant to Manager/Town Clerk

ZONING ORDINANCE NO. #Z-O-20-03

AN ORDINANCE AMENDING ZONING FOR PROPERTY LOCATED AT 1114 MONTREAT ROAD

WHEREAS, the Town of Black Mountain has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the Town's zoning regulations was adopted on January 11, 2010, (Ordinance No. #O-10-01) and is codified in Appendix A of the Town of Black Mountain Code of Ordinances (herein "Zoning Ordinance"), and maps dividing and classifying the property within the Town's zoning jurisdiction were adopted on January 11, 2010, Ordinance No. #O-10-01) and are on file and maintained in the Offices of the Town of Black Mountain Planning and Development Department (herein "Official Zoning Map"); and

WHEREAS, this proposed amendment is consistent with the Town of Black Mountain Comprehensive Plan and other official plans of the Town and is determined to be reasonable and in the public interest for the following reasons:

- a. The overall size of the tract of land proposed for the rezoning is reasonable compared to the size of the zoning district in which the subject property is located.
- b. The proposed rezoning is consistent with the comprehensive plan or elements thereof.
- c. The impact to the adjacent property owners and surrounding community is reasonable and the benefits of the zoning shall outweigh any potential inconveniences or harm to the community.
- d. The allowed uses within the proposed zoning district are similar or comparable to the permitted uses as currently zoned.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN THAT:

The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain real property described in Exhibit A and identified on the Buncombe County tax maps as PIN 0710-41-7795, recorded in Deed Book 5843, Pages 0558 and currently owned by 1114 Montreat Rd., LLC, from Suburban Residential (SR-2) to Urban Residential (UR-8). A copy of the official zoning map showing said lot is attached hereto as Exhibit "A" and made a part thereof.

This ordinance shall be in full force and effective on the date of adoption.

READ, APPROVED AND ADOPTED, by a vote of ____ to ____ this the 10th day of February, 2020.

Angela Reece, Assistant to Manager/Town Clerk

Don Collins, Mayor

Approved as to form



TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
AGENDA WORKSHOP MEETING MINUTES
January 9, 2020

THE BLACK MOUNTAIN BOARD OF ALDERMEN held an agenda workshop on Thursday, January 9, 2020 at 5:00 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of the meeting was to review the agenda for the regular monthly meeting scheduled for Monday, January 13, 2020 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 Ryan Stone – absent
Alderman Larry Harris
Alderman Tim Raines
Alderman Carlos Showers – absent

The following staff members were present:

Josh Harrold, Town Manager
Angela Reece, Assistant to Manager/ Town Clerk
Shawn Freeman, Police Chief
Jessica Trotman, Planning Director
Joshua Henderson, Recreation Director
Jamey Matthews, Public Works Director

The Board reviewed the items that were proposed for the January 13, 2020 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. Deacon Bobby Stafford of Mills Chapel Baptist Church will give the invocation.

Manager Harrold discussed **Item 5B**, Call for Public Hearing to REZONE portions of Flat Creek Road and Montreat Road from Suburban Residential (SR-2) to Town Residential (TR-4). Manager Harrold stated the Planning Board held a community meeting with owners in the proposed area and there was wide support for the TR-4 zoning district and said the Planning Board received the application at their December 16, 2020 meeting and voted 5 to 0 to recommend the rezoning to the Board of Aldermen.

Manager Harrold discussed **Item 5D**, Call for Public Hearing to REZONE 1114 Montreat Road from Suburban Residential (SR-2) to Town Residential (TR-4). Manager Harrold stated this is the former Nana's property and the rezoning would allow for more density.

Black Mountain Board of Aldermen
Agenda Workshop Minutes January 9, 2020

Manager Harrold discussed **Item 8C**, Ordinance to adopt Title VI Plan stating this is necessary to seek out and obtain federal and state funding. The Title VI Plan provides for anti-discrimination policy and practices.

Manager Harrold discussed **Item 8D**, NC Highway 9 Sidewalk Construction Contract Approval stating staff has obtained bids to construct the sidewalk extending along Highway 9 in the area of Cheshire Village. Manager Harrold stated he has spoken with the developer, Sikes Regan, who stated he preferred the sidewalk be constructed out of brick pavers. Manager Harrold stated he requested bids for brick as well as traditional concrete and said the brick construction bids came in substantially more expensive at \$65,000 more than the concrete construction for the lowest bid. Manager Harrold stated the figure appearing on the agenda of \$125,240 reflects bid award for concrete construction. Manager Harrold stated he contacted Mr. Regan yesterday and spoke with him regarding an easement along this section and advised the Town may have to pay to obtain an easement for the concrete constructed sidewalk along this property. Manager Harrold stated there is a rock dust path there now that is being used as a walking path and advised the Board they had the option of skipping this area and continuing the project just north along Hwy 9 toward Christmount if the Board was unwilling to pay for an easement. Attorney Ron Sneed stated the Town has never purchased an easement for sidewalk construction and said usually property owners were willing to grant easements to have a sidewalk. Attorney Sneed stated there is no agreement at this point but said Mr. Regan wants brick construction materials and said the indication is there will be an exchange of grant of easement for those. Attorney Sneed stated he contacted Bob Long to discuss quick take condemnation and stated the statutes require compensation of the value of the land being taken or the detracted value of the property, whichever is greater. Attorney Sneed stated he feels the sidewalk would improve the value of the property so obviously the value of the land would need to be considered. Attorney Sneed stated the strip of land is about 10 -12 feet wide by 800-900 feet long. Attorney Sneed asked the Board if they wish to consider splitting the additional cost of the brick pavers (\$32,500) in exchange for an easement as this may be more cost effective than pursuing condemnation and valuation of the portion of the land in question. Alderman Larry B. Harris stated he feels this project is for the good of the citizens to have a sidewalk extending along Highway 9 and said he had concerns that the Board would be setting a precedent if they began paying for easements. Alderman Harris stated he has concerns of doing for one what we cannot do for another. Attorney Sneed presented multiple options to the Board including skipping this portion of Highway 9 and continuing the project. Mayor Don Collins stated he supports continuing the project past the property if an easement is not granted. Board members conceded they do not wish to pay for an easement or the additional cost of brick. Public Works Director Jamey Matthews stated the cost of maintenance is much higher for brick than concrete. The Board left the item on the agenda for further discussion at the regular meeting.

Manager Harrold discussed **Item 8E**, Vance Ave. Traffic stating residents have requested additional stop signs at intersections of Vance Ave and Bridge Street and to make Vance Ave. and Terry Estate Drive a four way intersection. Manager Harrold stated Police Chief Freeman met with the residents and stated having additional stop signs will aid in traffic calming and reduction of speed in that area.

Manager Harrold discussed **Item 9A**, Public Hearing for Traffic Impact Analysis Ordinance #O-20-01 reminding the Board this item has went through the Planning Board and will set language

Black Mountain Board of Aldermen
Agenda Workshop Minutes January 9, 2020

in place to require developers creating 798 or more trips per day on a Town road provide a traffic impact analysis to the Town. Manager Harrold stated a 75 unit project will cost a developer about \$10,000 while a 300 unit project would cost the developer about \$15,000.

There was no further discussion on the agenda.

There being no further discussion, on a motion by Vice Mayor Maggie Tuttle, with a vote of 3-0 Mayor Don Collins adjourned the meeting at 5:20 p.m.

ATTEST:

Angela Reece, Assistant to Manger/Town Clerk

Don Collins, Mayor



**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
SPECIAL CALL MEETING MINUTES
January 9, 2020**

THE BLACK MOUNTAIN BOARD OF ALDERMEN, held a special called meeting on Thursday January 9, 2020 at 5:30 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain NC. The purpose of this meeting was for the Board of Aldermen to review information regarding the Town's Parking and Circulation Study.

1. CALL TO ORDER

Mayor Don Collins called the special meeting to order at 5:30 p.m. with the following members present:

Mayor Don Collins
Vice Mayor Maggie Tuttle
Alderman Larry Harris
Alderman Carlos Showers - absent
Alderman Ryan Stone – arrived at 5:40 p.m.
Alderman Tim Raines

The following staff members were present:

Josh Harrold, Town Manager
Angela Reece, Assistant to Manager/Town Clerk
Ron Sneed, Town Attorney
Dean Luebbe, Assistant Town Manager
Shawn Freeman, Police Chief
Jamey Matthews, Public Works Director
Jessica Trotman, Planning Director
Joshua Henderson, Recreation Director

Colin Kinton, PE of Traffic Planning and Design, Inc. presented the Parking and Circulation Study results to the Board of Aldermen. Mr. Kinton stated overall the parking supply is sufficient in the downtown area. He stated the perceived lack of convenient parking is an issue due to the lack of visibility of parking, not being able to see parking from the destination point. He stated the walking distance may be short but due to hills and intersection crossings they feel further away. Mr. Kinton stated on-street parking has the greatest demand, especially along, State, Cherry and Broadway Streets and said this type of parking has a much greater demand than off-street parking due to people wishing to park in front of the destination. Mr. Kinton stated he and staff performed traffic counts and said an average of 34 percent of available on-street parking is utilized as long term (greater than 4 hours) indicating the spaces are being used regularly by employees of businesses and business owners. Mr. Kinton stated moving long-term parking to

Black Mountain Board of Aldermen
Special Call Meeting Minutes – January 9, 2020

off-street lots would open up parking for almost 80 additional visitors/shoppers who would park two hours or less.

Mr. Kinton discussed the value of satellite parking lots such as the lot adjacent to the Sun Trust Bank across the railroad tracks. He stated pedestrians are the most vulnerable user of the roads and ensuring they have safe access and feel comfortable is critical to maximizing the utilization of satellite parking.

Mr. Kinton discussed congestion peaks during the lunch and late afternoon hours stating peak vehicle periods are relatively short in duration in the middle of the day and late afternoon. He stated assigning strategies that have the greatest benefit/cost such as coordinating signal timing, and improving parking identification and access would greatly benefit the circulation greatly downtown.

Mr. Kinton suggested making parking a Town program to consist of on-going programming, monitoring, master planning, meeting needs, annual budget, and capital planning. Mr. Kinton stated there is no one simple solution and said in the past parking has not been a programming priority. Mr. Kinton stated the solution will require a combination of strategies to address parking supply & use, safety, convenience, and comfort.

To do this a list of 10 items were suggested as follows:

1. Designate long-term parking for employees and business owners.
2. Develop parking wayfinding, mapping, awareness and educational materials.
3. Implement Cherry St. Cut-through pedestrian/bicycle path and Broadway Street high-visibility mid-block crossing.
4. Provide bicycle parking.
5. Interconnect and coordinate traffic signals.
6. Upgrade and improve State at Cherry St. and Church Street crossing.
7. Upgrade and improve Black Mountain Ave. at Sutton Ave. crossing.
8. Upgrade and improve Broadway Ave. at Sutton Ave. crossing.
9. Upgrade and improve State Street at Cragmont Rd. crossing.
10. Implement time restrictions and enforcement of parking along Cherry Street and State Street.

Board members discussed funding mechanisms with Mr. Kinton who suggested seeking grant funding through the MPO (Metropolitan Planning Organization) as well as NC DOT. Planning Director Trotman confirmed the 2021 round of requests would be launched in the Fall of 2020 and said it would be a good time to request funding for smaller projects. Alderman Larry B. Harris inquired regarding approximate project costs in order to apply for funding matches and

Black Mountain Board of Aldermen
Special Call Meeting Minutes – January 9, 2020

Mr. Kinton stated he could work with Manager Harrold to formulate these numbers and report back to the Board at a later date.

There being no further business, on a motion made by Vice Mayor Maggie Tuttle and with a vote of 4-0, Mayor Don Collins adjourned the meeting at 6:07 p.m.

ATTEST:

Don Collins, Mayor

Angela L. Reece, Assistant to Manager/Town Clerk



Parking and Circulation Study

Town of Black Mountain Board of Aldermen

January 9, 2020

Presented By: Colin Kinton, PE

Parking & Circulation Study

- » What is this study?
 - Evaluation of current parking and traffic patterns in Black Mountain
 - Identification of opportunities and recommendations



Parking & Circulation Study

- » What will the Town get out of this?
 - An understanding of the issues
 - List of recommendations (policies, programs and projects)
 - A plan to get there



Why Talk About Parking?



- » Downtown viability
- » Popular destination
- » Cherry street changes
- » Pedestrian safety
- » Traffic congestion

Our Process

DATA COLLECTION

- Local traffic data
- Parking patterns
 - Demand
 - Duration
- Inventory of Existing conditions



COMMUNITY ENGAGEMENT

- Steering committee guidance
- Online survey
- Community engagement meetings



ANALYSIS & RECOMMENDATIONS

- Evaluate constraints & opportunities
- Determine parking and traffic patterns
- Action items



Vision Statement

“

Black Mountain will continue to thrive as an attractive and inviting community with increased accessible and safe parking opportunities that honor its small-town feel; these parking options will be connected to destinations via safe, intentional and inviting routes for people of all ages and abilities.

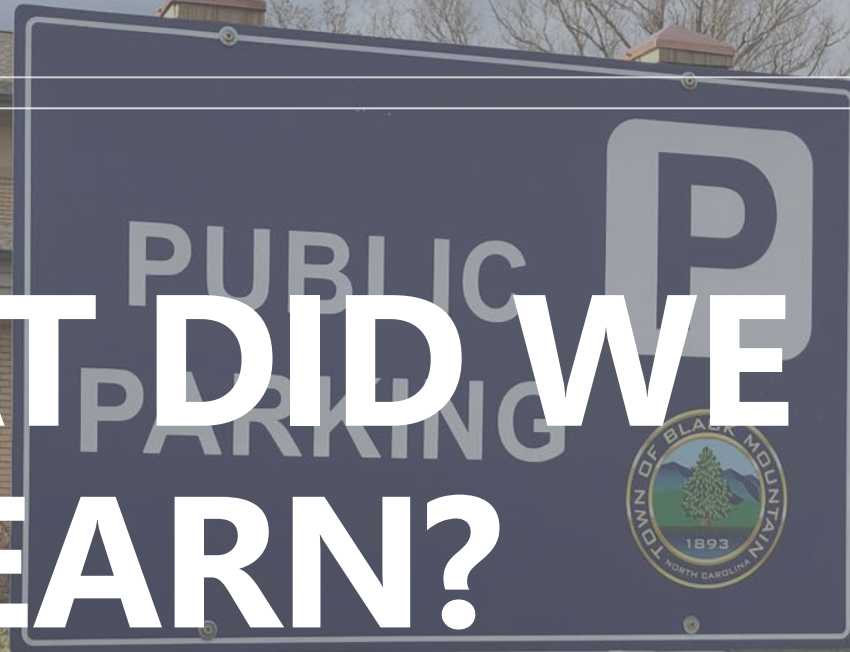
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Goals

This Plan will achieve the following:

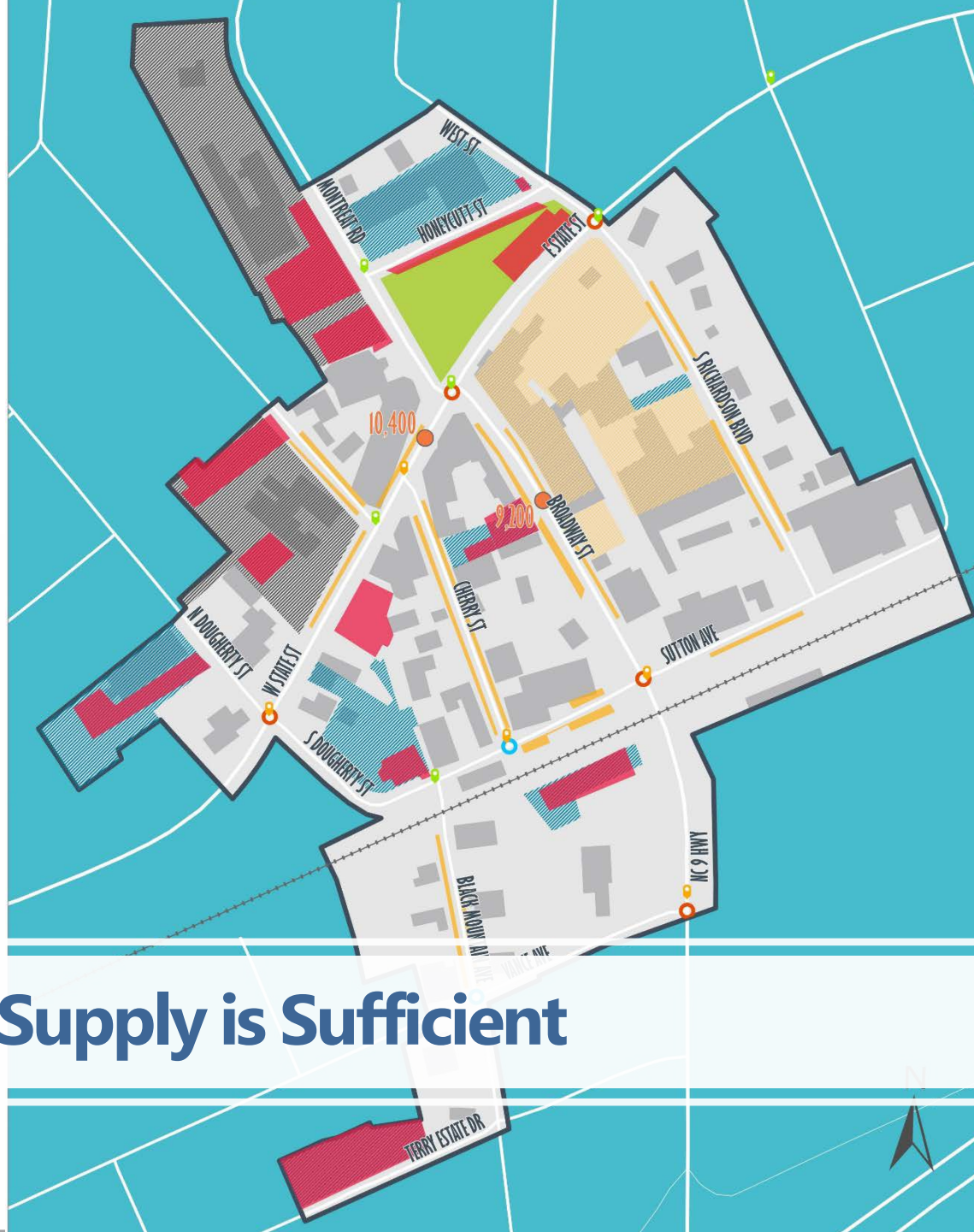
- » **Improve safety** by reducing the number of crashes involving people walking, biking and driving in Black Mountain
- » **Improve parking opportunities** for short-and long-term visitors to Black Mountain by maximizing utilization of existing resources and increasing educational opportunities (through signage and/or collateral materials)
- » Ensure **connected and safe movement by foot and bicycle** from parking facilities to downtown destinations at intersections and along streets

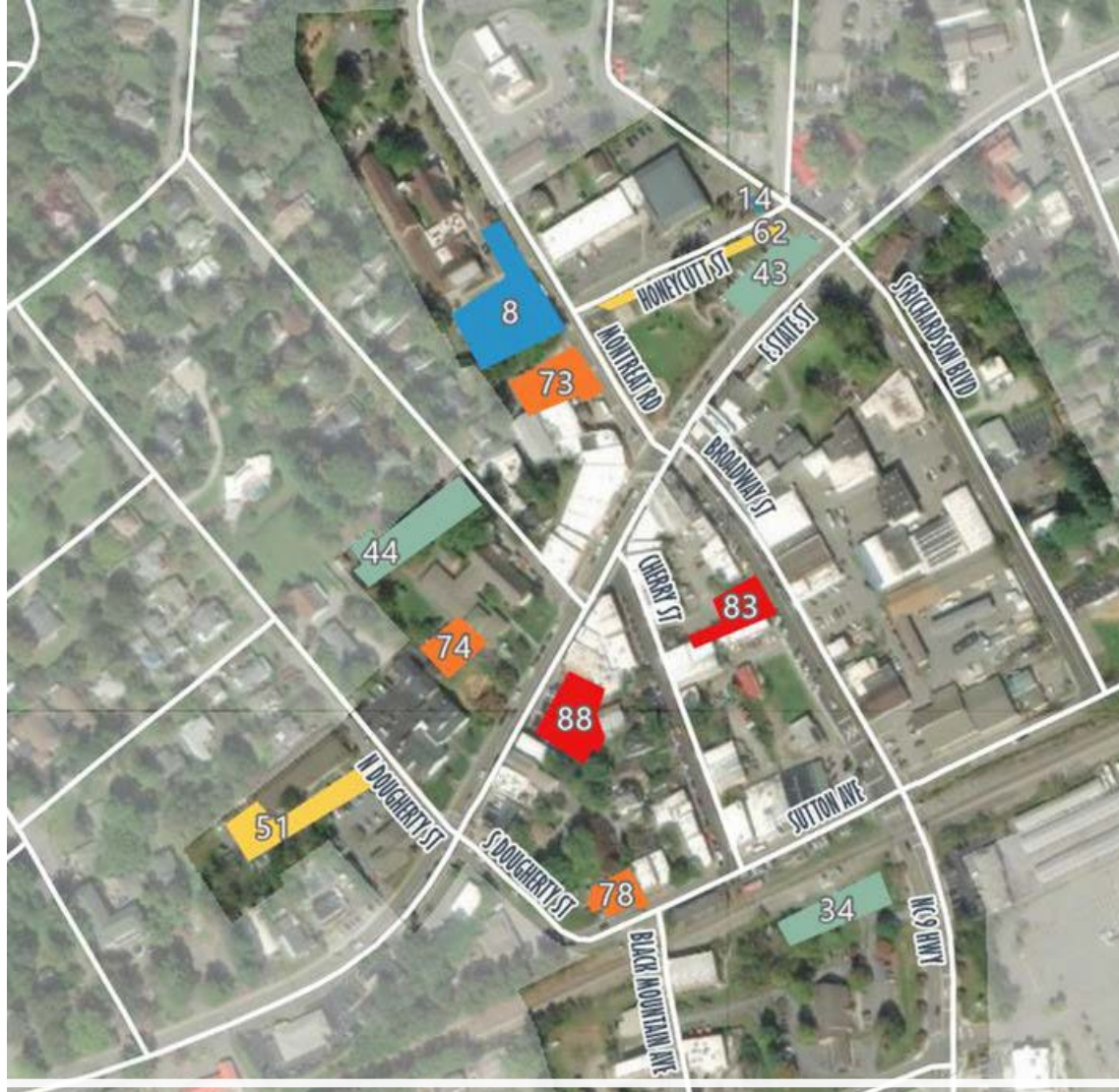
WHAT DID WE LEARN?





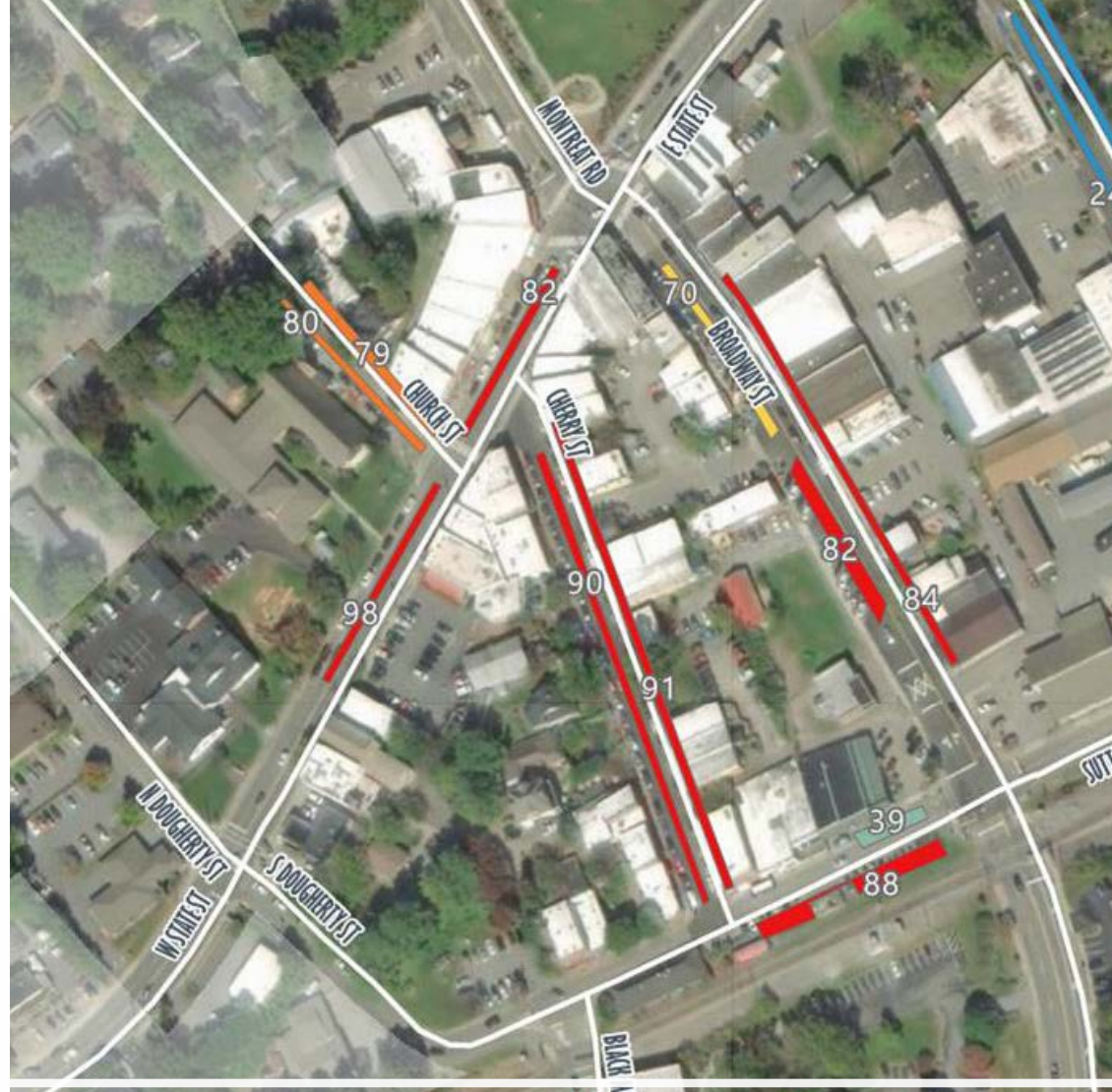
Parking Supply is Sufficient





Perceived Lack of Convenient Parking





On-street Has Greatest Demand



STATE STREET

CUT THROUGH NEAR RESTROOMS

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NARROW ALLEYWAY

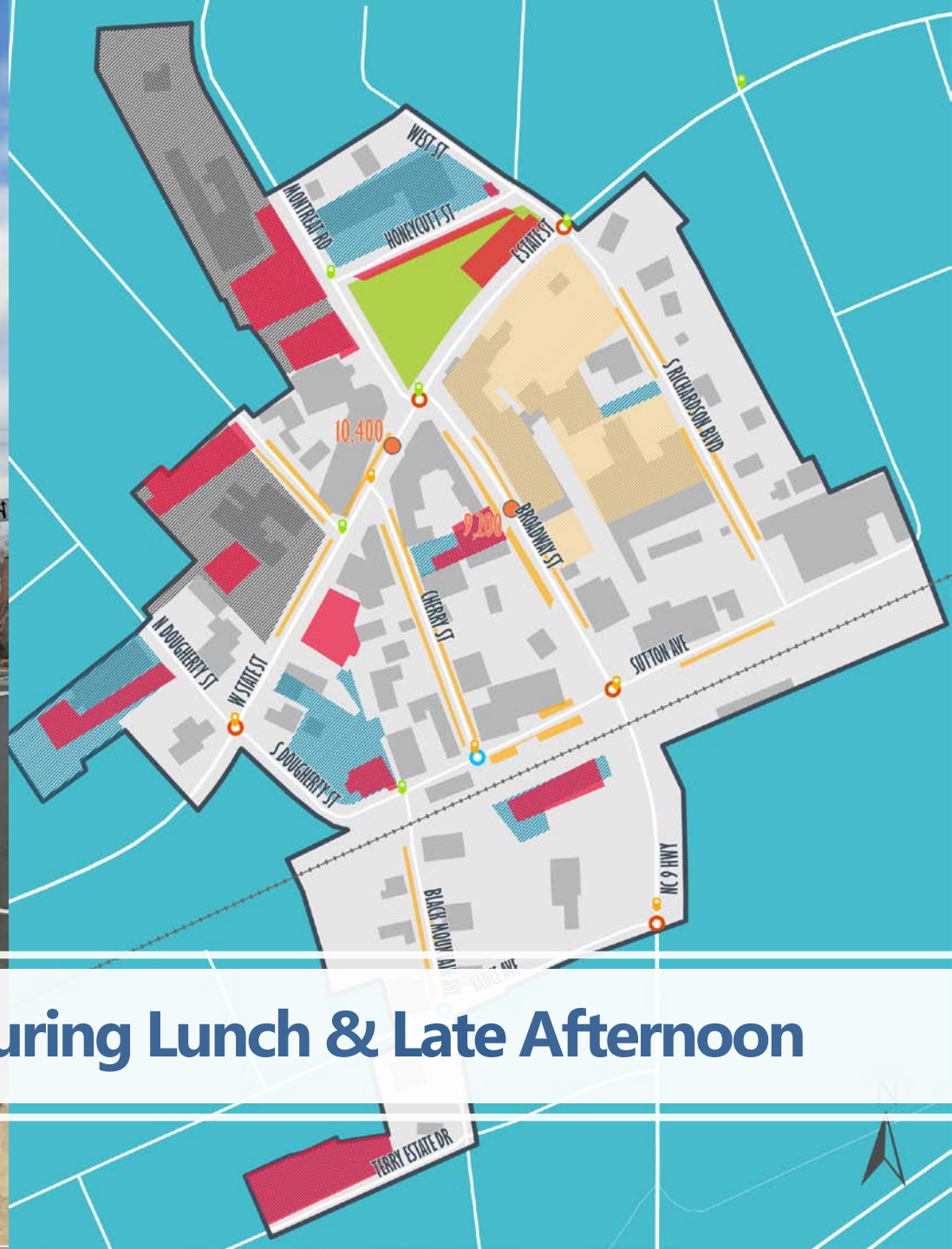
SUTTON STREET

Employees & Business Owners Use On-street Parking





High Pedestrian Demand on Cherry and State Streets

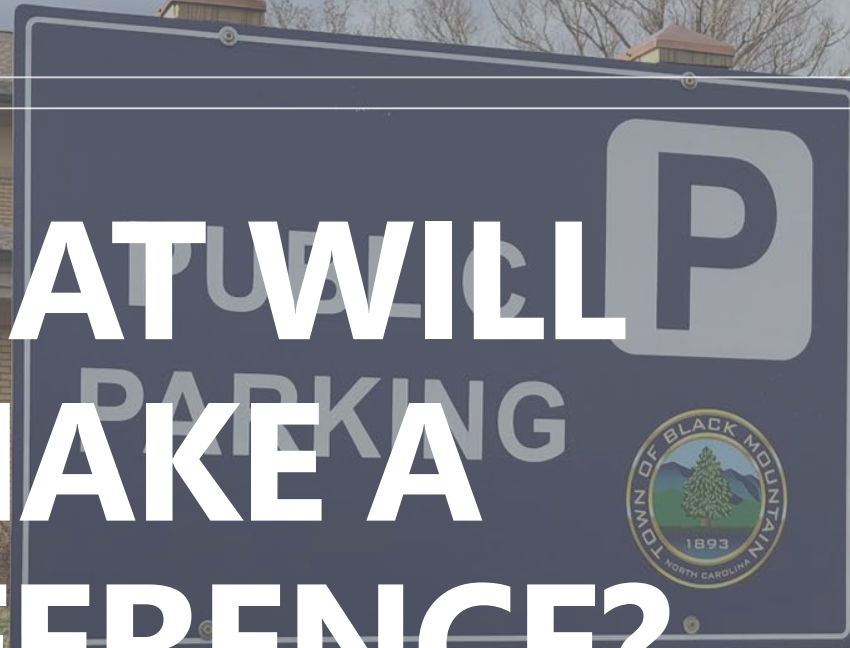


Congestion Peaks During Lunch & Late Afternoon



Intersection Operations Acceptable but not in System

WHAT WILL MAKE A DIFFERENCE?



Parking as a Town Program



Black Mountain Recreation & Parks

Summer 2019

Follow us on Facebook & Twitter

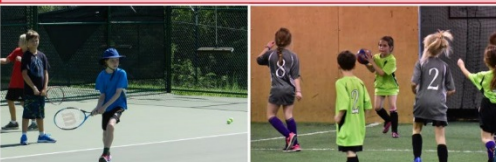


Recreation & Parks Department
304 Black Mountain Avenue
Black Mountain
828-669-2052
TDD: 1-800-735-2962
Lakewood Center for Active Aging
401 Laurel Circle Drive
Black Mountain
828-669-8610

Youth Coed NFL Flag Football
Registration begins July 1
Cost: \$5/player, Ages 5-4, 7-9, 10-11, 12
Games: Start September 14
Practices: One practice weekday evenings or maybe Saturday Morning, beginning August 12
Registration Dates: August, September, October
Players receive Official NFL Flag Football Jersey and Flags

Adult Tennis Clinics
Adult Clinics on Wednesdays starting June 5 from 7:00-8:00 PM at Upper Lake Tomahawk Tennis Courts. For more information please call Recreation and Parks Office or go to blackmountainrec.com to Activities and click on Sports and scroll down to Adult Tennis. To register click on Try Tennis.net. Once on Try Tennis you will click on Locations, Locations-Adult. Click on Black Mountain and then you'll see the Register Here button.

8 & Under Quickstart and Kinder Tennis
Registration begins April 1
Registration ends May 6
When: Tuesday's starting May 7 - May 28
Times: 5:00 - 5:45 PM
Location: Craycroft Park Tennis Courts
Cost: \$30/child



Lakewood Center for Active Aging
401 Laurel Circle Drive
828-669-8610
Check out program options on the back
Lake Tomahawk Park
401 Laurel Circle Drive
Playground, Walking Trail, Tennis, Picnic Area, Fishing
Grey Eagle Indoor Soccer Arena
1700 Pine Drive
Indoor Soccer, Bounce House Parties
Black Mountain Veterans Park
30 Veterans Park Drive
Softball, Trail, Disc Golf, Soccer, Community Garden
Craycroft Rd at Swannanoa Avenue
Tennis, Baseball, and Open Field
Haywards Park
205 NC9 (Behind Blue)
Dog Park & Walking Trail
RENTAL INFO
Call (828) 669-2052 for more information on rates and availability.



Grey Eagle Indoor Soccer Arena
Large Indoor Soccer Arena - great place for kids to have fun and play - balls are included. Available to rent for birthday parties, practices, or soccer tournaments.
Bounce House Rentals at Grey Eagle Arena
Saturday and Sunday, call the office to schedule. Set 9 Bounce Houses (plus staff) for 1.5 hours, plus 10 minutes for cake/party time.
Lakewood Center at Lake Tomahawk Park
Overlooking beautiful Lake Tomahawk, there are two levels available to rent by the evening/day. Rentals include use of tables and chairs, and each level has its own kitchen, bathrooms, and central heating/air. Lower level accommodates 50-100 people and upper level accommodates 120 people. Cost varies by day of week, resident, and nonprofit status.
Pavilion at Lake Tomahawk Park
Rent this covered picnic area, including shade. Rentals are by the day and give you exclusive use of the pavilion for your gathering. Cost varies by day and week, resident, and nonprofit status.
Black Mountain Veterans Park
The ballfields are available to rent for an event or fundraiser. Cost varies based on how many fields are used, lights, concession stand, etc.

Outdoor Movie Nights
Outdoor Movie Nights from May to September begin at dusk at Lake 1 will be available for purchase. Snacks available for sale.
Safety Saturday
Join Fire, Police, and EMS departments in an area who will have equipment and safety education on display for the public along with a bounce house.
Location: Black Mountain
Date: May 18 from 10:00-12:00 PM
Park Rhythms
The 22nd season is going strong, and 8 weeks of fun are left in this season.
June 20 - Trent Glasgow
June 27 - Janine Harris
July 11 - Jackson Rar
July 18 - Caroline Keller
July 25 - Revised Band
August 1 - Shay Lovette
August 8 - Rhianon and

July 4th Street Dance
Come to downtown Black Mountain on Sutton Ave for our annual July 4th celebration. This event is from 6:30-9:30 PM. On the day of the event, there will be live music performing! There will be dancing before the fireworks.
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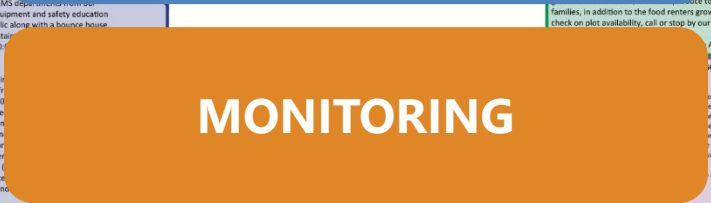
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ON-GOING PROGRAMMING



With rental plots, volunteer opportunities, workshops, and grow anything! If you have a garden, contact us at 828-669-2052. Payment Plans and Assistance are available for low-income renters.

Learn Garden Interns: Apprentices are volunteers who help at one or more gardens and are a tremendous asset - while growing their knowledge and skill. Spend 5 or more hours/week in a garden learning specific techniques and supporting food security in the Swannanoa Valley.

Lakeview Demonstration Garden: Stroll by our demonstration garden next to the Lakeview Center for Active Aging to see our garden grow and learn a little something. Produce and flowers from this garden support the Lakeview Senior Lunch Site.

Share: **Dr. John Wilson Community Garden:** This garden shares over 4,000 lbs of produce every year through Bounty & Soul, with the

our first community garden, where neighbors come together to grow their own produce. To check on plot availability, contact our office at 828-669-2052. Payment Plans and Assistance are available for low-income renters.

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Tai Chi - Elder Form: Perfectly suited for older bodies geared toward improving balance and easing arthritis. Thursdays, 9:00-10:00 AM, downtown. FREE.

Tai Chi Chuan Yang Style Form: Meditation in motion that combines slow movements with breath management. Mondays, 3:00-4:00 PM, upstairs. First class is free. \$40/month.

Outdoor Activities
Hiking Group: Weekly hiking group that varies in length and difficulty. Tuesdays, cost and departure time varies. Pre-registration required.

Swannanoa Valley Birding: Birding enthusiasts welcome. 3rd Saturday of the month, 8:30 AM Lake Tomahawk Camped or 9:00 AM CO Down Park Camped.

Willowover Walks: Flower enthusiasts welcome. 2nd Thursday of the month beginning April 11th, 9:00-11:00 AM, meet at Lake Tomahawk parking lot to carpool to location.

Deep in Artistic: We have many activities that are available throughout the day! The walking path around Lake Tomahawk (55 miles), tennis courts, lending library, board games, Wi-Fi access, pool table, and public computer. We also have special events throughout the year. Check our website, newsletter, or FB page for special announcements.

Volunteer Opportunities: The Lakeview Center is always looking for volunteers to become involved in areas such as the Lunch Site, special events, teaching/facilitating classes and activities, telephone resource, and advisory committee members. Don't forget to 'like' us on FB at Lakeview Center for Active Aging!

Chair Yoga: A no-mat yoga class that focuses on breathing techniques, relaxation, and improving balance. Fridays, 11:00 - 11:45 AM, upstairs. FREE.

Square Dancing: All levels of experience welcome. Tuesdays, 1:00-3:30 PM, upstairs. \$2 donation.

Swim Lessons: Black Mountain Recreation & Parks offers swimming lessons May 22 through July 24. Two Evening Classes Available Cost: \$40 for each level of classes. Classes are one week long Monday-Thursday.
Swim Lessons Session 1 LV1: 5/20/19-5/23/19 12:00-12:45 PM
Swim Lessons Session 2 LV1: 5/20/19-5/23/19 1:00-1:45 PM
Swim Lessons Session 3 LV1: 5/27/19-5/30/19 12:00-12:45 PM
Swim Lessons Session 4 LV2: 5/27/19-5/30/19 1:00-1:45 PM
Swim Lessons Session 5 LV2: 6/3/19-6/6/19 12:00-12:45 PM
Swim Lessons Session 6 LV2: 6/10/19-6/13/19 1:00-1:45 AM
Swim Lessons Session 7 LV2: 6/10/19-6/13/19 10:00-10:45 AM
Swim Lessons Session 8 LV2: 6/17/19-6/20/19 10:00-10:45 AM
Swim Lessons Session 9 LV2: 6/24/19-6/27/19 10:00-10:45 AM
Swim Lessons Session 10 LV2: 7/1/19-7/4/19 10:00-10:45 AM
Swim Lessons Session 11 LV3: 7/8/19-7/11/19 10:00-10:45 AM
Swim Lessons Session 12 LV2: 7/15/19-7/18/19 10:00-10:45 AM
Swim Lessons Session 13 LV1: 7/22/19-7/25/19 10:00-10:45 AM
Swim Lessons Session 14 LV1: 7/29/19-8/1/19 10:00-10:45 AM
Swim Lessons Session 15 LV1: 8/5/19-8/8/19 9:00-9:45 AM
Swim Lessons Session 16 LV2: 8/12/19-8/15/19 9:00-9:45 AM
Swim Lessons Session 17 LV3: 8/12/19-8/15/19 10:00-10:45 AM
Swim Lessons Session 18 LV2: 8/12/19-8/15/19 10:00-10:45 AM

Pool Parties: Pool Parties can be scheduled through the office for Friday, Saturday, and Sunday nights while the pool is open. Pool Parties are from 6:15-8:15 PM June through August (August week parties). Call the office to reserve your date. Rates: \$185 Resident, \$245 Non-Resident. Extra Insurance for parties with 21-40 attendees is an extra \$25.

Aqua Exercise: A family friendly exercise class. M/W/F 9:00-10:00 AM Sat: 10:00-11:00 AM Sun: 11:00-12:00 PM. \$5. Ends Sept. 2nd. 6 person minimum for Sundays, so tell your friends!

Lap Swim: Starts May 25th. M-Sat 10:00-10:50 AM. \$1. Sunday 11:00-12:00 PM. \$3. Ends Sept. 2nd. 6 person minimum for Sundays, so tell your friends!

Senior Swim: Senior Swim will start June 10 from 9:00-10:00 AM and will meet



Parking as a Town Program



- » Not one simple solution
- » Has not been a programming priority
- » Requires a combination of strategies
- » Should address:
 - Parking supply & use
 - Safety
 - Convenience
 - Comfort

Action Plan Refinement



1



MAXIMIZE THE USE
OF EXISTING PARKING
SUPPLY

Maximize Existing

- » ACTION: Designate long-term parking for employees and business owners
 - Lighting
 - Signing
 - Lot Re-Striping
 - Maximize Number of Space

- » RESULT: Increase on-street parking turnover and availability for downtown visitors



Maximize Existing

- » ACTION: Make finding off-street parking easy
 - Vehicle and pedestrian wayfinding signing plan
 - Mapping: online and paper
 - Evaluate emerging tech & apps
- » RESULT: Reduce traffic circulation and reduce demand of on-street parking





IMPROVE ACCESS TO
PARKING FOR
PEDESTRIANS AND
BICYCLISTS

Pedestrians & Bicyclists

- » ACTION: Create clear and comfortable paths from off-street lots to downtown destinations: *Prioritize Cherry St and Broadway Ave (mid-block)*
- » RESULT: Maximizes use of existing parking, reduce circulating traffic, improves walking environment for pedestrians



Pedestrians & Bicyclists

» ACTION: Implement other strategies to encourage walking and biking as an alternative for reaching and circulating around the downtown

○ *Prioritize Bike Parking*

» RESULT: Reduce demand for car parking, reduce circulating traffic, encourage walking and bicycling environment



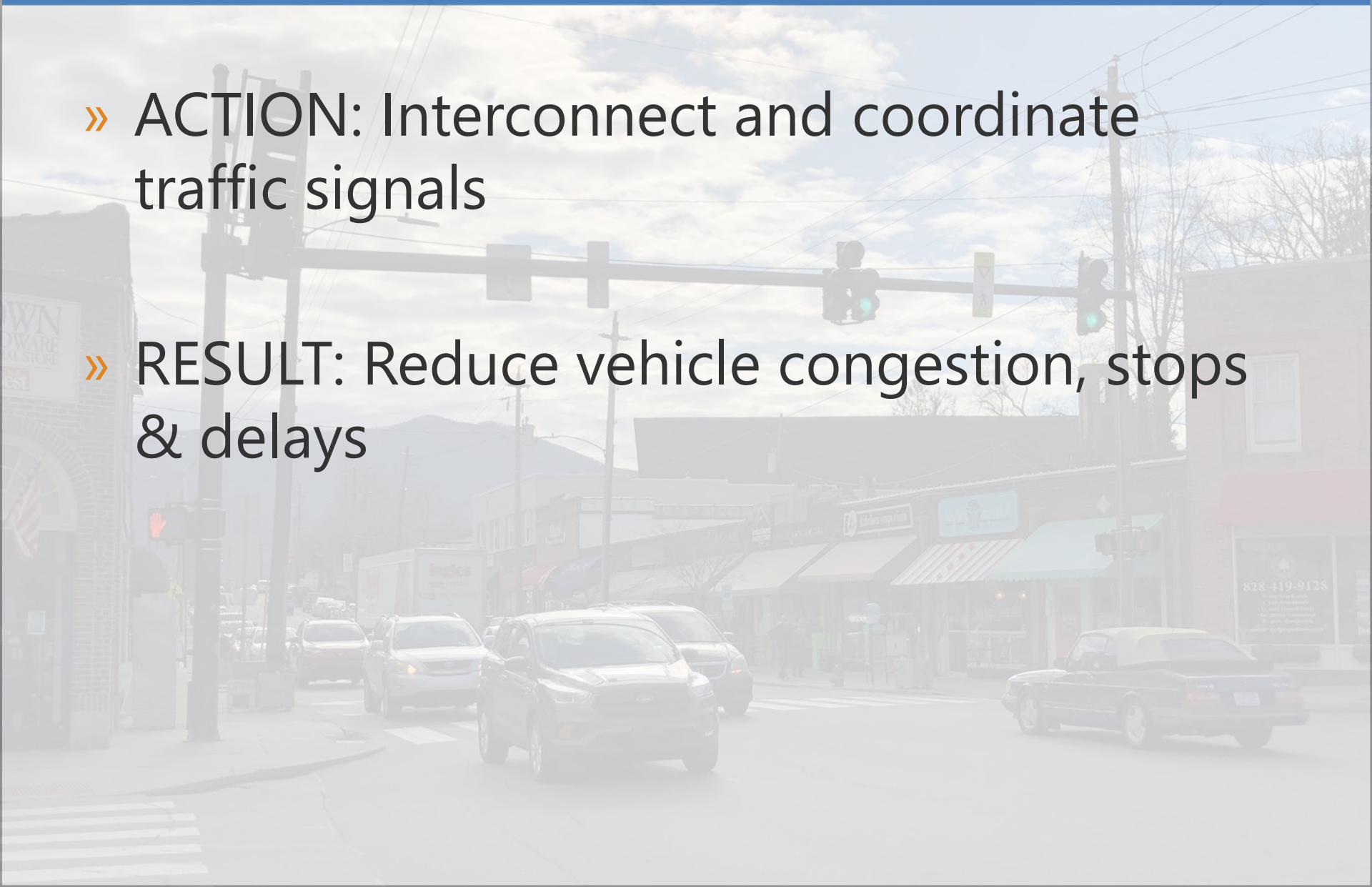
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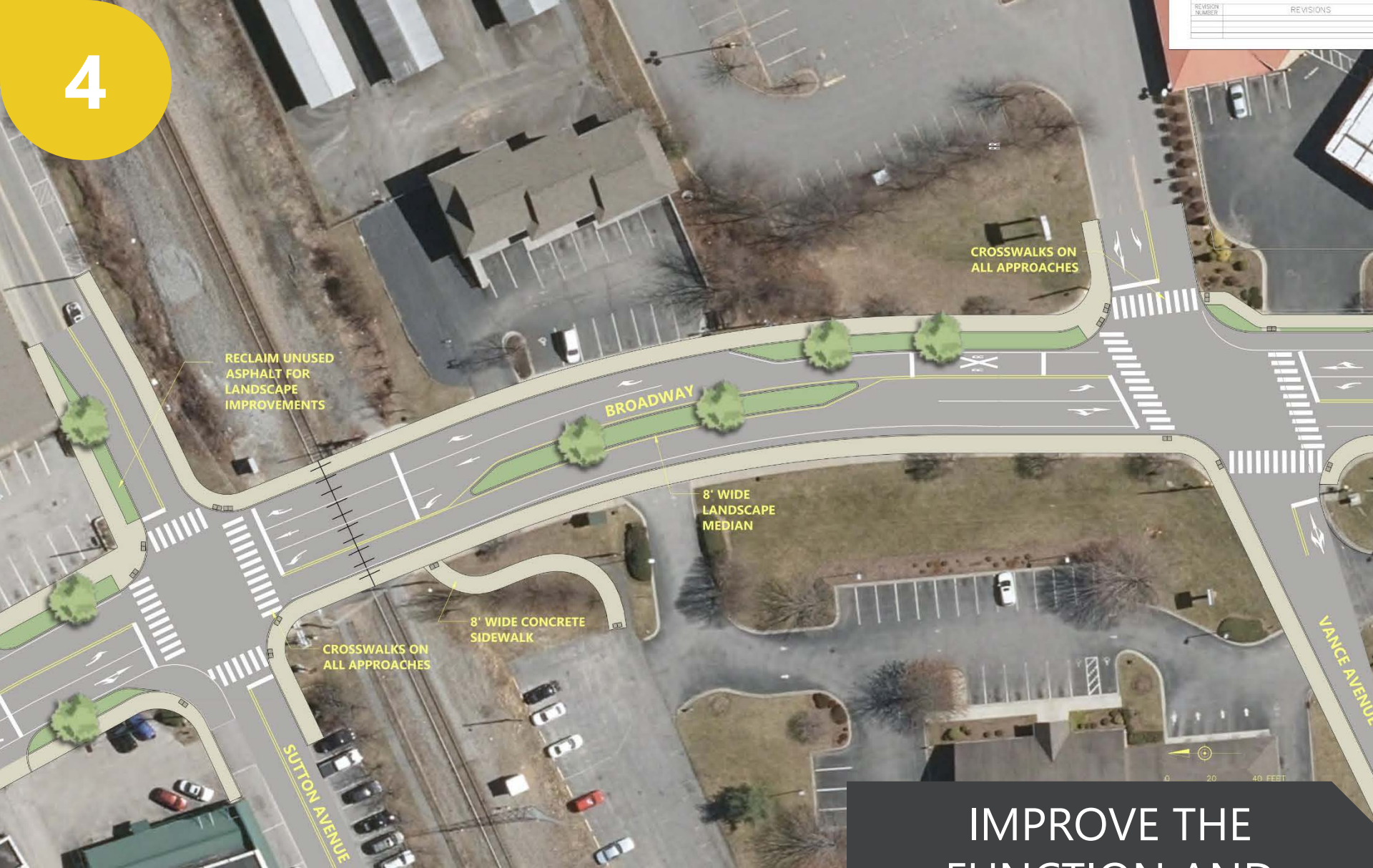


IMPROVE TRAFFIC
CIRCULATION

Traffic Circulation

- » ACTION: Interconnect and coordinate traffic signals
- » RESULT: Reduce vehicle congestion, stops & delays





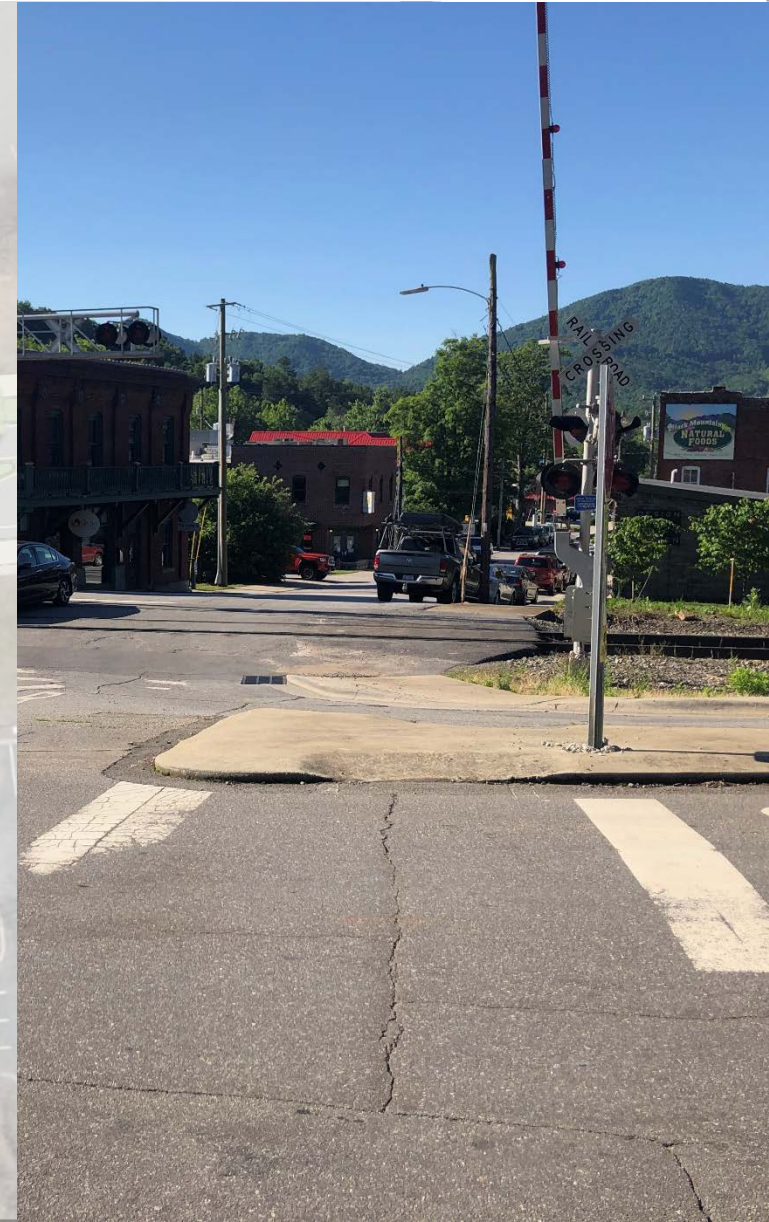
IMPROVE THE
FUNCTION AND
COMFORT OF
INTERSECTIONS

Intersection Improvements

» ACTION: Upgrade & improve intersections for all roadway users (pedestrians, bicycles and automobiles)

- Turn lanes
- Crosswalks & Pedestrian Signals
- Sidewalks
- Landscaping

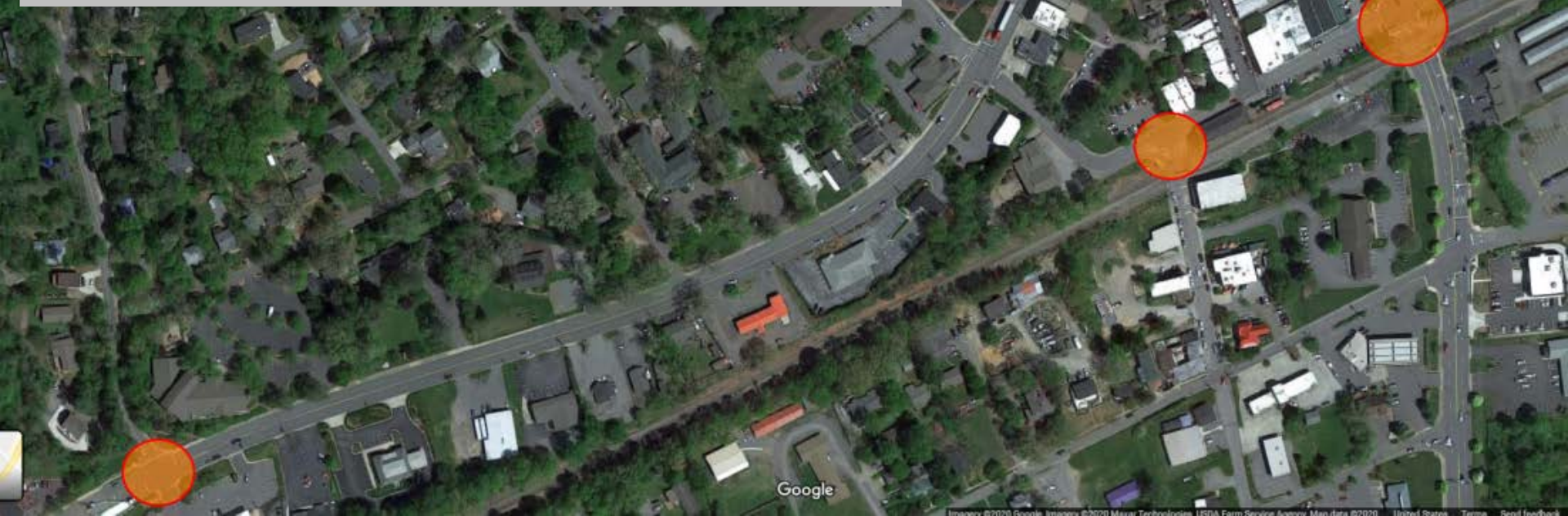
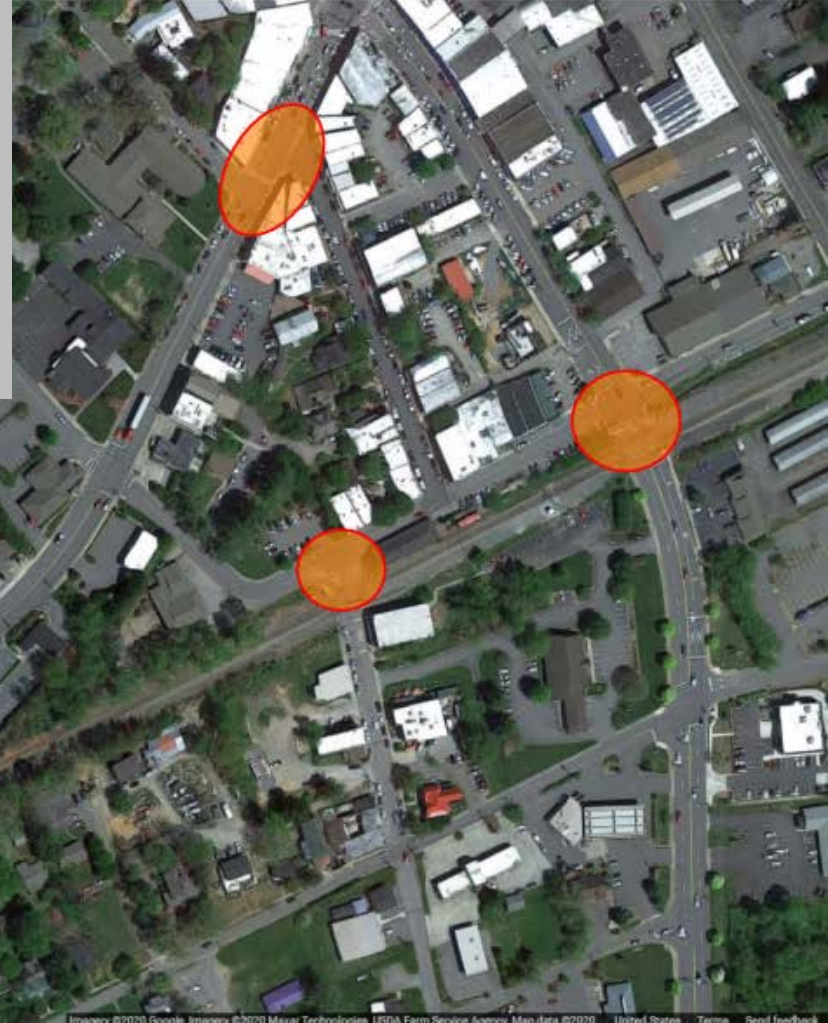
» RESULT: Improved connections, safety, traffic flow and circulation for all roadway users.



Intersection Improvements

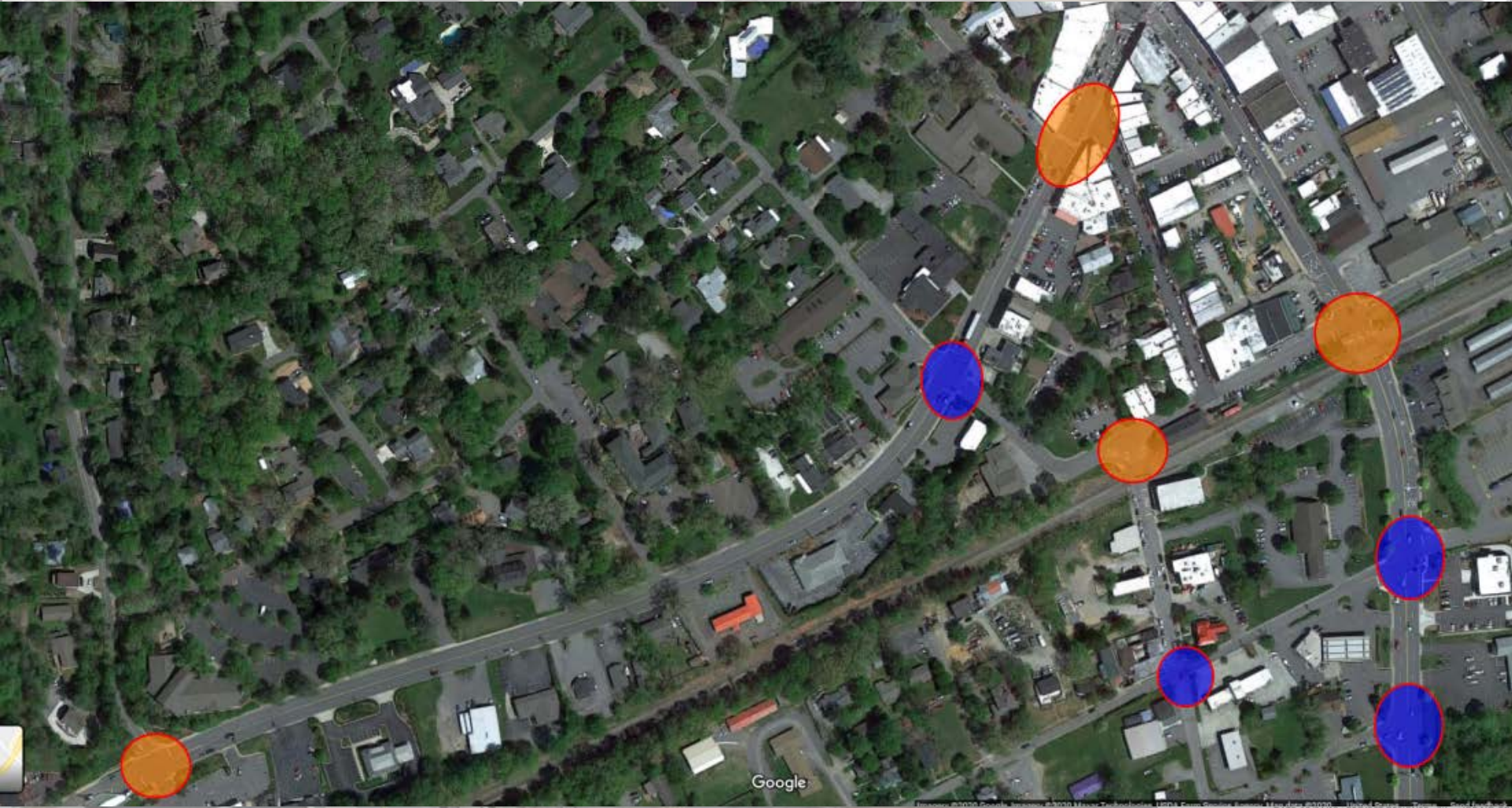
» *Prioritize:*

- State at Cherry & Church
- Black Mountain at Sutton
- Broadway at Sutton
- State at Cragmont



Intersection Improvements

» *Secondary:*



5



Implement parking enforcement program

Parking Management & Enforcement

» ACTIONS:

- PHASE I: Implement time restrictions and enforcement on Cherry St. and State St
- Consider expansion to Broadway Ave

» RESULT: Maximize utilization of existing parking, reduce circulating traffic, ensure turnover and increased availability in high-demand areas

Action Plan Recap

1. Designate long-term parking for employees and business owners
2. Develop parking wayfinding, mapping, awareness and educational materials
3. Implement Cherry St cut-through pedestrian/bicycle path and Broadway high-visibility mid-block crossing
4. Provide bicycle parking
5. Interconnect and coordinate traffic signals
6. Upgrade and improve State at Cherry St & Church St
7. Upgrade and improve Black Mountain at Sutton
8. Upgrade and improve Broadway at Sutton
9. Upgrade and improve State at Cragmont Rd
10. Time restrictions and enforcement of Parking along Cherry St and State St



WHAT DO YOU
THINK?



Moving *Forward* Together

Colin Kinton, PE
ckinton@trafficpd.com
828-575-0133



TOWN OF BLACK MOUNTAIN

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

Date: **January 13, 2020**

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. Deacon Bobby Stafford of Mills Chapel Baptist Church gave the invocation.

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

Black Mountain Board of Aldermen
Regular Session Minutes – January 13, 2020

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

2. PROCLAMATION AND AWARD RECOGNITION

Mayor Collins read the MLK Proclamation and stated the Town of Black Mountain will honor Dr. Martin Luther King, Jr. at the 30th Annual Swannanoa Valley Prayer Breakfast, **Saturday, February 8, 2020** 9:00 a.m. at Camp Dorothy Walls, Black Mountain hosted by the local Martin Luther King, Jr. Memorial Corporation.

Lieutenant Rob Austin and Sergeant Chris Kuhn recognized Black Mountain Police Officer Jon McDonald, and Black Mountain Police Officer Keith Cain presenting them with Life Saving Awards.

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.*

Marilyn Sobanski of Black Mountain addressed the Board of Aldermen and public regarding even year elections stating local representatives were not contacted regarding the process.

Shawn Slome of Black Mountain addressed the Board of Aldermen asking members to speak into the microphones.

4. COMMUNICATIONS FROM BOARDS, COMMISSIONS & AGENCIES

Attorney Ron Sneed presented the Black Mountain Library Board Annual Report to the Board. Mr. Sneed reported many positive changes are underway and credited new leadership at the branch. Mr. Sneed stated the building, which is 51 years old and owned by the Town, has been painted and repaired over the last year and said new lighting has been installed within and landscaping has been updated externally.

Chuck McGraw, Partnership Specialist with the United States Census Bureau addressed the Board of Aldermen and public to encourage everyone to respond when the count begins. Mr. McGraw encouraged the public to respond online and said this is the first year this has ever been offered. He stressed the importance of the count and how it equates to Federal and State funding sources which help offset taxes to fund programs and projects.

Black Mountain Board of Aldermen
Regular Session Minutes – January 13, 2020

Scottie Harris, Fire Chief presented the Fire Department Annual Report to the Board of Aldermen. The report is made part of and included in these minutes.

Sheridan Hill, Chair presented the Urban Forestry Commission Annual Report to the Board of Aldermen. The report is made part of and included in these minutes.

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 & Regular Session), November 26, 2019 (Special Call/Closed Session), December 5, 2019 (Agenda & Closed Session), December 9, 2019 (Regular Session), and December 12, 2019 (Special Call).*

B. Call for Public Hearing – Rezoning Portions of Flat Creek Road and Montreat Road from Suburban Residential (SR-2) to Town Residential (TR-4) of the following:

298 Flat Creek Road	0710-51-2184	7 Burgess Branch Road	0710-52-4028
302 Flat Creek Road	0710-51-3391	336 Flat Creek Road	0710-52-6344
304 Flat Creek Road	0710-51-3407	1204 Montreat Road	0710-53-8260
308 Flat Creek Road	0710-51-3519	99999 Flat Creek Road	0710-53-8028
310 Flat Creek Road	0710-51-3720	1158 Montreat Road	0710-53-7123
312 Flat Creek Road	0710-51-3850	1156 Montreat Road	0710-53-6085
99999 Flat Creek Road	0710-51-3837	1154 Montreat Road	0710-53-6021
314 Flat Creek Road	0710-51-3953	1152 Montreat Road	0710-52-5956
316 Flat Creek Road	0710-51-4858	1150 Montreat Road	0710-52-4879
1148 Montreat Road	0710-52-3883	1144 Montreat Road	0710-52-2768
1140 Montreat Road	0710-52-1628	1136 Montreat Road	0710-52-0566
1134 Montreat Road	0710-52-0453	1130 Montreat Road	0710-42-9288
1124 Montreat Road	0710-42-9124	1122 Montreat Road	0710-42-9013
1120 Montreat Road	0710-41-7958	12 Rushing Brook Lane	0710-41-8984
15 Rushing Brook Lane	0710-41-9858	99999 Flat Creek Road	0710-51-0195
299 Flat Creek Road	0710-51-0292	99999 Flat Creek Road	0710-51-0370
303 Flat Creek Road	0710-51-0347	4 Carefree Lane	0710-51-0472
99999 Flat Creek Road	0710-41-9413	12 Carefree Lane	0710-41-9458
7 Carefree Lane	0710-51-1502	11 Carefree Lane	0710-41-9548
309 Flat Creek Road	0710-51-1624	20 Cool River Drive	0710-41-9697
311 Flat Creek Road	0710-51-1718	313 Flat Creek Road	0710-51-1985
99999 Montreat Road	0710-52-0085	321 Flat Creek Road	0710-52-2123

Black Mountain Board of Aldermen
Regular Session Minutes – January 13, 2020

Motion: *To call for a public hearing to rezone portions of Flat Creek and Montreat Road from SR-2 (suburban residential) to TR-4 (town residential) 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.*

- C. Call for Public Hearing – Rezoning of 1068 Old US 70 Hwy from OI-6 (office and institutional) to HB-8 (highway business)

Motion: *To call for a public hearing to rezone 1068 Old US 70 Hwy (PIN #0609-53-4523.00000) from OI-6 (office and institutional) to HB-8 (highway business) 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.*

- D. Call for Public Hearing – Rezoning 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential) PIN #0710-41-7795.00000

Motion: *To call for a public hearing to rezone 1114 Montreat Road from SR-2 (suburban residential) to UR-8 (urban residential) 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.*

Vice Mayor Maggie Tuttle moved to approve consent items A-D as presented.

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

6. TIZEN COMMENTS

*The chair will recognize individuals requesting to address the Board regarding the specific New Business or Unfinished Business items below. Comments by any one **speaker shall be limited to three (3) minutes.** If the topic you wish to discuss pertains to a **public hearing** scheduled for this meeting, please reserve your comment for the applicable public hearing.*

There were no citizen comments.

7. UNFINISHED BUSINESS - NONE

8. NEW BUSINESS

- A. **Historic Preservation Commission** – **(1) unexpired term ending June 30, 2020**
AND (1) unexpired term ending June 30, 2022

Vice Mayor Maggie Tuttle moved to appoint James Fuller to fill an **unexpired term ending June 30, 2020.** The motion was approved by a vote of 4-0.

Black Mountain Board of Aldermen
Regular Session Minutes – January 13, 2020

Alderman Ryan Stone moved to appoint Ron Collins to fill an **unexpired term** ending **June 30, 2022**. The motion was approved by a vote of 4-0.

B. Urban Forestry Commission – (1) unexpired term ending June 30, 2020

Alderman Larry B. Harris moved to appoint Rod Allan to fill an **unexpired term** ending **June 30, 2022**. The motion was approved by a vote of 4-0.

C. Ordinance to adopt Title VI Plan

#O-20-02

Manager Harrold stated currently the Town has no ordinances or plan to establish when Title VI requirements prohibiting discrimination are applicable, policy concerning discrimination under Title VI, or procedures for identifying and reporting violations. Jennifer Tipton further advised the Plan ensures the Town does not discriminate against anyone. Attorney Sneed revised the ordinance including direction given to the Planning Director to create complaint forms.

Alderman Tim Raines moved to approve Ordinance No. 0-20-02 to adopt a Title VI plan for the Town of Black Mountain, defining unlawful discrimination under Title VI, when Title VI applies, and procedures for reporting violations and enforcing the requirements of Title VI as presented. The motion was approved by a vote of 4-0.

D. NC Highway 9 Sidewalk Construction Contract Approval

Manager Harrold recalled discussions during the agenda meeting and stated he has spoken with Mr. Regan who has requested this item be continued for discussion at a future meeting.

Alderman Larry B. Harris moved to defer the contract for NC Highway 9 sidewalk construction consideration until the next regularly scheduled meeting occurring on February 10, 2020 or as soon thereafter as possible. The motion was approved by a vote of 4-0.

E. Vance Ave Traffic

Manager Harrold recalled discussions during the agenda meeting and stated he has spoken with the Public Works Director and recommends having a traffic engineer review placements of additional signage for safety and to reduce the Town's liability before additional stop signs are placed in the intersection. Board members concurred.

Alderman Larry B. Harris moved to direct the Town Manager to seek review by a traffic engineer for placement of additional stop signs at the Vance Avenue intersections. The motion was approved by a vote of 4-0.

Black Mountain Board of Aldermen
Regular Session Minutes – January 13, 2020

9. PUBLIC HEARING

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

A. Public Hearing – Traffic Impact Analysis Ordinance #O-20-01

Manager Harrold stated the Planning Board has recommended a Traffic Impact Analysis text amendment which would require any development creating 798 or more trips per day on a Town road provide a traffic impact analysis to the Town. Manager Harrold clarified these requirements are made at the expense of the developer and any improvements required would be owned by the

Alderman Ryan Stone moved to open the public hearing for Ordinance #O-20-01 for amendments for traffic impact analysis. The motion was approved by a vote of 4-0.

Alderman Larry B. Harris inquired regarding development size that triggers the requirement and Jennifer Tipton clarified 798 trips equates to approximately 75 residential lots or more and would cost the developer approximately \$10,000. Alderman Harris asked for clarification between the definition of lots versus units and Attorney Sneed stated the preferred language will be units as this will cover differing types of structures including condominiums and single family residences. Attorney Sneed clarified that commercial developments are subject to additional trip requirements as set forth by the NCDOT.

Vice Mayor Maggie Tuttle moved to close the public hearing. The motion was approved by a vote of 4-0.

There were no citizen comments.

Vice Mayor Maggie Tuttle moved to adopt the Statement of Consistency as presented. The motion was approved by a vote of 4-0.

Alderman Larry B. Harris moved to adopt Ordinance #O-20-01 as amended substituting residential units for residential lots. The motion was approved by a vote of 4-0.

10. COMMUNICATION FROM STAFF

A. Town Attorney – None at this time.

B. Town Manager – Manager Harrold gave a brief update regarding the River Walk Greenway project stating construction could begin in July 2021 and advised further discussion will be necessary going into budget season. Manager Harrold stated he is optimistic staff can apply for and receive additional grant funding toward the project. Alderman Larry B. Harris requested clarification regarding construction starting point stating he understood the downtown connection would begin first.

Black Mountain Board of Aldermen
Regular Session Minutes – January 13, 2020

Manager Harrold also reminded the public of the kickoff meeting for the Comprehensive Plan will be held on Monday, January 27, 2020 at 6:00 p.m. at Town Hall (location was later changed to accommodate more people and moved to 116 North Fork Road – Black Mountain Church of God). Mailers and post cards will be sent out in addition to postings on the Town’s website. The public may view more information by visiting <https://www.townofblackmountain.org/2533/Comprehensive-Plan-Update>

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

Mayor Collins clarified all local and state representatives were contacted regarding moving elections to even years. Mayor Collins stated any information to the contrary is untrue.

12. ADJOURNMENT

*Alderman Larry B. Harris moved to enter into closed session to discuss personnel matters, as permitted in NCGS § 143.318.11(a)(6) at 6:58 p.m.
The motion was approved by a vote of 4-0.*

*Alderman Larry B. Harris moved to return to open session at 7:05 p.m.
The motion was approved by a vote of 4-0.*

*Alderman Larry B. Harris moved to approve creation of the position of Major/Assistant Police Chief as presented at salary grade 18 and to amend the salary and classification chart to reflect the addition.
The motion was approved by a vote of 4-0.*

The Police Major/Assistant Police Chief job description and salary and amended classification chart is made part of and attached to these minutes.

There being no further discussion, on a motion by Vice Mayor Maggie Tuttle, with a vote of 4-0 Mayor Don Collins adjourned the meeting at 7:06 p.m.

ATTEST:

Angela Reece, Assistant to Manager/Town Clerk

Don Collins, Mayor

Highlights from Fire Department Annual Report January 2020

o Work Force

- New Fire Chief hired May of 2019
- 21 Full time
- 11 Part Time
- 20 Volunteer members
- Authorized daily shift staffing 6 FT and 1 PT
- Protecting 54sq miles of district

o Insurance Rating of Class 3 within the 5 mile district obtained Feb 2019

o Call Responses

- City Limits 1566
- Rural (East Buncombe) 757
- Total 2323
- 1294 being Medical Responses (55%)

o Fire Exposures and loss

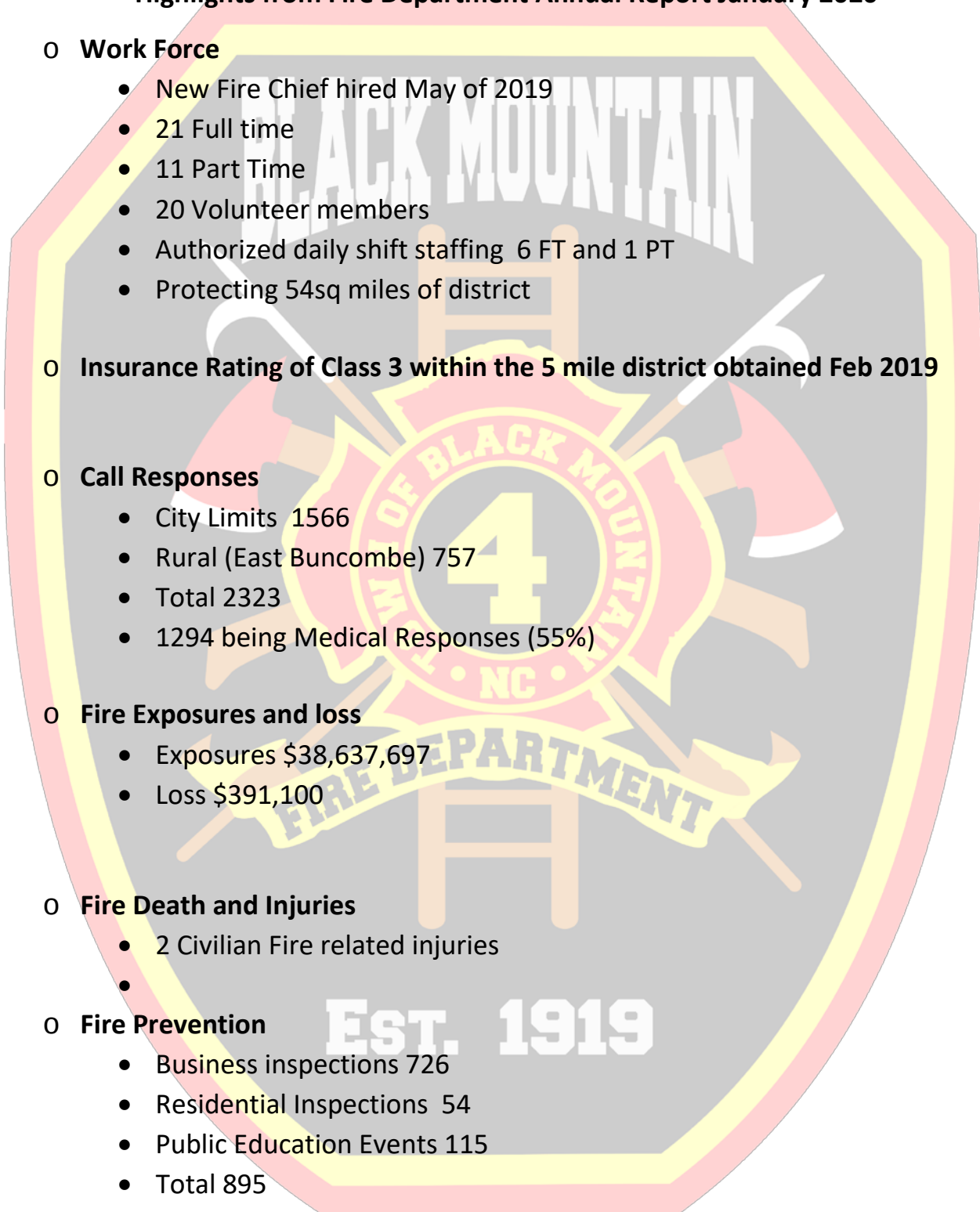
- Exposures \$38,637,697
- Loss \$391,100

o Fire Death and Injuries

- 2 Civilian Fire related injuries
-

o Fire Prevention

- Business inspections 726
- Residential Inspections 54
- Public Education Events 115
- Total 895



o Equipment Cost per Firefighter

- **Approx \$5000**

o Personnel Hours

- On calls 19,814
- Training 10,003
- Extra Duty 468
- Total 30,285

o Higher Education

- One member obtained a Master's
- One member completed their Bachelor's and enrolled in a Master's program

o 2019 Fire Department Events

- Mt Mitchell Marathon
- Safety Saturday (1000 people reached)
- Field Day at the Schools (640 students reached)
- Vehicle Temperature Awareness (500 People reached)
- Montreat Parade
- July 4th Celebration
- Fire Prevention in the Schools (640 students reached)
- Halloween on Church Street (2000 people reached)
- Fire Department 100 Year Celebration (1000+ people reached)
- Town Hall Day
- Deck the Trees (helped raise \$33,638 for SVCM Heating Assistance)
- Fire Department Kids Christmas Party
- CPR Training (100 taught in Black Mountain)
- Station Tours (several times a month)
- Citizen's Academy
- Smoke Detector Installations

2019 Urban Forestry Commission Annual Report

(This report will accompany a short video presentation at Jan. 2020 BoA meeting by UFC Chair Sheridan Hill)

Organizational Collaboration

- Collaborated with Greenworks, Swannanoa Valley Museum and the Treasured Tree Alliance to help publicize the importance of trees and tree care
- Invited the Montreat Tree Board to share information at our meeting and discussed municipal tree projects and possibilities
- Participation with the Black Mountain Presbyterian Church Earth Care Team creating a Community Forest Management Plan.
- Invited Hemlock Restoration to present to the UFC. They wish to partner with UFC re: the Town's estimated 825 Hemlocks.
- Invited NCDOT to give presentation: heard ideas on a potential partnership to create urban forests off Exit 65 and the new Blue Ridge Road Small Area Plan

Public Awareness / Citizen Involvement

- Presentation to 4th graders at Black Mountain Elementary on the value of trees
- Created a Volunteer Contact List of 21 people after our 2nd Tree Giveaway
- Contacted all of them about UFC meetings
- Invited them to apply for membership to the UFC to fill vacancy
- Provided photos and news releases about tree care and tree importance information to *Black Mountain News*

Public Tree Giveaways

- Conducted two public tree giveaway events
- Gave away more than 110 native trees to more than 50 Black Mountain citizens

Studies /Professionals / National Participation

- Celebrated Arbor Day by planting trees at Lake Tomahawk
- Arborists attended some meetings to provide information and assistance
- Created i-Tree Canopy cover assessment baseline for the Town regarding plant diversity and canopy trends
- We are now in our 14th year of qualifying as a Tree City USA Town. Received the Tree City USA Growth Award.

UFC / Town of Black Mountain Connections

- Finalized Allocation of Urban Forestry Commission's 2019-2020 budget
 - \$200 to attend a tree-related conference or workshop
 - \$400 to be used for tree giveaways
 - \$400 to be used for public education and outreach

Also in 2019, Board of Aldermen approved new Duties and Responsibilities for the Commission.



Black Mountain Police Department

106 Montreat Road
Black Mountain, NC 28711
(828) 419-9350
(828) 669-8143 fax



MAJOR / ASSISTANT POLICE CHIEF

General Statement of Duties

Performs difficult administrative and law enforcement work in the protection of life and property in the town.

Distinguishing Features of the Class

An employee in this class supervises the daily operations of the department through subordinate supervisors. The employee supervises patrol, community resources and investigations divisions. Work includes scheduling, internal investigations, assisting the Police Chief with budgeting, purchasing, property maintenance, coordination of vehicle repairs, and related administrative tasks. The employee also coordinates the hiring and promotional processes for the department. Work involves frequent public contact which requires tact, firmness and decisiveness. The employee is subject to hazards in law enforcement work including working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as dangerous persons, loud noises, and hazardous spills with fumes, oils, gases or flammable liquids. Work is subject to the final OSHA standards on blood borne pathogens. Work is performed in accordance with departmental policy and state and federal law, supplemented with directions from the Police Chief. Work is performed under the general supervision of the Police Chief and is evaluated through observation, discussion and review of reports.

Duties and Responsibilities

Essential Duties and Tasks

- Provides operational direction and supervision of the department; supervises and provides problem-solving and coaching to subordinate supervisors engaged in investigations, patrol, community policing, crime prevention, records, evidence, and related tasks.
- Schedules and coordinates all training for the department including in-service training, field training of new officers, weapons re-certifications, DCI and other re-certifications, career development and succession planning training, etc.; maintains all training records and coordinates with Criminal Justice Training and Standards for compliance.



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- Performs crime and statistical analysis; performs special research on cost analysis such as costs for staffing for annexations, etc.
- Assists the Chief with gathering information for budget preparation.
- Oversees internal affairs issues; supervises and or conducts investigations regarding citizen and other complaints as needed.
- Coordinates the hiring and promotional processes for the department; advertises vacancies and reviews applications; coordinates and participates in interviews; schedules firearms qualifications; sets up assessment boards for promotional processes; conducts background investigations and participates in the selection of new employees.
- Participates in disciplinary, salary, grievance, and other personnel actions of the department.
- Researches and recommends strategies, programs, policies, and procedures; coordinates and participates in developing the community policing program.
- Supervises and participates in the patrol function; coaches supervisors on shift problem-solving; observes field performance and provides feedback; conducts performance evaluations; recommend disciplinary actions; reviews records and reports; investigates citizen concerns about department policy and performance.
- Schedules employees to shift and identifies substitutes as needed; schedules employees for court duty, special events, and off-duty work as efficiently as possible to reduce overtime costs; monitors use of overtime.
- Supervises and participates in criminal and other investigations for the department.

Additional Job Duties

Performs related work as required.

Recruitment and Selection Guidelines

Knowledge, Skills, and Abilities

- Considerable knowledge of state and federal laws, local ordinances and policies of the police department.
- Considerable knowledge of law enforcement principles, practices, methods and equipment.
- Considerable knowledge of modern and effective supervisory principles and practices including leadership, motivation, communication, coaching, discipline, and performance evaluation.
- Considerable knowledge of the organization's personnel policies, budget and purchasing procedures, and effective supervisory practices.
- Knowledge of the application of information technology to law enforcement work.
- Knowledge of applicable laws and regulations regarding hiring and promotional processes.
- Skill in the use of firearms and other police equipment and in the application of self-defense tactics.
- Skill in collaborative conflict resolution.
- Ability to act with sound judgement in routine and emergency situations.
- Ability to present effective court testimony and make public presentations.
- Ability to prepare clear and concise administrative and activity reports.



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- Ability to build and maintain cooperative and effective public relations with the citizens, department staff, and Town officials.

Physical Requirements

- Must be able to physically perform the basic life functions of standing, walking, hearing, kneeling, reaching, feeling, grasping, pushing and pulling, bending, climbing, crawling, fingering, and performing repetitive motions.
- Must be able to perform medium work exerting up to 50 pounds of force occasionally; 20 pounds of force frequently; and 10 pounds constantly.
- Must possess the visual acuity to operate a police vehicle and distinguish details and differences when observing people, places, or things in law enforcement work; and to prepare and review a variety of records and reports.

Desirable Education and Experience

Graduation from accredited college or university with Bachelor's degree in criminal justice or equivalent field supplemented by extensive law enforcement training and considerable supervisory experience in law enforcement.

Special Requirements

Before assignment to sworn duties, employees must possess a valid North Carolina driver's license and have completed the minimum requirements established by the North Carolina Justice Training and Standards Commission for certified sworn law enforcement certification. Must possess an Advanced Law Enforcement Certification.

Pay Grade: 18 – Hiring range: \$53,653 to \$67,094 Full salary: \$53,653 to \$80,490

Est. 7/2019



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Black Mountain Police Department

106 Montreat Road
Black Mountain, NC 28711
(828)419-9350 office
(828)669-8143 fax



Shawn Freeman, Chief of Police

Benefits to restructuring of Police Staff-

Our proposed plan to restructure the Police Department will place more emphasis on community response in order to meet the increasing demands on police staff by providing more officers in the field, reduce police response times, and provide experienced command staff in the field. Restructuring would promote growth and retention within the police department. With the newly allocated officer position, BMPD would like to promote a Major/Assistant Chief; creating an opening for a Lieutenant. This Lieutenant along with the current remaining Lieutenant would oversee day to day field operations by moving to rotating shifts and supervising two squads each (i.e. A Lieutenant over A & B Squad and a Lieutenant over C & D Squad). All promotions would come from within and have already been budgeted into this year's budget.

1. Restructuring of the Police Department places more personnel in the field -

- a. By creating the position of Major/Assistant Chief, all administrative duties would be placed on this position as well as overseeing police operations for the agency. The Major/Assistant Chief will work closely with and answer directly to the Chief of Police.
- b. Currently the police department works a twelve hour rotating shift schedule with four patrol squads (shifts) of three personnel. A Sergeant and two officers.
- c. Unforeseen circumstances such as being called to court, unplanned sick time and planned vacation times have routinely reduced that number to only two officers per shift. Only two officers per shift create potential safety issues for our staff and can increase response times for calls for service. Our community policing team, P.A.C.E., consists of two members and provides some assistance to patrol during high call volume times. By adding Lieutenants to the rotations we would have more officers on the road during the "high call volume times", usually between the hours 2 pm to 2 am by adding the Lieutenants.
- d. Restructuring will increase the numbers of officers in the field by placing a seasoned, ranking Lieutenant, working during high call volume hours; i.e. 12p-12a, to oversee the day and night shifts. This allows our agency to potentially have five officers in the field and responding to calls for service during the busiest times. Ex;
 - i. Dayshift, 6a-6p = 3 officers working
 - ii. Lieutenant, 12p-12a = 1 officer
 - iii. PACE officer, 2p-2a = 1 officer
 - iv. Nightshift, 6p-6a = 3 officers working



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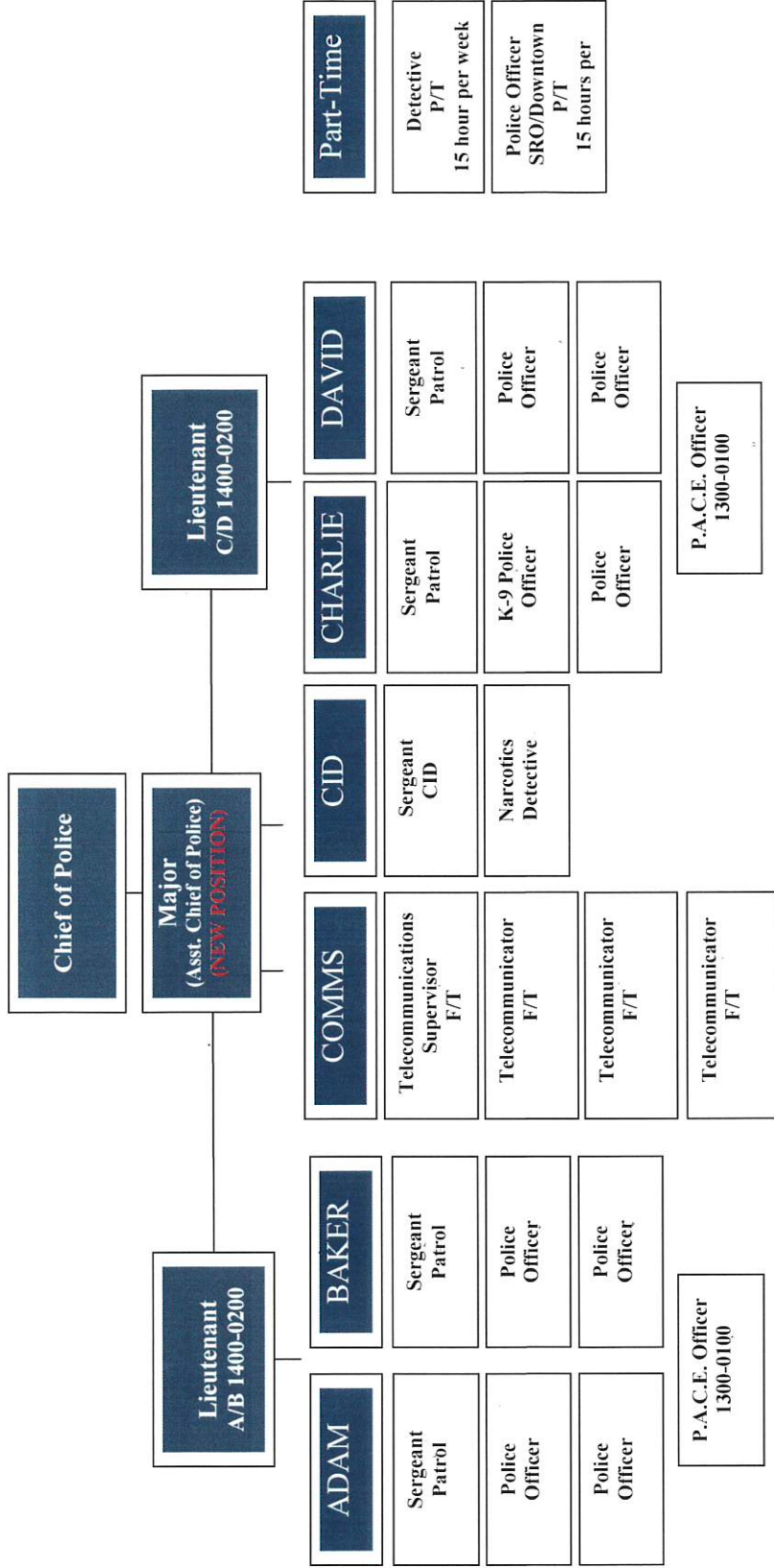
- e. With the addition of a Lieutenant to the rotations, if an officer is out for school or sick, the Lieutenant can alter their shift to maintain a 3 officer minimum coverage thus reducing the possibility of paying part-time staff or compensation time to staff.
- 2. Restructuring places command level experience in the field -
 - a. Black Mountain Police Department is a relatively young agency.
 - b. Restructuring will put an experienced Lieutenant working in the field with all shifts, this will allow coaching, mentoring and have command staff readily available at most all times.
- 3. Restructuring allows for growth within the agency -
 - a. Restructuring the department will create opportunities for officer growth within BMPD that has not been previously available.
 - b. Officers can plan for a lengthy career with promotional opportunities.
 - c. This could reduce pay compaction issues within the police department.
 - d. This organizational structure would allow for any potential future growth of the Police Department, both short term and long term.
- 4. Retention -
 - a. Restructure allows for promotional opportunities and avenues for varied experiences such as; CID / Narcotics/ mid and executive level growth opportunities within the police department.
 - b. Promotional opportunities have not have not been available in years past.
 - c. Having promotional opportunities and ample personnel on shift should help reduce the turn-over by reducing workloads. While this restructuring will not alleviate all staffing issues, it is a first step.
 - d. Reduce the cost associated with replacing officers lost to larger agencies because of heavy workloads or lack of promotional opportunities.



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BLACK MOUNTAIN POLICE DEPARTMENT

(Proposed)



Patrol Shifts rotate from dayshift to nightshift every month beginning with each 28 day pay cycle

SALARY AND CLASSIFICATION CHART
FY 2019-2020

POSITION TITLE	GRADE	SALARY MINIMUM	SALARY MID-RATE	SALARY MAXIMUM
Administrative Assistant	7	31,148	38,905	46,710
Senior Administrative Assistant	10	36,110	45,126	54,142
Deputy Town Clerk	10	36,110	45,126	54,142
Human Resources Coordinator	13	41,888	52,348	62,831
Town Clerk	13	41,888	52,348	62,831
Customer Service Representative	8	32,685	40,909	49,063
Senior Customer Service Representative	8	32,685	40,909	49,063
Customer Service Rep./Budget Assistant	8	32,685	40,909	49,063
Accounting Clerk	10	36,110	45,126	54,142
Accounting Manager	16	47,412	60,758	72,872
Finance Director	22	65,348	81,678	98,009
Senior Accountant	14	43,961	54,910	64,348
Assistant Town Manager	28	87,643	109,588	131,441
Assistant to the Town Manager	13-19 DOQ	56,262	70,426	84,427
Permit Clerk	8	32,685	40,909	49,083
Building Inspector/Flood Plain Admin.	16	48,597	60,758	72,872
Zoning Administrator	14	43,961	54,910	65,954
Director of Planning & Development Services	22	65,348	81,678	98,009
Water Resources Technician	7	31,148	38,905	46,710
Meter Reader	7	31,148	38,905	46,710
Water Distribution Specialist	13	41,888	52,348	62,831
Water Quality Operator	18	53,653	67,094	80,490
Public Services Technician I	6	29,656	37,041	44,520
Public Services Technician II	8	32,685	40,909	49,063
GIS Tech	10	36,110	45,126	54,142
Public Services Crew Leader	13	41,888	52,348	62,831
Public Service Operations Manager	15	46,267	57,776	69,378
Director of Public Services	24	72,104	90,182	108,191
Recreation Activity Coordinator	9	34,362	42,959	51,555
Recreation Administrative Assistant	7	31,148	38,905	46,710
Recreation Program Supervisor	11	37,903	47,408	56,938
Director of Recreation and Parks	17	51,043	63,763	76,553
Telecommunicator I	9	34,362	42,959	51,555
Telecommunicator II	11	37,903	47,408	56,938
Communications Supervisor	11	37,903	47,408	56,938
Police Officer (12 Hour Shifts)	11A	39,799	49,779	59,784
Police Sergeant	14	43,961	54,910	65,954
Police Sergeant (12 Hour Shifts)	14A	46,159	57,656	69,251
Police Detective	13	41,888	52,348	62,831
Police Lieutenant	16	48,597	60,758	72,872
Police Lieutenant (12 Hour Shifts)	16A	51,027	63,796	76,516
Assistant Police Chief (Major)	18	53,653	67,094	80,490
Police Chief	24	72,104	90,182	108,191

**SALARY AND CLASSIFICATION CHART
FY 2019-2020**

Firefighter I	9	34,362	42,959	51,555
Firefighter II	10	36,103	45,126	54,142
Fire Lieutenant	13	41,888	52,348	62,831
Fire Inspector/Safety Officer	14	43,961	54,910	65,954
Fire Captain	15	46,267	57,776	69,378
Battalion Chief	16	48,597	60,758	72,872
Deputy Fire Chief	18	53,653	67,094	80,490
Fire Chief	21	62,226	77,811	93,350
Public Safety Director	26	79,535	99,408	119,257
Greenskeeper	7	31,148	38,905	46,710
Golf Course Mechanic	11	37,903	47,408	56,938
Golf Course Superintendent	15	46,267	57,776	69,378
Assistant Golf Professional	13	41,888	52,348	62,831
Golf Operations Manager/Professional	18	53,653	67,094	80,490