



## TOWN OF BLACK MOUNTAIN

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

Date: July 11, 2022 Time: 6:00 p.m. Regular Session Agenda

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The agenda and all related documentation may be accessed electronically via Wi-Fi in Town Hall. From your laptop or smartphone, access the Town's website at [www.townofblackmountain.org](http://www.townofblackmountain.org). Click on **Town Government** and select **Mayor and Council** to download materials for all Town Council meetings.

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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 at 419-9310, or by email at [townclerk@townofblackmountain.org](mailto:townclerk@townofblackmountain.org) (828) 419-9300 / TDD (800) 735-2962

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### 1. CALL TO ORDER

- Welcome
- Prayer – Sarah Vekasi, MDiv.
- Pledge of Allegiance
- Announcements

### 2. PROCLAMATIONS, AWARDS & RECOGNITION

### 3. CITIZEN COMMENTS

Individuals wishing to address the Council are asked to sign in at the entrance to the Council room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Council. **Comments by any one speaker shall be limited to three (3) minutes.**

To send comments **prior to the meeting**, please call Town Hall at 828-419-9310 or email comments to [Comments@townofblackmountain.org](mailto:Comments@townofblackmountain.org). The Clerk will compile them and present them to the Mayor for consideration.

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

### 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 approve the minutes of the June 13, 2022 Regular Session Meeting, the June 13, 2022 Closed Session Meeting, the June 9, 2022 Agenda Meeting, the June 9, 2022 Budget Meeting, and the June 2, 2022 Budget Meeting.

**B. Resolution Authorizing The Conveyance of Obsolete Property to Ukraine**

**Motion:** To approve Resolution #R-22-18 as presented.

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

**6. CITIZEN COMMENTS**

The chair will recognize individuals requesting to address the Council 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.

To send comments **prior to the meeting**, please call Town Hall at 828-419-9310 or email comments to [Comments@townofblackmountain.org](mailto:Comments@townofblackmountain.org). The Clerk will compile and present written comments to the Mayor for consideration.

**7. UNFINISHED BUSINESS**

**A. Lease Proposal from Buncombe County regarding the Black Mountain Library**

**Motion:** To approve the proposal as presented.

**8. NEW BUSINESS**

**A. Montessori School Lease**

**Motion:** To approve the Montessori School Lease as presented.

**B. Board Appointments**

**ABC Board** – (1) 3-year term ending June 30, 2025

One application received from Amanda Nichols for one vacancy. Cheryl Milton withdrew her application from consideration.

**Motion:** To appoint \_\_\_\_\_ to fill a 3-year term ending June 30, 2025  
by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

**Active Mobility Commission** – (1) 3-year term ending June 30, 2025

The Active Mobility Commission reviewed three applications for one vacant seat. The Active Mobility Commission voted 4-0 to recommend Michelle Knight for appointment to the one vacant seat.

**Motion:** *Motion: To appoint \_\_\_\_\_ to fill a 3-year term ending June 30, 2025 by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.*

**Historic Preservation Commission** - (3) 3-year terms ending June 30, 2025

One application received from Walter Richard House for three vacancies. Two vacancies will remain open pending new applications.

**Motion:** *Motion: To appoint \_\_\_\_\_ to fill a 3-year term ending June 30, 2025 by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.*

**Planning Board** - (3) 3-year terms ending June 30, 2025

The Planning Board reviewed seven applications for three vacant seats. The Planning Board voted by ballot to recommend Chris Collins, Lauronda Teeple, and Joe Laudenslayer for appointment to the three vacant seats. Herman Folkers withdrew his application for consideration.

**Motion:** *Motion: To appoint \_\_\_\_\_ to fill a 3-year term ending June 30, 2025 by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.*

**Recreation Commission** - (2) 3-year terms ending June 30, 2025

The Recreation Commission reviewed six applications for two vacancies alternate seats. The Recreation Commission recommends Frank Cappelli and William Boyd for appointment.

**Motion:** *Motion: To appoint \_\_\_\_\_ to fill a 3-year term ending June 30, 2025 by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.*

**Zoning Board of Adjustment** - (2) 3-year terms ending June 30, 2025 and 3 alternate seats

Three applications received by Walter Richard House, Ben Cooper, and Andy Homrich for two vacancies and three alternate positions. Walter Richard House also applied for Historic Preservation Commission. Available alternate seats will remain open pending new applications

**Motion:** *Motion: To appoint \_\_\_\_\_ to fill a 3-year term ending June 30, 2025 by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.*

C. Discussion of Capital Budget Proposals

D. Financing for Police Department Vehicles and Body Cameras

**Motion:** *To approve the four-year financing term as presented.*

**9. PUBLIC HEARING**

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

A. Public Hearing to Close Portion of Unopened, Platted Portion of Buckeye Street (east end).

**Motions for Consideration:**

1. *To open the public hearing for **Resolution #R-22-15** to Close Unopened, Platted Portion of Right-of-Way of Buckeye Street (west end).*
2. *To close the public hearing.*
3. *To approve **Resolution #R-22-15** for the right-of-way closure.*

**10. COMMUNICATION FROM STAFF**

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

**11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL**

**12. CLOSED SESSION**

- A. Closed Session to discuss matters not considered a public record within the meaning of Chapter 132 of the General Statutes and to consult with the Town Attorney as permitted by North Carolina General Statute 143-318.11.



**13. ADJOURNMENT**

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Josh Harrold  
***Town Manager***



**PUBLIC NOTICE**  
**NOTICIA PÚBLICA**

**BLACK MOUNTAIN TOWN COUNCIL**

**REGULAR SESSION MEETING**  
**JUNTA DEL AYUNTAMIENTO**

**Monday, July 11 at 6:00 p.m.**  
**Lunes 11 de Julio de 2022 a las 6:00 p.m.**

The Black Mountain Town Council will meet for their monthly Regular Session Meeting on **Monday, July 11 at 6:00 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC.

The meeting is open to the public. Abierta al público.

*Savannah Parrish*

Savannah Parrish  
Town Clerk

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Estamos comprometidos a proporcionar instalaciones, programas y servicios accesibles para todas las personas de conformidad con la Ley de Estadounidenses con Discapacidades (ADA). Si necesita ayuda o una adaptación en particular para esta reunión, comuníquese con Savannah Parrish, secretaria municipal al 419-9300 o por correo electrónico a [townclerk@townofblackmountain.org](mailto:townclerk@townofblackmountain.org)

Please visit [www.townofblackmountain.org](http://www.townofblackmountain.org) to obtain agenda packets and other meeting information.  
Visite [www.townofblackmountain.org](http://www.townofblackmountain.org) para obtener paquetes de la agenda y otra información.

*Posted to the Town Bulletin Board 06/17/22*



## TOWN OF BLACK MOUNTAIN

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

Date: **June 13, 2022** Time: **6:00 p.m.** **Regular Session Minutes**

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*Town Clerk Savannah Parrish at 419-9310, or by email at [townclerk@tobm.org](mailto:townclerk@tobm.org)*

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

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### **1. CALL TO ORDER**

***Mayor Larry Harris called the meeting to order at 6:00 p.m.*** with the following members present:

Mayor Larry B. Harris  
Vice Mayor Ryan Stone  
Council Member Archie Pertiller  
Council Member Bill Christy  
Council Member Doug Hay  
Council Member Pam King

The following staff members were present:

Josh Harrold, Town Manager  
Savannah Parrish, Town Clerk  
Ron Sneed, Town Attorney

Mayor Harris welcomed the public. Rev. Chandler Ragland offered an invocation. Mayor Harris then led the Pledge of Allegiance. Mayor Harris read an ethics statement and reminded the public of the Council's duty to vote, save a conflict of interest.

### **2. PROCLAMATIONS, AWARDS & RECOGNITION**

Black Mountain Police Chief Steve Parker presented a Life Saving Award to officers Sam Stone and Olivia Presley.

Chief Parker gave a brief public safety update, especially concerning the department's preparedness to respond to active shooter events.

### 3. CITIZEN COMMENTS

Individuals wishing to address the Council are asked to sign in at the entrance to the Council room, indicating the topic(s) or agenda item(s) you wish to discuss, so that the chair may group speakers according to topic. The chair will recognize individuals requesting to address the Council. **Comments by any one speaker shall be limited to three (3) minutes.**

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- Roger Register of 43 Mandoline Drive spoke in support of a noise ordinance or some mechanism to prevent speeding and excess noise from engine breaks on Highway 9.
- Shawn Slome of 115 3<sup>rd</sup> Street read *Trees* by Joyce Kilmer.
- Manager Harrold read a commend from Nancy Ramsay of 11 Mandolin Drive requesting more speed enforcement along Highway 9 near Cheshire and Christmont.

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

#### A. The Black Mountain Library Board Annual Report – Judd Dougherty

Mr. Dougherty explained that the Library Board consists of six-member board, with one current vacancy. They currently follow an informal recruitment process with an indefinite appointment term. The Town Council expressed interest in formalizing the process and having the Library Board follow the same recruitment process as the other advisory committees. Attorney Sneed is going to follow up with the Library Board in regard to the proposed library lease from Buncombe County and formalizing the Library Board recruitment and oversight process. Mr. Dougherty also agreed to include a report of the Library Board's prior year expenses during the annual report to Council.

#### B. Metropolitan Sewer District Annual Report – Bob Watts

Mr. Watts presented an update from the Metropolitan Sewer District Board. The board consists of fourteen members. MSD is proposing an increase of 2.5% to their FY 22-23 Budget. The total budget number is \$59.8 million.

#### C. North Carolina Department of Transportation – Hannah Cook and Steve Cannon

Ms. Cook and Mr. Cannon presented a proposed project for US 70. They plan to present this project for scoring and prioritization. A copy of the PowerPoint is included and made part of 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.*

### A. Adoption of Minutes

**Motion:** *To adopt the minutes of the May 26, 2022 Special Call Meeting, the May 19, 2022 Special Call Meeting, the May 9, 2022 Regular Session Meeting, the May 9, 2022 Closed Session, the May 5, 2022 Agenda Meeting.*

### B. Resolution Adjustment of Small Overpayment/Underpayments and Minimum Billing Amount of Property Tax

**Motion:** *To approve Resolution #R-22-14 as presented.*

### C. Resolution Supporting Reform of the Room Occupancy Tax

**Motion:** *To approve Resolution #R-22-15 as presented.*

***Council Member Archie Pertiller moved approve consent item A-C as presented. The motion was approved by a vote of 5-0.***

## 6. CITIZEN COMMENTS - None

## 7. UNFINISHED BUSINESS

## 8. NEW BUSINESS

### A. Sedimentation and Erosion Control Text Amendment #O-22-04

Planning Director Jessica Trotman presented information concerning this ordinance. The text amendment updates language from “grading” to “land disturbance.” It also decreases the amount of disturbed requiring a permit from 5,000 square feet to 1,000 square feet. It clarifies permitting needs for standalone land disturbance as well as disturbance associated with building permits. Minimum standards for implantation of control measures, published by NCDEQ are now required instead of being wholly descriptive and subjective. A few redundancies are removed to improve readability. This ordinance will become effective July 1, 2022.

***Council Member Bill Christy moved to approve and adopt Ordinance #O-22-04 as amended. The motion was approved by a vote of 5-0.***

**B. Review and Discussion of the Lease Proposal from Buncombe County regarding the Black Mountain Library**

Attorney Sneed presented the proposed Library Lease from Buncombe County. Attorney Sneed recommended that no action be taken on the lease until it can be presented to the Library Board and suggestions sent to Buncombe County. Council Member King expressed concerns, especially concerning that the lease is currently written as year-to-year and suggested that a long-term lease be proposed. It was agreed the lease would be accompanied by a resolution from the Town Council which would indicate interest in a longer-term commitment.

**C. Golf Course Equipment**

In October 2021, Town Council voted to approve a golf equipment lease for new equipment with Smith Turf & Irrigation. Since this time, we've been in contact with the company, and they can't get the equipment due to supply chain shortages. We've been in contact with the other company that originally submitted quotes and they can get equipment. Staff recommends terminating our agreement with Smith Turf & Irrigation and moving forward with Greenville Turf & Tractor. The cost of the lease agreement will be \$92,988 per year for five years.

***Vice Mayor Ryan Stone moved to approve the lease of equipment as presented. The motion was approved by a vote of 5-0.***

**9. PUBLIC HEARING**

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

**A. Public Hearing to Close Portion of Unopened, Platted Portion of Buckeye Street**

Attorney Sneed excused himself from the Council Chambers for the public hearing due to his prior representation of the applicant. Attorney Sneed exited the meeting at 7:10 p.m.

Planning Director Jessica Trotman presented the information concerning this right-of-way closure. The requested closure is approximately 130 feet in the length and 42 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. If closed, the right-of-way will be split down the middle with the Town receiving 20 feet of the right-of-way and the applicant receiving the other 20 feet. The Planning Board recommended the closure with a vote of 4-1.

***Vice Mayor Ryan Stone moved to open the public hearing for Resolution #R-22-15 to Close Unopened, Platted Portion of Right-of-Way of Buckeye Street (west end). The motion was approved by a vote of 5-0.***

Shawn Slome of 115 3<sup>rd</sup> Street spoke against the right-of-way closure. He expressed that the Town Council should wait until the remainder of the plan for Cragmont Park is complete.

Lee Reading also spoke against the right-of-way closure and supports the suggestion that the plan for the park is complete.

Bob Watts of 130 Church St. spoke against the right-of-way closure because of concerns that the Town would lose access for sewer lines.

***Council Member Archie Pertiller moved to close the public hearing. The motion was approved by a vote of 5-0.***

Planning Director Trotman informed the Council that MSD has an easement in place, therefore sewer lines are not a concern. Planning Director Trotman addressed other concerns. There was some discussion between the Council Members and the Planning Director.

***Council Member Bill Christy moved to approve and adopt Resolution #R-22-15 as presented. The motion was approved by a vote of 5-0.***

## **10. COMMUNICATION FROM STAFF**

Town Manager Josh Harrold reminded the public and Council that Park Rhythms begins at 6 p.m. on Thursday, June 16<sup>th</sup>. Town Offices will be closed for Juneteenth on Friday, June 17<sup>th</sup>.

## **11. COMMUNICATION FROM MAYOR AND TOWN COUNCIL**

Council Member Hay reminded the public of the budget meeting on June 28<sup>th</sup> at 5 p.m. He also thanked staff for their work on the Community Garden's EmpTea Bowl's event.

Council Member King called the public's attention to the Community Connect resource. This is a free and secure platform which allows the public to share crucial information in and around their home or business that will aid emergency personnel who are responding to that location.

## **12. CLOSED SESSION**

- A.** Closed Session to discuss matters not considered a public record within the meaning of Chapter 132 of the General Statutes as permitted by North Carolina General Statute 143-318.11 (a)(1).

*Council Member Archie Pertiller moved to enter into closed session. The motion was approved by a vote of 5-0.*

*Vice Mayor Ryan Stone moved to return to open session. The motion was approved by a vote of 5-0.*

## **13. ADJOURNMENT**

*Vice Mayor Ryan Stone moved to adjourn the meeting at 7:58 p.m. The motion was approved by a vote of 5-0.*

*There being no further business, Mayor Harris adjourned the meeting at 7:58 p.m.*

ATTEST:

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Savannah M. Parrish Town Clerk

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Larry B. Harris, Mayor

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Josh Harrold, Town Manager





**TOWN OF BLACK MOUNTAIN TOWN COUNCIL  
AGENDA WORKSHOP MEETING MINUTES  
June 9, 2022**

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**THE BLACK MOUNTAIN TOWN COUNCIL** held an agenda workshop Thursday, June 9, 2022 at 5:00 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of the meeting was to review the agenda for the regular monthly meeting scheduled for Monday, June 13, 2022 at 6:00 p.m.

**1. CALL TO ORDER**

***Mayor Larry B. Harris called the meeting to order at 5:00 p.m. with the following members present:***

Mayor Larry B. Harris  
Vice Mayor Ryan Stone - absent  
Council Member Archie Pertiller  
Council Member Pam King  
Council Member Doug Hay  
Council Member Bill Christy

The following staff members were present:

Josh Harrold, Town Manager  
Savannah Parrish, Town Clerk  
Ron Sneed, Town Attorney

Mayor Larry Harris opened the meeting. Town Manager, Josh Harrold, presented the proposed agenda to the Town Council.

Mayor Harris suggested that a public safety be added to the agenda as **Item 2B**.

Manager Harrold continued his presentation of the agenda.

***Vice Mayor Ryan Stone moved to approve the agenda as amended. The motion was approved by a vote of 5-0.***

***There being no further discussion Mayor Larry B. Harris adjourned the meeting at 5:14 p.m.***

ATTEST:

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Savannah Parrish, Assistant to Manger/Town Clerk

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Larry B. Harris, Mayor



**TOWN OF BLACK MOUNTAIN TOWN COUNCIL**  
**SPECIAL CALL MEETING MINUTES**  
**June 9, 2022**

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**THE BLACK MOUNTAIN TOWN COUNCIL**, held a special called meeting on Thursday, June 9, 2022 at 8:30 a.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain NC. The purpose of this meeting is for the Town Council is to discuss the 22-23 Budget and CIP.

**1. CALL TO ORDER**

*Mayor Larry B. Harris called the special meeting to order at 8:30 a.m. with the following members present:*

Mayor Larry B. Harris  
Vice Mayor Ryan Stone  
Council Member Archie Pertiller  
Council Member Doug Hay  
Council Member Pam King  
Council Member Bill Christy

The following staff members were present:

Josh Harrold, Town Manager  
Savannah Parrish, Assistant to Manager/Town Clerk

Mayor Larry B. Harris called the meeting to order. Manager Harrold began the discussion of the budget by reviewing a list of one-time expenses. These items include the Tomahawk Dam, various vehicles, and the Recreation Master Plan.

Manager Harrold reviewed the Fire Services Fund. Recommended capital spending for the Fire Department includes \$75,000 to replace the vehicle driven by the chief and \$56,000 for equipment. The budget would also transfer \$100,000 to capital reserve for the future purchase of a fire truck. Manager Harrold invited Interim Chief John Coffey to speak to questions concerning staffing levels. Chief Coffey feels confident that once vacant positions are filled, staffing levels for the Fire Department will be adequate.

Manager Harrold briefly reviewed the Stormwater Fund. The utility fee will remain the same for fiscal year 22-23. He also informed the board that the Stormwater Utility had a successful first year with a nearly 90% collection rate.

Changes to the Water Finance Fund include a new position. The purpose of this position is to create a centralized system for payment collection for all departments. A 6% increase is proposed for customer water rates.

There was much discussion among the Town Council concerning specific capital improvement projects, and the need for additional staff.

The Town Council agreed to hold a Budget Public Hearing on June 28, 2022 at 5:00 p.m.

***There being no further business, Mayor Harris adjourned the meeting at 10:02 a.m.***

ATTEST:

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Savannah Parrish, Assistant to Manger/Town Clerk

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Larry B. Harris, Mayor

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Josh Harrold, Town Manager



**TOWN OF BLACK MOUNTAIN TOWN COUNCIL  
SPECIAL CALL MEETING MINUTES  
June 2, 2022**

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**THE BLACK MOUNTAIN TOWN COUNCIL**, held a special called meeting on Thursday, June 9, 2022 at 8:30 a.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain NC. The purpose of this meeting is for the Town Council is to discuss the 22-23 Budget and CIP.

**1. CALL TO ORDER**

*Mayor Larry B. Harris called the special meeting to order at 8:30 a.m. with the following members present:*

Mayor Larry B. Harris  
Vice Mayor Ryan Stone  
Council Member Archie Pertiller  
Council Member Doug Hay  
Council Member Pam King  
Council Member Bill Christy

The following staff members were present:

Josh Harrold, Town Manager  
Savannah Parrish, Assistant to Manager/Town Clerk

Mayor Larry B. Harris called the meeting to order. Manager Harrold began the discussion of the budget reviewing the recommended capital expenses. Manager Harrold also reminded the Town Council that the American Rescue Plan Funds are now being used as revenue replacement, giving the Town more flexibility to spend the money on projects.

Council Member King expressed a desire to allocate \$200,000 in the FY 22-23 for salary corrections when the salary study is complete. There was some discussion among the Council concerning the salary study and the allocation of funds for salary corrections.

Manager Harrold continued the discussion by highlighting large changes in the operating budget, focusing on new positions specifically. The Police Department is requesting three new employees. The Manager also recommends an additional human resources employee, a water finance position, and a project manager.

Discussions continued, and the Town Council agreed to meet again on June 9, 2022 at 8:30 a.m.

***There being no further business, Mayor Harris adjourned the meeting at 9:55 a.m.***

ATTEST:

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Savannah Parrish, Assistant to Manger/Town Clerk

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Larry B. Harris, Mayor

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Josh Harrold, Town Manager



## **RESOLUTION R-22-18**

### **AUTHORIZING THE CONVEYANCE OF OBSOLETE PROPERTY TO UKRAINE**

**WHEREAS**, the Chief of Black Mountain, along with other Sheriffs and Chiefs of the State of North Carolina, support a humanitarian effort to collect and distribute obsolete ballistic body armor that is no longer being utilized to benefit the people of war-ravaged Ukraine; and

**WHEREAS**, the Black Mountain Police Department has 9 units of obsolete ballistic body armor that could be of benefit to the Ukrainian people; and

**WHEREAS**, under North Carolina General Statute § 160A-280, obsolete property may be conveyed without monetary consideration to a non-profit, after due notice; and

**WHEREAS**, the Black Mountain Town Council join in supporting this humanitarian effort by donating the obsolete ballistic body armor to Samaritan's Purse for distribution to aid the Ukrainian citizens involved in fighting the Russian forces for their freedom.

**NOW, THEREFORE, BE IT RESOLVED** by Town Council, that the donation of obsolete ballistic body armor be conveyed to the people of Ukraine involved in fighting the Russian forces and support this effort that could save lives.

I move the adoption of the foregoing resolution:

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Council Member

**READ, APPROVED AND ADOPTED**, this the 11<sup>th</sup> day of July 2022.

ATTEST:

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Larry B. Harris, Mayor

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Savannah Parrish, Town Clerk

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Josh Harrold, Town Manager

## LEASE AGREEMENT

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

Prepared by & return to: Ronald E. Sneed  
P.O. Box 995, Black Mountain, NC 28711

THIS LEASE AGREEMENT (the "Lease") is made and entered into this \_\_\_\_\_ day of July, 2022, by and between **THE TOWN OF BLACK MOUNTAIN**, a North Carolina Municipal Corporation, the "Landlord" or "Town"), and **SWANNANOA VALLEY MONTESSORI SCHOOL, INC.**, a North Carolina Non-Profit Corporation (the "Tenant" or "SVMS").

### WITNESSETH:

WHEREAS, Landlord desires to let and lease to Tenant, and Tenant desires to let and lease from Landlord, upon the terms and conditions hereinafter set forth, that certain real property being approximately 3,940 square feet, plus approximately 860 square feet comprised of space formerly occupied by the offices of the Black Mountain Parks and Recreation Department, in the Carver Center located at 101 Carver Street in Black Mountain, Buncombe County, North Carolina.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the rents, covenants, agreements and stipulations hereinafter mentioned, reserved and contained, to be paid, kept and performed by the Tenant, Landlord has leased and rented, and by these presents does lease and rent, unto the Tenant who hereby agrees to lease from the Landlord, upon the terms and conditions which are hereinafter contained, the Property:

1. Description. Landlord does hereby lease to Tenant the Property, together with any and all rights, easements and appurtenances pertaining thereto running in favor of Landlord with respect to the Property, and all improvements, including, without limitation, that portion of the building situated on the described property as set out on the attached Exhibit A.

2. Term.

A. Initial Term. The initial term of this Lease shall commence August 1, 2022 (the "Commencement Date"), and shall expire, unless extended pursuant to the terms of Item 2 (B) below, on the July 31, 2027.

B. Renegotiation for Expansion. Landlord and Tenant agree that if Tenant's space needs increase due to increasing enrollment and if Landlord is capable of making more space available, an amendment to this Lease may be negotiated to provide for the use of additional space.

C. Extension Options. If the Landlord determines that it will not need the lease space for its own use for the benefit of its citizens, which determination will be made within sixty days of receipt of notice from the Tenant that it desires to lease the described property for an additional term, Tenant shall have the right of extending the term of this Lease for an additional term of one (1) year, upon the terms and conditions of the original term., Rent shall be payable for such extension period as set out below unless renegotiated. Tenant shall notify Landlord in writing of its desire to extend the term of this Lease at least one hundred twenty (120) days prior to the last date of the existing lease term. This option may be exercised up to four (4) times, providing the Tenant with possibility of leasing the property for four (4) additional terms of one (1) years each.

3. Rent. The Base Rent shall be \$38,460.00.00 annually (paid in monthly installments of \$3,205.00. Credits against the base rent will be given by the Landlord for improvements made by the Tenant as provided below in Item 4.

4. Tenant Expansion. Landlord and Tenant acknowledge that Tenant may have the need to expand its program in the short-term, prior to the termination of the existing lease, and therefore may need to renegotiate the terms of the existing lease to account for the school's expansion. Landlord and Tenant therefore agree to make a good faith effort to re-negotiate the terms of the existing lease should the need for expansion arise and/or should Tenant's budget allow for additional renovations and changes to the Premises to meet the needs of its students.

5. Signage. Tenant shall have the right to maintain the installed exterior building sign as long as it is maintained in accordance with the Town of Black Mountain's standard sign criteria.

6. Zoning / Certificate of Occupancy. Tenant shall be solely responsible for determining with all governmental agencies having jurisdiction that its use proposed for the Premises complies with all governmental regulations and ordinances, including, but not limited to, zoning.

7. Tenant's Insurance. Beginning on the Lease Commencement Date, Tenant, at its own expense, shall provide and maintain insurance (liability and property casualty) naming the Landlord, its agents and its managers as additional insureds, in the amount of \$1,000,000.00 per occurrence and \$5,000,000.00 in aggregate.

8. Damage or Destruction. In the event the buildings or improvements located on the Property shall be damaged or destroyed by fire or other disaster, Landlord may in its sole discretion determine whether such damage shall be repaired. If the Landlord decides to repair, the Tenant's duty to pay rent shall abate until such time as the repairs are completed and Tenant can resume use of the premises. If such repairs are expected to take more than six months, the Tenant may terminate this Lease Agreement. If Landlord decides not to repair the damage, the Lease shall terminate and Tenant will have no further obligation to pay rent to the Landlord.



In order to insure the Landlord's ability to repair or rebuild the damaged or destroyed buildings or improvements located on the Property, Landlord shall maintain fire and extended insurance coverage or so-called "all-risk" insurance for the full replacement value of the buildings and other improvements located on the Property. All such insurance to be maintained by Landlord shall name Tenant as an additional insured and shall provide that the insurance carrier waives all right of subrogation against the Tenant. All insurance to be maintained by the Landlord shall be with insurance companies licensed and in good standing in the State of North Carolina and shall provide that such insurance policies cannot be canceled or amended without delivery of at least fifteen (15) days prior written notice to Tenant.

Tenant understands and agrees that the insurance which is to be obtained and maintained by the Landlord will not cover any items of personal property owned by the Tenant and kept on the property, including merchandise, inventory, furniture, equipment or trade fixtures. If Tenant desires to have such property protected by insurance, he will be responsible for obtaining hazard insurance for that purpose.

9. Maintenance and Repairs. Landlord, at its sole cost and expense, shall maintain and repair the load bearing structural walls, roof structural, foundation, and plumbing and electrical up to the metering devices serving the Premises. Landlord shall also maintain and repair all interior items including but not limited to walls, plumbing, electrical, doors, windows and HVAC. Tenant shall maintain and repair all property and improvements it brings into the classroom, including cabinets, furniture, chalkboards, etc.

10. Early Termination. The Tenant and the Landlord have the right to terminate this lease under the following conditions.

A. By Tenant. If Landlord and Tenant cannot at any time renegotiate the lease to address Tenant's need to expand and Tenant must expand in order to meet the needs of its growing student population, then Landlord agrees to allow Tenant to terminate the lease agreement upon sixty-days written notice and payment to Landlord a sum equal to 10% of the rent due for the balance of the current lease term. If Tenant's enrollment figures fall below a threshold level such that Tenant needs to cease operating at the Premises because Tenant has a negative annual cash flow in excess of \$25,000.00, Landlord agrees to allow Tenant to terminate the lease upon sixty-days written notice and confirmation of Tenant's negative cash flow and payment to Landlord a sum equal to 10% of the rent due for the balance of the current lease term.

B. By Landlord. In the event the Landlord has a bona fide and demonstrable need for the space for the business or activities of the Landlord such that it needs possession of the premises **after the first year but** prior to the end of the initial lease term, the Town shall be allowed to terminate this Lease Agreement upon at least **two** hundred ten (210) days written notice to Tenant with Tenant being required to vacate no later than the annual anniversary date of this lease (July 31). If the Landlord has any need for the space to provide any other services or programs to the public at any time during any of the one year extensions following the initial lease term, the Town shall be allowed to terminate this Lease Agreement upon two hundred ten (210) days written notice to Tenant, with Tenant being required to vacate no later than the annual anniversary date of this lease (July 31). A

“demonstrable need” and a need “for the space to provide other services or programs” shall be a need for the Town to provide its own services and programs, and not to lease the property to a different entity to provide services, even if those services are such as are usually provided by a municipality.

11. Right of Entry. Landlord reserves the right during the term of this Lease to enter and inspect the Property at reasonable hours and in such a manner as to not interfere with the business activity conducted thereon. No inspections shall be conducted unless an authorized representative of Tenant is present.

12. Assignment and Subletting. Tenant may not assign any interest in this Lease, or sublet any portion of the leased premises, without the written consent of the Landlord.

13. Remedies upon Default. If Tenant should fail to promptly pay the Rent herein stipulated or any other sum for which Tenant is liable under the terms of this Lease within fifteen (15) days after Tenant's receipt of notice from Landlord of such delinquency, Tenant shall owe a late payment penalty of five percent (5%) of the past due rental amount. If Tenant shall fail to pay the monthly amount due within thirty days of the due date, or should the Tenant breach any of its covenants under this Lease and not cure the same within thirty (30) days after the receipt of notice from Landlord designating such breach, the Landlord may, at his option, terminate this Lease and take possession of the Property. The foregoing rights of the Landlord shall be in addition to any rights which the Landlord may have under law or in equity.

Notwithstanding any other provision of this Lease, where the curing of an alleged default requires more than the payment of money and the work of curing said default cannot be reasonably accomplished within the time otherwise permitted herein, and where Tenant has commenced upon curing said default and is diligently pursuing same, then Tenant shall be entitled to reasonable time extensions to permit the completion of curing said default as a condition precedent to any reentry by Landlord or termination of this Lease by Landlord, and any default that is cured shall not thereafter be grounds for reentry or termination.

14. Use of the Property. The Premises shall be continuously used, throughout the term of the Lease, solely for the purposes of a preschool and/or elementary school operated by SVMS and for no other purpose and by no other entity without the express written approval of the Landlord.

15. Removal of Equipment, Fixtures and Merchandise. Landlord acknowledges that Landlord has no interest in any personal property or equipment or furniture or any trade fixtures which may be installed by Tenant upon the Property, and Landlord agrees in the future to furnish Tenant, upon request, with such waiver or similar documents as may be reasonably required by any lender or equipment lessor in connection with Tenant's acquisition or financing respecting such personal property, equipment, furniture and fixtures. All personal property, furniture, equipment, and trade fixtures, including, but not limited to, specialty equipment, shelves, cabinets, counters and signs, which are installed or placed on the Property by or at the expense of Tenant shall remain the property of the Tenant, and Tenant shall have the right at all times to remove such personal property, furniture, equipment, and trade fixtures from the Property. Landlord shall not be responsible for the condition or safety of the furniture, fixtures, equipment, trade fixtures, inventory or other personal property used

or stored on the Property, and Tenant shall indemnify and hold the Landlord harmless from any claims others might make on damage to any personal property used or stored on the Property.

16. Covenant of Quiet Enjoyment. Landlord covenants and warrants to Tenant that: (i) Landlord has full right and lawful authority to enter into and perform Landlord's obligations under this Lease for the entire lease term including any extensions thereof, and has good and marketable title to the Property in fee simple, free and clear of all contracts, leases, tenancies, agreements, restrictions, violations, encumbrances or defects in title of any nature whatsoever, (ii) this Lease is not and shall not be subject or subordinate to any mortgage of Landlord; (iii) upon Tenant's compliance with the terms of this Lease, Tenant shall quietly and peaceably hold, possess and enjoy the Property for the full term and any extensions of this Lease without any hindrance or molestation by any party, and Landlord will defend the title to the Property and the use and occupancy of the same by the Tenant against the claims of all persons, whomsoever, except those claiming by or through the Tenant.

17. Waiver of Breach. It is hereby covenanted and agreed that no waiver of a breach of any of the covenants of this Lease shall be construed to be a waiver of any succeeding breach of the same or any other covenant.

18. Holding Over. In the event of Tenant's continued occupancy of the Property after the expiration of the term of this Lease or any renewal or extension thereof, or any earlier termination provided or permitted in this Lease, Tenant shall be deemed to be a tenant from month-to-month. All other covenants, provisions, obligations and conditions of this Lease shall remain in full force and effect during such month-to-month tenancy.

19. Notices. All notices to be given to either party by the other shall be in writing, and shall be deemed to have been given when the same is either (i) personally delivered (including delivery by any "overnight mail service"), or (ii) deposited in the United States mail, postage prepaid by certified or registered mail, return receipt requested and properly addressed to the respective party; it being specifically agreed and understood that all cure or grace periods for compliance established under the terms and provisions of this Lease shall not be deemed to have commenced until such time as notice shall have been received by the party to whom it shall have been directed, or until such time as delivery of such notice shall have been refused. All notices to be given shall be sent as follows, unless the party to receive notice has notified the other in writing of a change:

To Landlord:  
Town of Black Mountain  
160 Midland Avenue  
Black Mountain, NC 28711

To Tenant:  
Swannanoa Valley Montessori School  
c/o Erin Van Note  
101 Carver Avenue  
Black Mountain, NC 28711

20. Miscellaneous.

A. The captions in this Lease are for convenience only and shall not in any way limit or be deemed to construe or interpret the terms and provisions hereof.

B. Time is of the essence of the Lease and of all provisions hereof.

C. This Lease shall be construed and enforced in accordance with the laws of the State of North Carolina.

D. This Lease may be executed in several counterparts, each of which shall be an original and all collectively shall constitute one lease.

21. Successors. All the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto, provided that nothing in this Item shall be deemed to permit any assignments, subletting, occupancy or use contrary to the provisions of any other Item of this Lease.

IN WITNESS WHEREOF, Landlord has executed this Lease and Tenant has caused this Lease to be executed on its behalf and through its duly authorized officers, all as of the day and year first above written.

TOWN OF BLACK MOUNTAIN, Landlord

By: \_\_\_\_\_  
Josh Harrold, Town Manager

SWANNANOVA VALLEY MONTESSORI SCHOOL, INC.

By: \_\_\_\_\_  
Erin Van Note, President

## EXHIBIT "A"

Space to be rented:

Classroom A

Classroom B

Classroom C

Classroom D

2 small offices at North end of Classroom D

Approximately 940 square feet located in the cafeteria space as identified by the Town.

Approximately 840 square feet formerly occupied by Black Mountain Parks and Recreation

PLUS:

1. Option to reserve and rent, for scheduled use, Cafeteria, Gymnasium, Kitchen.
2. Option to utilize occasionally, without reservation and subject to availability and Recreation and Parks approval, Cafeteria, Gymnasium, Kitchen

**TOWN OF BLACK MOUNTAIN TOWN COUNCIL**  
**REQUEST FOR COUNCIL ACTION**  
**Meeting Date: July 11, 2022**

**SUBJECT:** Active Mobility Commission Recommendations for One Vacant Seat

**AGENDA INFORMATION**

|                         |                                     |
|-------------------------|-------------------------------------|
| <b>Agenda Location:</b> | <b>NEW BUSINESS</b>                 |
| <b>Item Number:</b>     | 8B                                  |
| <b>Department:</b>      | Planning and Development Department |
| <b>Contact:</b>         | Jessica Trotman, Planning Director  |
| <b>Presenter:</b>       | Jessica Trotman, Planning Director  |

**BRIEF SUMMARY:** The Active Mobility Commission reviewed three applications for one vacant seat. The Active Mobility Commission voted 4-0 to recommend Michelle Knight for appointment to the one vacant seat. There is one current commission member who may resign and if so, the Active Mobility Commission voted 4-0 to recommend Kyle Cole to serve the remainder of that term.

**MOTION FOR CONSIDERATION:** To appoint Michelle Knight to the one vacant seat for the Active Mobility Commission.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** Boards and Commissions Applications

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** To appoint Michelle Knight to the one vacant seat as recommended by the Active Mobility Commission.

**TOWN OF BLACK MOUNTAIN TOWN COUNCIL**  
**REQUEST FOR COUNCIL ACTION**  
**Meeting Date: July 11, 2022**

**SUBJECT:** Planning Board Recommendations for Three Vacant Seats

**AGENDA INFORMATION**

|                         |                                     |
|-------------------------|-------------------------------------|
| <b>Agenda Location:</b> | <b>NEW BUSINESS</b>                 |
| <b>Item Number:</b>     | 8B                                  |
| <b>Department:</b>      | Planning and Development Department |
| <b>Contact:</b>         | Jessica Trotman, Planning Director  |
| <b>Presenter:</b>       | Jessica Trotman, Planning Director  |

**BRIEF SUMMARY:** The Planning Board reviewed seven applications for three vacant seats. The Planning Board voted by ballot to recommend Chris Collins, Lauronda Teeple, and Joe Laudenslayer for appointment to the three vacant seats. Herman Folkers withdrew his application for consideration.

**MOTION FOR CONSIDERATION:** To appoint Chris Collins, Lauronda Teeple, and Joe Laudenslayer to the three vacant seats for the Planning Board.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** Boards and Commissions Applications

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** To appoint Chris Collins, Lauronda Teeple, and Joe Laudenslayer to the three vacant seats as recommended by the Planning Board.

**TOWN OF BLACK MOUNTAIN TOWN COUNCIL**  
**REQUEST FOR COUNCIL ACTION**  
**Meeting Date: July 11, 2022**

**SUBJECT:** Recreation Commission Recommendations for Two Vacant Alternate Seats

**AGENDA INFORMATION**

|                         |                                                 |
|-------------------------|-------------------------------------------------|
| <b>Agenda Location:</b> | <b>NEW BUSINESS</b>                             |
| <b>Item Number:</b>     | 8B                                              |
| <b>Department:</b>      | Parks and Recreation                            |
| <b>Contact:</b>         | Joshua Henderson, Parks and Recreation Director |
| <b>Presenter:</b>       | Joshua Henderson, Parks and Recreation Director |

**BRIEF SUMMARY:** The Recreation Commission reviewed six applications for two vacancies alternate seats. The Recreation Commission recommends Frank Cappelli and William Boyd for appointment.

**MOTION FOR CONSIDERATION:** To appoint Frank Cappelli and William Boyd to the vacant seats for Recreation Commission.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** Boards and Commissions Applications

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** To appoint Frank Cappelli and William Boyd as recommended.





# Town of Black Mountain

160 Midland Avenue, Black Mountain, NC 28711

Phone (828) 419-9300 Fax (828) 669-4204

TDD 800-735-2962

[www.townofblackmountain.org](http://www.townofblackmountain.org)



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## APPLICANT INFORMATION

NAME: Amanda B. Nichols DATE: 5-31-2022

PREFERRED NAME: Amanda

HOME ADDRESS: 814 Montreat Rd.

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Blk Mtn. NC, 28711

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS (this is mainly how we will communicate with you): amanda@mysunshinerx.com  
~~amanda.nichols@blackmountain.org~~

PHONE NUMBER(S): MAIN 828-275-6469 EMERGENCY Same

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: ABC Board Are you seeking re-appointment? Yes ☐ No ☒

Why do you wish to serve the Town (or continue serving) in this capacity?  
If additional space is needed please attach a separatesheet.

To give my service to the community.

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

LSU - BS  
ULM - BS Pharmacy,  
CBOP }  
NBOP } Registered pharmacist Co, Nr, La, NC  
LBOP }  
NCBOP }  
Immunize - licenced immunizer. CPD - Registered Compounding Pharmacist.

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

(Past) MLK JR Board  
President - Campbell Building Condo Assoc. 2018-present  
Advisory Board - Owen High School

## CERTIFICATE OF APPLICANT

**This application is a public record.**

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

Amanda B. Nichols

Applicant's Signature

5-31-22

Date

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## APPLICANT INFORMATION

NAME: Christopher Collins DATE: 06.06.2022

PREFERRED NAME: Chris

HOME ADDRESS: 524 Rhododendron Avenue

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC. 28711

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS (*this is mainly how we will communicate with you*): christopher.r.collins@gmail.com

PHONE NUMBER(S): MAIN 404.242.1130 EMERGENCY 404.242.1130

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Planning Board Are you seeking re-appointment? Yes ☒ No ☐

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separatesheet.

As an AICP certified Urban Planner currently employed as the Planning & Development Manager for the City of Asheville, I wish to use my specialized knowledge and skills to help guide the policy and built environment of the town that I've watched my three children grow up in. Black Mountain is a special place. Having grown up in suburban Atlanta where I witnessed many small towns lose and then try to regain their "specialness" and identity I would like to work to keep that from happening here.

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

BA, Business Administration, Warren Wilson College

MUP, Master of Urban Planning, University of Louisville

Certified Planner (AICP), American Institute of Certified Planners

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

Planning & Development Manager, City of Asheville

Deputy Director of Planning, City of Duluth, GA

Planner I, Louisville Metro Government, Louisville, KY

Owner & Principal Planner, CRC Planning, Black Mountain, NC

Current Chair of the Black Mountain Planning Board

Member in Good Standing, American Planning Association

## CERTIFICATE OF APPLICANT

**This application is a public record.**

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.



Applicant's Signature

June 6, 2022

Date

**Thank you for your interest in appointment to the Town of Black Mountain's Boards and Commissions. Individuals selected for appointment by the Town Council will assume their position on the date of Town Council approval and after they are sworn in. The Town Clerk will contact you to make arrangements for swearing in. All Town of Black Mountain Advisory Boards and Commissions must operate by the ethics, policies and laws set forth in the Boards & Commissions Handbook.**

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## APPLICANT INFORMATION

NAME: Alice Berry DATE: 6/1/2022

PREFERRED NAME: Alice

HOME ADDRESS: 103 Altamaha Ave, Black Mtn, NC 28711

MAILING ADDRESS (if different): - Same -

CITY, STATE and Zip: - see above -

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS (this is mainly how we will communicate with you): berry.sc.henck@gmail.com

PHONE NUMBER(S): MAIN (404) 783-2606 EMERGENCY

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Planning Board Are you seeking re-appointment? Yes ☐ No ☒

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

See attached

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

Licensed Clinical Mental Health Counselor - Associate - NC Board of LCHC

National Certified Counselor

Music Therapist, Board Certified

Master of Arts in Clinical Mental Health Counseling - Appalachian State University

Master of Music Therapy - Appalachian State University

Bachelor of Music - St. Olaf College

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

See attached

## CERTIFICATE OF APPLICANT

*This application is a public record.*

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

*Ann Beley*

Applicant's Signature

6/6/22

Date

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## APPLICANT INFORMATION

NAME: Shawn Slome DATE: 5/22/2022

PREFERRED NAME: same

HOME ADDRESS: 115 3rd st

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes \_\_\_\_\_ No \_\_\_\_\_

EMAIL ADDRESS (*this is mainly how we will communicate with you*): shawn.slome@gmail.com

PHONE NUMBER(S): MAIN 919-491-1217 EMERGENCY 919-815-6445

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Planning Board Are you seeking re-appointment? Yes ☒ No ☐

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

~~I stay informed regarding the functions of the Town. I care about the town and want to help make improvements. I have business managerial experience and I am open to sharing my perspective with the relevant departments or individuals. I attend or view the Town Council meetings. I have experience in real estate brokerage and investing. I have a lot to give. I'm afraid to speak truth to power.~~

My wife has a Physical Therapy business in town. My daughter has three retail businesses in town

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

BA Biology, UNC Chapel Hill. Former Licensed Real Estate Broker. Mediation and facilitation training

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

Small business mentor with SCORE Asheville. I serve on the Community Garden Advisory Board.  
I volunteer at Bounty and Soul. I Volunteer at the Children's Home Thrift Shop. I volunteer with the Food Connection. Neighborhood Bear Wise program. Volunteer with the Chamber of Commerce on occasion.

## CERTIFICATE OF APPLICANT

***This application is a public record.***

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

Shawn Slome  
Applicant's Signature

5/22/2022  
Date

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## APPLICANT INFORMATION

NAME: Shannon-Heather Wall DATE: 6/6/22

PREFERRED NAME: Shannon-Heather

HOME ADDRESS: 118 Forest Hills Drive, Black Mountain, NC 28711

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: \_\_\_\_\_

Do you live inside the town limits of Black Mountain? Yes Yes No \_\_\_\_\_

EMAIL ADDRESS (*this is mainly how we will communicate with you*): shannonheatherwall@gmail.com

PHONE NUMBER(S): MAIN (828) 712-0060 EMERGENCY (828) 273-0952

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Planning Are you seeking re-appointment? Yes \_\_\_\_\_ No \_\_\_\_\_

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

I'm Here to help.

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

Bachelor of Arts from the University of North Carolina, Greensboro

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

I've been on the board for the Greensboro Jaycees, the Junior League of Asheville, and the Fun Fourth Festival in Greensboro. I was also on the Historic Commission of Black Mountain.

## CERTIFICATE OF APPLICANT

***This application is a public record.***

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

Shannon-Heather O'Brien Wall

Applicant's Signature

Date

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The Handbook and additional information may be viewed on the Town's website at

[www.townofblackmountain.org](http://www.townofblackmountain.org)





# Town of Black Mountain

160 Midland Avenue, Black Mountain, NC 28711

Phone (828) 419-9300 Fax (828) 669-4204

TDD 800-735-2962

[www.townofblackmountain.org](http://www.townofblackmountain.org)



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## APPLICANT INFORMATION

NAME: Charlotte McRanie DATE: 6/5/22

PREFERRED NAME: Charlotte

HOME ADDRESS: 251 Valley Ridge Lane

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain NC 28711

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS (*this is mainly how we will communicate with you*): camcranie@gmail.com

PHONE NUMBER(S): MAIN 404-561-0131 EMERGENCY Barbara Bell 828-216-6952

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Planning Board Are you seeking re-appointment? Yes ☐ No ☒

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

- I believe we are at a critical developmental phase in this region and in Black Mountain specifically. Workers \_\_\_\_\_  
- needed by merchants and the town cannot find affordable housing anywhere nearby. The state legislature is \_\_\_\_\_  
considering bills that may limit the choices that small towns like ours may have going forward. It is critical that \_\_\_\_\_  
we begin looking at what has been done effectively elsewhere and consider innovative long-term solutions. I \_\_\_\_\_  
believe that my 30-year exposure to real estate markets and the affordably housing/community investment \_\_\_\_\_  
arena as well as my long-term strategic planning experience will be an asset to the Planning Board during this \_\_\_\_\_  
challenging time. \_\_\_\_\_

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

Graduated Deerfield-Windsor High School, Albany, Ga - 1973

BBA in Accounting, Valdosta State University, Valdosta Ga -- 1977

Passed CPA exam in 1977 -- received certification in GA in 1979 while working for KPMG, one of the Big Four accounting firms.

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

I started my career as a CPA but broadened my experience in later years to include banking operations and long-term strategic planning. I worked in savings and loans for many years during up and down cycles in the real estate industry dealing with commercial and residential development. In addition, the company I worked for the last 20 years of my career -- Federal Home Loan Bank of Atlanta -- had as part of its charter the funding of Community Investment and Affordable Housing throughout a seven-state southeast region that included NC. I am currently a member of Friends of the Library and Treasurer of the Asheville Quilt Guild. I have held numerous non-profit leadership positions over the past 20+ years.

## CERTIFICATE OF APPLICANT

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I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

*CAMERON*

Applicant's Signature

*6-5-22*

Date

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### APPLICANT INFORMATION

NAME: Herman Folkers DATE: \_\_\_\_\_

PREFERRED NAME: Chip

HOME ADDRESS: 25 Woodbend Ln

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes X No \_\_\_\_\_

EMAIL ADDRESS (this is mainly how we will communicate with you): folkerchip@gmail.com

PHONE NUMBER(S): MAIN 641 903-1937 EMERGENCY 641 430 5937

### ADVISORY BOARD/COMMISSION PREFERENCE

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Board or Commission: Planning Board Are you seeking re-appointment? Yes \_\_\_\_\_ No X

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

Although we've owned our house in Black Mountain since 2017 we've only recently become North Carolina and full time Black Mountain residents. We think it's important to participate in the discussions and decision making processes that will shape the future of this very charming and desirable community.

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

Law Degree - University of Iowa 1967  
Iowa Bar Association  
US District Court  
Navy JAG Certification

## EXPERIENCE & CIVIC INVOLVEMENT

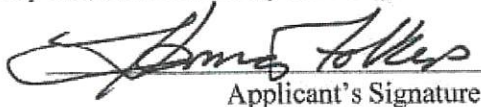
Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

In addition to maintaining a private law practice  
I served as City Attorney for the City of Mason City,  
Iowa for approximately 22 years until retiring in 2004.  
During that time I was legal advisor to all of the  
various board and commissions including the local  
Planning Board (Planning and Zoning Commission).

## CERTIFICATE OF APPLICANT

This application is a public record.

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

June 3, 2022  
Date

Thank you for your interest in appointment to the Town of Black Mountain's Boards and Commissions. Individuals selected for appointment by the Town Council will assume their position on the date of Town Council approval and after they are sworn in. The Town Clerk will contact you to make arrangements for swearing in. All Town of Black Mountain Advisory Boards and Commissions must operate by the ethics, policies and laws set forth in the Boards & Commissions Handbook.

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# Town of Black Mountain

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## APPLICANT INFORMATION

NAME: Lauronda Teeple DATE: 05/09/2022

PREFERRED NAME: Lauronda Teeple

HOME ADDRESS: 106 Rhododendron Avenue

MAILING ADDRESS (if different): N/A

CITY, STATE and Zip: Black Mountain NC 28711

Do you live inside the town limits of Black Mountain? Yes X No       

EMAIL ADDRESS (*this is mainly how we will communicate with you*): L@threesheetsdesign.com

PHONE NUMBER(S): MAIN (828) 712-0861 EMERGENCY (814) 341-9829 - Dave, boyfriend

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Planning Board Are you seeking re-appointment? Yes X No       

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separatesheet.

I have truly enjoyed serving on the Planning Board these past 3 years. It has been such a pleasure to learn about the various ordinances and methods by which our town oversees matters related to land use and community development. I appreciate being "part of the process" with my fellow board members in making recommendations to our Town Council (or Board of Adjustments), as it makes me feel as if I'm partnering with our local government to help - and to learn how - to best serve our community and residents.



## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

Haywood Community College, 1998-1999: Cosmetology

UNCA, 1993-1997: Double major in Computer Science & Fine Arts

Enka High School: 1989-1993, National Honors Society, 7th in Class

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

2019 - 2022: Served term on Town of Black Mountain's Planning Board

2016 - Current: Ministry of Hope, 2022 Board Chair (501c3 based in Black Mountain, works in collaboration with Western Correctional Center for Women) - pre and post-release transitional services/programs

2020 - Current: Swannanoa Valley Tree Alliance, Volunteer & Graphic Design/Marketing Services

2017 - Current: Green Built Alliance: Event Operations Management, Graphic Design/Marketing Services

2016 - 2019: Served term on Town of Black Mountain's Historic Preservation Commission

2014 - 2019: MountainTrue: Event Operations Management, Graphic Design/Marketing Services

2001 - 2008: Worked for Real Estate Developers, Real Estate Brokerage & Board of Realtors (Asheville)

## CERTIFICATE OF APPLICANT

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I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.



Applicant's Signature

05/08/22

Date

Thank you for your interest in appointment to the Town of Black Mountain's Boards and Commissions. Individuals selected for appointment by the Town Council will assume their position on the date of Town Council approval and after they are sworn in. The Town Clerk will contact you to make arrangements for swearing in. All Town of Black Mountain Advisory Boards and Commissions must operate by the ethics, policies and laws set forth in the Boards & Commissions Handbook.

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The Town of Black Mountain Board of Aldermen have adopted this application for use by individuals interested in appointment to the Town's advisory boards and commissions. To ensure that your application will receive full consideration, please answer all questions **completely**. Incomplete applications will **NOT** be considered. Applications accepted through **Friday April 24, 2020 by 5:00 p.m.** to the Town Clerk.

Return this application either in person, by mail/fax/email to: Town Clerk, Town of Black Mountain, 160 Midland Ave., Black Mountain, NC 28711. [townclerk@townofblackmountain.org](mailto:townclerk@townofblackmountain.org) Fax (828)669-4204

## APPLICANT INFORMATION

NAME: Joe Landenslayer DATE: 7/3/2020

PREFERRED NAME: \_\_\_\_\_

HOME ADDRESS: 724 Azalea Ave, Blk. Mtn. NC 28711

MAILING ADDRESS (if different): PO Box 1437

CITY, STATE and Zip: Blk. Mtn. NC 28711

Do you live inside the town limits of Black Mountain? Yes ☒ No \_\_\_\_\_

EMAIL ADDRESS (this is mainly how we will communicate with you): josephgerard@bellsouth.net

PHONE NUMBER(S): MAIN 828-712-3895 EMERGENCY 828-712-3896

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Planning Board Are you seeking re-appointment? Yes \_\_\_\_\_ No X

Why do you wish to serve the Town (or continue serving) in this capacity?  
If additional space is needed please attach a separate sheet.

see attached



## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

see attached

## EXPERIENCE & CIVIC INVOLVEMENT

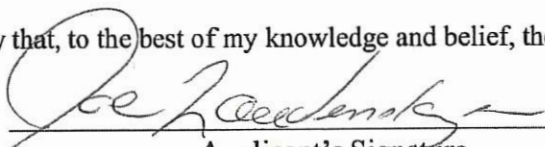
Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

See attached

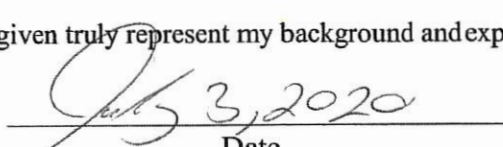
## CERTIFICATE OF APPLICANT

*This application is a public record.*

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.



Applicant's Signature



Date

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## **Continuation of application to the Planning Board**

**Joe Laudenslayer**

### **Question: Why do you wish to serve the Town in this capacity?**

I moved to Blk. Mtn. in 1995. I purchased commercial property in the downtown area and a home where I lived for 11 years. During this time, I served as president of a downtown merchants' association called Business to Business from 1996 to 2000. I served as president of the Chamber of Commerce from 2002-2004 (thereabouts). After this, I served as a member of the Planning Board for 5 years.

I 2006, I built a new home just outside of town limits and I was no longer eligible to serve on any committee or board in town. I recently have moved back within town limits and I am looking to get involved again.

We have seen growth of our town through the years and it has been good for residents and those who visit our town. I'd like to join the planning board and continue to encourage smart growth that doesn't take away from the characteristics of Blk. Mtn. that make it a special place to live.

### **Education and Certifications:**

Graduated Kenmore East High School and after that, I completed trade school. This enabled me to become self-employed at age 23 and I have been successfully self-employed since.

### **Experience and Civic Involvement:**

- Self-employed business owner who works with the public
- Past president of downtown merchants' association, Business to Business
- Past president of Chamber of Commerce
- Past member of the Planning Board (served 5 years)





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## APPLICANT INFORMATION

NAME: BENJAMIN J COOPER DATE: 06/06/22

PREFERRED NAME: BEN COOPER

HOME ADDRESS: 715 HOLLY AVE.

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: BLACK MOUNTAIN, NC 28711

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS (this is mainly how we will communicate with you): BLOOPER@LOGICALRESOURCESLLC.COM

PHONE NUMBER(S): MAIN 704-622-6767 EMERGENCY 704-650-9018

## ADVISORY BOARD/COMMISSION PREFERENCE

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Board or Commission: ZONING BOARD OF ADJUSTMENT Are you seeking re-appointment? Yes ☐ No ☒

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

I WISH TO SERVE THE TOWN ON THE ZONING BOARD OF ADJUSTMENTS BECAUSE I HAVE AN EXTENSIVE BACKGROUND IN CONSTRUCTION AND REAL ESTATE DEVELOPMENT. MY EXPERIENCE HAS ENABLED ME TO WORK WITH THE TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES DEPARTMENT AS WELL AS PLANNING AND ZONING DEPARTMENTS IN NUMEROUS OTHER STATES AND JURISDICTIONS. DUE TO MY BACKGROUND AND EXPERIENCE, I FEEL THAT I COULD BE A POSITIVE ASSET TO THE TOWN ZONING BOARD OF ADJUSTMENTS.



## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

BACHELOR'S DEGREE - CONSTRUCTION MANAGEMENT - UNIVERSITY OF CINCINNATI  
QUALIFIER AND UNLIMITED LICENSE HOLDER - NORTH CAROLINA LICENSING BOARD FOR  
GENERAL CONTRACTORS.

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

I AM A SMALL BUSINESS OWNER AND CONSTRUCTION PROFESSIONAL WITH EXPERIENCE  
IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CONSTRUCTION. I ALSO HAVE  
EXPERIENCE WITH RESIDENTIAL AND COMMERCIAL REAL ESTATE DEVELOPMENT.  
I HAVE WORKED WITH PLANNING, ZONING, DEVELOPMENT, PERMITTING, AND  
INSPECTION DEPARTMENTS AT THE FEDERAL, STATE, AND LOCAL  
JURISDICTIONAL LEVEL.

## CERTIFICATE OF APPLICANT

*This application is a public record.*

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.



Applicant's Signature

06/06/22

Date

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## APPLICANT INFORMATION

NAME: Andrew Homrich DATE: June 10, 2022

PREFERRED NAME: Andy

HOME ADDRESS: 309 Lake Oak Dr

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes x No \_\_\_\_\_

EMAIL ADDRESS (*this is mainly how we will communicate with you*): andrewhomrich@gmail.com

PHONE NUMBER(S): MAIN 678-524-2059 EMERGENCY Jami Homrich, 678-662-0307

## ADVISORY BOARD/COMMISSION PREFERENCE

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Board or Commission: Zoning Board Are you seeking re-appointment? Yes \_\_\_\_\_ No x

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separatesheet.

Black Mountain is a unique and special place, and I believe as a community we are at a fulcrum of growth and opportunity. Thinking through strategically what this growth should look like is important for the health and wellness of our economy, our residents, and our environment. I value partnering with Town staff and council members to provide input, research, and service on important topics like the impact of vacation-rentals on the local economy and individual's

opportunity to have freedom and flexibility with their own property relative to housing needs and affordable cost of living for others. In addition, the ideas and efforts already made toward Elevate are quite exciting but will require work, dedication, and community action to see them through.

If chosen, it would be an honor to serve my neighbors with my time and skills of critical thinking and communication.



## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

University of Georgia, BA, Speech Communication

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

I've had the opportunity to work within nonprofit, corporate and private organizations throughout my career. I've held roles supporting business planning, sales and marketing, people leadership, and strategy. Having success in these roles requires critical thinking, collaborative communication, and difficult decision making to effectively chart course and determine impact across multiple stakeholders. I've also been involved at my church community, Valley Hope Church focused on managing growth within our children and families teams, keenly oriented on staying true to our mission while creatively identifying areas of improvement necessary to accommodate and inspire our children and families well.

## CERTIFICATE OF APPLICANT

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I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

June 10, 2022

Date

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## APPLICANT INFORMATION

NAME: WALTER RICHARD HOUSE DATE: June 2, 2022

PREFERRED NAME: RICHARD

HOME ADDRESS: 113 CHURCH STREET

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: BLACK MOUNTAIN NC 28711

Do you live inside the town limits of Black Mountain? Yes X No \_\_\_\_\_

EMAIL ADDRESS (this is mainly how we will communicate with you): rhhouse3250@gmail.com

PHONE NUMBER(S): MAIN 504 427-8808 EMERGENCY 504 451-4961

## ADVISORY BOARD/COMMISSION PREFERENCE

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Board or Commission: Zoning Bd of Adjustment Are you seeking re-appointment? Yes \_\_\_\_\_ No X

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

Provide economic development and legal experience  
to zoning determinations.



## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

*See application for Historic Preservation Commn*

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

*See application for Historic Preservation Commn*

## CERTIFICATE OF APPLICANT

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I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

*Walter Richard [Signature]*  
Applicant's Signature

*June 5 2022*  
Date

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[www.townofblackmountain.org](http://www.townofblackmountain.org)





# Town of Black Mountain

160 Midland Avenue, Black Mountain, NC 28711

Phone (828) 419-9300 Fax (828) 669-4204

TDD 800-735-2962

[www.townofblackmountain.org](http://www.townofblackmountain.org)



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## APPLICANT INFORMATION

NAME: Frank Cappelli DATE: 06/06/22

PREFERRED NAME: \_\_\_\_\_

HOME ADDRESS: 1120 Montreat Rd. Black Mountain

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes \_\_\_\_\_ No X

EMAIL ADDRESS (*this is mainly how we will communicate with you*): Frankecappelli@gmail.com

PHONE NUMBER(S): MAIN 828.442.3908 EMERGENCY \_\_\_\_\_

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Recreation Commission Are you seeking re-appointment? Yes \_\_\_\_\_ No X

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

I find the parks and recreation in the community to be one of the most important aspects of the community as we continue to grow. I live in Black Mountain and I have 4 very active children under the age of 8 that will be relying on a strong recreation experience as they grow up to be strong and respectable young men. I have previously served on the Historic Preservation Commission and would like to further my community involvement in a area that I have a much stronger interest and passion for - Recreation!

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

BS in Accounting and Information Systems - Virginia Tech

Proud graduate of the Black Mountain Citizens Academy - The Town of Black Mountain Staff

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

Former member of the historic preservation commission

Member of the PTA for Black Mountain Primary

Former coordinator of baseball umpires for township in Pittsburgh

## CERTIFICATE OF APPLICANT

**This application is a public record.**

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

6/6/22

Date

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## Personal Information

NAME: Donald Obenrader DATE: 9-15-21

PREFERRED NAME: Don

HOME ADDRESS: 14 Caton Pl

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes X No \_\_\_\_\_

EMAIL ADDRESS: dgocreston@gmail.com

PHONE NUMBER(S): MAIN \_\_\_\_\_ CELL 281-638-1965

## Board or Commission Preference

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must **submit a separate application for each board or commission you apply for**. You will only be considered for one board or commission seat).

Board or Commission Preference: Recreation Commission

Are you currently serving on a board or commission of the Town of Black Mountain? Yes \_\_\_\_\_ No X

If so, what is the name of the board? \_\_\_\_\_

Why do you wish to serve the Town in this capacity? If additional space is needed please attach a separate sheet.

To be an advocate for sports, especially senior sports in Black Mountain.

## Education and Certifications

Please list your educational background and any certifications you have. Include names of all schools attended.

BFA from Wittenburg University

## Employment

Please list the name and address of your current employer, the title of your current position and a brief description of your job duties.

Name of Employer Retired

Address City State Zip

Description of job duties:

## Civic Involvement

Please list the names of all civic organizations in which you currently hold membership.

Black Mtn Pickleball group; Community garden;  
Swannanoa Valley Museum

### CERTIFICATE OF APPLICANT

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

Donald Clemon

Applicant's Signature

9-15-21

Date

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## APPLICANT INFORMATION

NAME: Kevin Thomas Bates DATE: 5/28/2022

PREFERRED NAME: Kevin

HOME ADDRESS: 109 Front Porch Dr Black Mountain, NC 28711

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: \_\_\_\_\_

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS (this is mainly how we will communicate with you): Kbates@wnccumc.net

PHONE NUMBER(S): MAIN 828-606-8063 EMERGENCY 828-606-8063

## ADVISORY BOARD/COMMISSION PREFERENCE

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Board or Commission: Recreation Commission Are you seeking re-appointment? Yes ☐ No ☒  
+ Active Mobility

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

Over the past few years, I have had the privilege of participating and volunteering in many of the recreational opportunities provided by our town from basketball and hikes to river cleanups and park rhythms. My hope is to now give back and help in any way I can to continue the gift of our parks and recreation system. My work in the church, with Warren Wilson College students, and ecology can all help to bridge multiple areas of connection and opportunity.

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

UNC - Chapel Hill BA in History, 2010 Minor in Entrepreneurship  
Duke University M. Divinity, 2015  
Duke University Doctor of Ministry (expected graduation 2023)  
Permaculture Design Certification 2021

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

- Steering Team Chair of the Creation Care Alliance of Western NC
- Member of MountainTrue (Creation Care Alliance is a program of MountainTrue)
- Collaborative Partner with Partners in Health and Wholeness
- Graduate of the Thriving Rural Communities Initiative
- Fellow of Re:Generate Program - a leadership development program focused around issues of food, health, and ecological well-being
- Ordained Elder in the United Methodist Church

## CERTIFICATE OF APPLICANT

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I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

5/28/2022  
Date

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## APPLICANT INFORMATION

NAME: Alice Berry DATE: 6/1/2022

PREFERRED NAME: Alice

HOME ADDRESS: 103 Altamaha Ave, Black Mtn, NC 28711

MAILING ADDRESS (if different): - Same -

CITY, STATE and Zip: - see above -

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS (this is mainly how we will communicate with you): berry.schenck@gmail.com

PHONE NUMBER(S): MAIN (404) 783-2606 EMERGENCY

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Recreation Commission Are you seeking re-appointment? Yes ☐ No ☒

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

See attached

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

Licensed Clinical Mental Health Counselor - Associate - NC Board of CMHC

National Certified Counselor

Music Therapist, Board Certified

Master of Arts in Clinical Mental Health Counseling - Appalachian State University

Master of Music Therapy - Appalachian State University

Bachelor of Music - St. Olaf College

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

See attached

## CERTIFICATE OF APPLICANT

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I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

6/6/22  
Date

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## Personal Information

NAME: Judy Eubanks DATE: 4/25/22

PREFERRED NAME: Judy

HOME ADDRESS: 13 Daniel Lane

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS: jeub1234@gmail.com

PHONE NUMBER(S): MAIN 828-664-0801 CELL 828-273-3337

## Board or Commission Preference

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Board or Commission Preference: Recreation

Are you currently serving on a board or commission of the Town of Black Mountain? Yes ☐ No ☒

If so, what is the name of the board? \_\_\_\_\_

Why do you wish to serve the Town in this capacity? If additional space is needed please attach a separatesheet.

I have lived in BM since 1975 and have been on the REP Commission many times. I am very interested in all aspects of helping our community lead an active life.

Education and Certifications

Please list your educational background and any certifications you have. Include names of all schools attended.

Appalachian State University      BS-Ed Education

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Employment

Please list the name and address of your current employer, the title of your current position and a brief description of your job duties.

Name of Employer      Retired 5<sup>th</sup> Grade Teacher - BM Primary

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Description of job duties:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Civic Involvement

Please list the names of all civic organizations in which you currently hold membership.

President - Blk. Mtn. Tennis Association

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CERTIFICATE OF APPLICANT

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

Judy H. Eubanks      4/25/22

Applicant's Signature      Date

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## APPLICANT INFORMATION

NAME: William Boyd DATE: 3-23-2022

PREFERRED NAME: B. II

HOME ADDRESS: 13 Tree Top Place

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes X No \_\_\_\_\_

EMAIL ADDRESS (this is mainly how we will communicate with you): boyd.miller@me.com

PHONE NUMBER(S): MAIN 828-674-0644 EMERGENCY same

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Parks & Rec Are you seeking re-appointment? Yes \_\_\_\_\_ No X

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

see attached.



## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

see attached.

## EXPERIENCE & CIVIC INVOLVEMENT

Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

see attached.

## CERTIFICATE OF APPLICANT

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I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

3-23-2022

Date

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## Town of Black Mountain

### Application for Parks and Recreation Commission

William Boyd  
13 tree Top Place, Black Mountain  
boyd.miller@me.com

#### **Why:**

All that I've accomplished in my career and life is a product of community and working with others. I think my organizational skills and ability of working with others would allow me to add a unique perspective to the Parks and Recreation Commission. I also bring experience with youth and adult sports.

#### **Education:**

I attended Menlo College in Menlo Park, CA between 1963 and 1965, where I received an Associate Degree.

I attended The Missouri School of Mines in Rolla, MO between 1965 and 1968, where I earned a degree in civil engineering.

#### **Experience and Civic Involvement:**

1. Part of my experience and qualifications to serve as a Parks and Recreation Commissioner is my work career as a civil engineer, project manager and legal consultant/expert witness between 1968 and 2002.
2. I was one of two founding members of the Surf Cup, a youth soccer organization in San Diego, CA, and was an active or

consulting participant in Surf Cup Sports between 1988 and 2008. Please refer to our website [surfcupsports.com](http://surfcupsports.com), and you can read my name listed in an article in the San Diego Union Tribune by googling "Surf Cup Legend Leaves Legacy". Surf Cup Sports started out in 1988 with a budget of less than \$100,000. Now it generates annually \$120M Economic Impact to the County of San Diego, donates \$7M in Charitable Contributions, has 200K Youth Participants, 1,500 College Coaches/Scouts, 490K Attendees, and 155K Hotel Rooms Booked.

3. I helped negotiate Surf Cup's lease of the San Diego Polo Fields from the San Diego Polo Club and helped prepare the successful Surf Sports response to an RFP from the City of San Diego to operate the 60-acre complex formally operated by the San Diego Polo Club.
4. I was president of the Leucadia Youth Soccer Club (north coast San Diego) between 1983 and 1986.
5. I was president of the Surf Soccer Club (north coast San Diego) from 1986 to 1988.
6. I was president of the Alpine Mountain Homeowner's Association in Swannanoa for 8 years before moving to Black Mountain.
7. I'm the current president of the Timber Park Property Owners Association, Black Mountain.
8. I played high school (Long Beach, CA) and college basketball (Missouri School of Mines, MO) and coached youth girls' soccer (San Diego, CA) recreational and travel teams in San Diego for 6 years.





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## APPLICANT INFORMATION

NAME: WALTER RICHARD House DATE: June 2, 2022

PREFERRED NAME: RICHARD

HOME ADDRESS: 113 CHURCH STREET

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain NC 28711

Do you live inside the town limits of Black Mountain? Yes X No \_\_\_\_\_

EMAIL ADDRESS (this is mainly how we will communicate with you): rhouse3250@gmail.com

PHONE NUMBER(S): MAIN 504 427-8808 EMERGENCY 504 451-4961

## ADVISORY BOARD/COMMISSION PREFERENCE

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Board or Commission: HISTORIC PRESERVATION COM Are you seeking re-appointment? Yes \_\_\_\_\_ No X

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

Preservation of the town is essential to its core values. It's also essential to its future - preserving what makes BM unique and beautiful makes it attractive to visitors and potential residents + investors. Exceptions and waivers of standards of preservation require negotiation and commitment of those seeking waivers. And, importantly, breach of those commitments leads to revocation of waivers.

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

B.A. Louisiana State University  
J.D. Louisiana State University Law School  
Member, Louisiana State Bar  
Member, inactive, Texas Bar  
Admitted to practice before the Supreme Court  
of the United States

## EXPERIENCE & CIVIC INVOLVEMENT

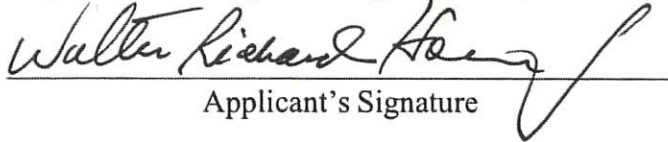
Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

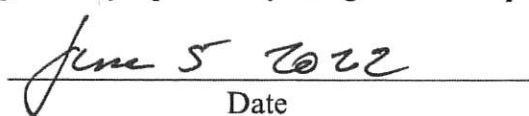
Executive Counsel, Louisiana Dept of Economic  
Development (including advising and administering  
La Historic Preservation Tax Credit  
Sr. VP + General Counsel, New Orleans Hornets NBA  
Basketball Team  
Authored + participated in the negotiation of  
Cooperative Endeavor Agreements for Projects

## CERTIFICATE OF APPLICANT

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I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

  
Date

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## APPLICANT INFORMATION

NAME: Kyle Cole DATE: 5/13/2022

PREFERRED NAME: Kyle

HOME ADDRESS: 82 Tupper Road, Black Mountain, NC

MAILING ADDRESS (if different): 28711

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes        No X

EMAIL ADDRESS (this is mainly how we will communicate with you): Kylecole@gmail.com

PHONE NUMBER(S): MAIN 828-676-8282 EMERGENCY 828-676-8262

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Active Mobility Comm. Are you seeking re-appointment? Yes        No X

Why do you wish to serve the Town (or continue serving) in this capacity?  
If additional space is needed please attach a separate sheet.

I'd like to contribute to helping the Town as it addresses  
key issues regarding mobility throughout Town and the neighboring  
communities. I'm very interested in the Greenway and how it  
can be a major component to healthy mobility. And I believe  
in active civic involvement.

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

I have a PhD in Journalism from the University of Missouri.  
Master's Degree & Bachelor's from the University of North Texas  
Graduate of Richfield High School in Waco, TX and  
attended Lake Air Junior High School & Mountainview  
Elementary School & more.

## EXPERIENCE & CIVIC INVOLVEMENT

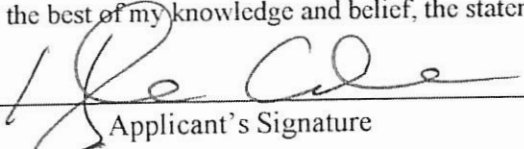
Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

I have been program director & director of multiple  
federal grants, most recently for grants related to  
public health and preventive medicine. My director  
experience has been for non-profits. I've planned  
multiple health-related projects and am experienced in  
grant writing/directing/reporting and compliance. I am  
currently not volunteer for any civic organization.

## CERTIFICATE OF APPLICANT

This application is a public record.

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

5/13/2022  
Date

Thank you for your interest in appointing to the Town of Black Mountain's Boards and Commissions. Individuals selected for appointment by the Town Council will assume their position on the date of Town Council approval and after they are sworn in. The Town Clerk will contact you to make arrangements for swearing in. All Town of Black Mountain Advisory Boards and Commissions must operate by the ethics, policies and laws set forth in the Boards & Commissions Handbook.

The Handbook and additional information may be viewed on the Town's website at

[www.townofblackmountain.org](http://www.townofblackmountain.org)





# Town of Black Mountain

160 Midland Avenue, Black Mountain, NC 28711

Phone (828) 419-9300 Fax (828) 669-4204

TDD 800-735-2962

[www.townofblackmountain.org](http://www.townofblackmountain.org)



The Town of Black Mountain Town Council have adopted this application for use by individuals interested in appointment to the Town's advisory boards and commissions. To ensure that your application will receive full consideration, please answer all questions **completely**. Incomplete applications will **NOT** be considered.

Return this application either in person, by mail/fax/email to: Town Clerk, Town of Black Mountain, 160 Midland Ave., Black Mountain, NC 28711. [townclerk@townofblackmountain.org](mailto:townclerk@townofblackmountain.org) Fax (828)669-4204

## APPLICANT INFORMATION

NAME: Michelle Knight DATE: 6/6/22

PREFERRED NAME: Michelle

HOME ADDRESS: 103 Altamahaw Ave

MAILING ADDRESS (if different): \_\_\_\_\_

CITY, STATE and Zip: Black Mountain, NC 28711

Do you live inside the town limits of Black Mountain? Yes ☒ No ☐

EMAIL ADDRESS (this is mainly how we will communicate with you): graffiti.blue88@gmail.com

PHONE NUMBER(S): MAIN (828) 774-7603 EMERGENCY \_\_\_\_\_

## ADVISORY BOARD/COMMISSION PREFERENCE

Please list the name of the board or commission to which you are applying or seeking reappointment. (You may apply for more than one, however you must submit a separate application for each board or commission you apply for.) Applicants will only be considered for one board or commission seat.

Board or Commission: Active Mobility Commission Are you seeking re-appointment? Yes ☐ No ☒

Why do you wish to serve the Town (or continue serving) in this capacity?

If additional space is needed please attach a separate sheet.

I love the town of Black Mtn. It has been home to me for many years now. I am in a place in my life where I can spend less time working, which gives me more time to engage in the community & be of service. The Active Mobility Commission feels like a good fit because of my love of the outdoors. I walk from my home to most places in town. I also love riding bikes. We need to make it safer & easier to walk & bike. Our town lacks sidewalks & bike lanes in crucial areas. We also need more green spaces & greenways for our residents town members.

## EDUCATION & CERTIFICATIONS

Please list your educational background and any certifications you have. Include names of all schools attended.

RN since 2007. Graduated from ABTech nursing school.  
I have attended Appalachian St. University as well as  
taken courses @ McDowell Tech.

## EXPERIENCE & CIVIC INVOLVEMENT

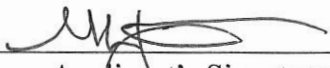
Please describe any experience you have that would contribute to the purpose of the Board or Commission in which you are applying. Please list the names of all civic organizations in which you currently hold membership.

I have been drawn to the outdoors most of my life. I have run triathlons, trail races & mtn biked many WNC trails. I have also ridden my road bike across the state of NC. I have traveled the U.S. & visited most of the cherished parks across our country, hiking many mountains along the way. I believe that having green spaces & greenways are incredibly important to our town. Making roads more accessible with bike lanes, sidewalks etc should be a priority as our town grows. I am a contributing member of the forta flora trail system & would love to help with its expansion into our area.

### CERTIFICATE OF APPLICANT

This application is a public record.

I certify that, to the best of my knowledge and belief, the statements given truly represent my background and experience.

  
Applicant's Signature

6/5/22  
Date

**Thank you for your interest in appointment to the Town of Black Mountain's Boards and Commissions. Individuals selected for appointment by the Town Council will assume their position on the date of Town Council approval and after they are sworn in. The Town Clerk will contact you to make arrangements for swearing in. All Town of Black Mountain Advisory Boards and Commissions must operate by the ethics, policies and laws set forth in the Boards & Commissions Handbook.**

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**TOWN OF BLACK MOUNTAIN TOWN COUNCIL**  
**REQUEST FOR COUNCIL ACTION**  
**Meeting Date: July 11, 2022**

**SUBJECT:** Capital Budget Proposals

**AGENDA INFORMATION**

|                         |                            |
|-------------------------|----------------------------|
| <b>Agenda Location:</b> | <b>NEW BUSINESS</b>        |
| <b>Item Number:</b>     | 8C                         |
| <b>Department:</b>      | Administration             |
| <b>Contact:</b>         | Josh Harrold, Town Manager |
| <b>Presenter:</b>       | Josh Harrold, Town Manager |

**BRIEF SUMMARY:** Discussion of Capital Budget Proposals

**MOTION FOR CONSIDERATION:**

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** Five-Year Capital Improvement Plan

**MANAGER'S COMMENTS AND RECOMMENDATIONS:**

## Expenditures (One-time)

### General Fund

| Item                      | Cost               |
|---------------------------|--------------------|
| Police Cars (debt)        | \$280,000          |
| Body Cameras (debt)       | \$300,000          |
| Pickleball Courts         | \$120,000          |
| Grey Eagle Roof/Lighting/ | \$195,800          |
| F450 Truck                | \$85,000           |
| F250 Regualr Cab Truck    | \$52,500           |
| Roll-out cans             | \$500,000          |
| Tomahawk Dam              | \$500,000          |
| 15 passenger van          | \$42,000           |
| Full size work truck      | \$26,000           |
| Rec Master Plan           | \$60,000           |
| Cragmont Park Trail       | \$160,000          |
| Bike Blvd                 | \$32,000           |
| <b>Total</b>              | <b>\$2,353,300</b> |

### Development Services

| Item                      | Cost             |
|---------------------------|------------------|
| Charlotte Street Sidewalk | \$65,000         |
| NC 9 Sidewalk             | \$100,000        |
| <b>Total</b>              | <b>\$165,000</b> |

### Fire Services Fund

| Item         | Cost             |
|--------------|------------------|
| Chief Truck  | \$75,000         |
| ATV replace  | \$20,000         |
| Parking lot  | \$100,000        |
| Engine 43    | \$450,000        |
| <b>Total</b> | <b>\$645,000</b> |

**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: July 11, 2022**

**SUBJECT:** Financing for Police Cars and Body Cameras

**AGENDA INFORMATION**

**Agenda Location:** NEW BUSINESS  
**Item Number:** 8D  
**Department:** Administration Josh Harrold,  
**Contact:** Town Manager Josh Harrold,  
**Presenter:** Town Manager

**SUMMARY:** The FY22-23 budget allocates \$580,000 to purchase five police cars and new body cameras/in-car cameras with financing. The proposal from Truist gives two options for financing for a 4-year term and a 5-year term. The 4-year term annual debt payment is \$156,000 at 2.99%. The 5-year term annual debt payment is \$127,000 at 3.02%.

**MOTION FOR CONSIDERATION:** To approve financing for police cars and body cameras

**FUNDING SOURCE:** Installment purchase

**ATTACHMENTS:** financing proposal

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Approve financing proposal for 4-year term.





**Truist Financial Corporation**

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**Governmental Finance**

2320 Cascade Pointe Blvd. Suite 600  
Charlotte, North Carolina 28208  
Phone (704) 954-1700  
Fax (704) 954-1799

July 7, 2022

Mr. Josh Harrold  
Town of Black Mountain  
160 Midland Ave.  
Black Mountain, NC 28711

Dear Mr. Harrold:

Truist Bank ("Lender") is pleased to offer this proposal for the financing requested by the Town of Black Mountain ("Borrower").

|                                                 |                                                                                                                                |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>PROJECT:</b>                                 | Police Vehicles & Equipment                                                                                                    |
| <b>AMOUNT:</b>                                  | \$580,000.00                                                                                                                   |
| <b>TERM:</b>                                    | 4 years<br>5 years                                                                                                             |
| <b>INTEREST RATE:</b>                           | 2.99% (4 year term)<br>3.02% (5 year term)                                                                                     |
| <b>TAX STATUS:</b>                              | Tax Exempt – Bank Qualified                                                                                                    |
| <b>PAYMENTS:</b>                                | <u>Interest: Annual</u><br><u>Principal: Annual</u>                                                                            |
| <b>INTEREST RATE<br/>CALCULATION:</b>           | 30/360                                                                                                                         |
| <b>SECURITY:</b>                                | Vehicles and Equipment                                                                                                         |
| <b>PREPAYMENT<br/>TERMS:</b>                    | Prepayable in whole at any time without penalty                                                                                |
| <b>RATE<br/>EXPIRATION:</b>                     | September 03, 2022                                                                                                             |
| <b>DOCUMENTATION/<br/>LEGAL REVIEW<br/>FEE:</b> | N/A                                                                                                                            |
| <b>FUNDING:</b>                                 | Proceeds will be deposited into an account held at Lender pending disbursement unless equipment is delivered prior to closing. |

**DOCUMENTATION:** Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.

The financing documents shall include provisions that will outline appropriate changes to be implemented in the event that this transaction is determined to be taxable or non-bank qualified in accordance with the Internal Revenue Service Code. All documentation must be deemed appropriate by Lender before closing.

**REPORTING**

**REQUIREMENTS:** Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow no more than \$10,000,000 in the current calendar year and that the financing will qualify as qualified tax-exempt financing under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not qualified tax-exempt financing.

We appreciate the opportunity to offer this financing proposal. Please call me at (803) 413-4991 with your questions and comments. We look forward to hearing from you.

Sincerely,

**Truist Bank**



Andrew G. Smith  
Senior Vice President

### Resolution Approving Financing Terms

**WHEREAS:** The Town of Black Mountain ("Borrower") has previously determined to undertake a project for the financing of police vehicles and equipment (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

#### **BE IT THEREFORE RESOLVED, as follows:**

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated July 7, 2022. The amount financed shall not exceed \$580,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed \_\_\_\_\_%, and the financing term shall not exceed \_\_\_\_\_ years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

SEAL

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Black Mtn., NC - Police Vehicles & Equipment (4 yr. DRAFT)

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Compounding Period: Annual

Nominal Annual Rate: 2.990%

**Cash Flow Data - Loans and Payments**

| Event     | Date       | Amount     | Number | Period | End Date   |
|-----------|------------|------------|--------|--------|------------|
| 1 Loan    | 07/07/2022 | 580,000.00 | 1      |        |            |
| 2 Payment | 07/07/2023 | 155,998.37 | 4      | Annual | 07/07/2026 |

**TValue Amortization Schedule - Normal, 360 Day Year**

|              | Date       | Payment    | Interest  | Principal  | Balance    |
|--------------|------------|------------|-----------|------------|------------|
| Loan         | 07/07/2022 |            |           |            | 580,000.00 |
| 2023 Totals  |            | 0.00       | 0.00      | 0.00       |            |
| 1            | 07/07/2023 | 155,998.37 | 17,342.00 | 138,656.37 | 441,343.63 |
| 2024 Totals  |            | 155,998.37 | 17,342.00 | 138,656.37 |            |
| 2            | 07/07/2024 | 155,998.37 | 13,196.17 | 142,802.20 | 298,541.43 |
| 2025 Totals  |            | 155,998.37 | 13,196.17 | 142,802.20 |            |
| 3            | 07/07/2025 | 155,998.37 | 8,926.39  | 147,071.98 | 151,469.45 |
| 2026 Totals  |            | 155,998.37 | 8,926.39  | 147,071.98 |            |
| 4            | 07/07/2026 | 155,998.37 | 4,528.92  | 151,469.45 | 0.00       |
| 2027 Totals  |            | 155,998.37 | 4,528.92  | 151,469.45 |            |
| Grand Totals |            | 623,993.48 | 43,993.48 | 580,000.00 |            |



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Black Mtn., NC - Police Vehicles & Equipment (5 yr. DRAFT)

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Compounding Period: Annual

Nominal Annual Rate: 3.020%

**Cash Flow Data - Loans and Payments**

|   | Event   | Date       | Amount     | Number | Period | End Date   |
|---|---------|------------|------------|--------|--------|------------|
| 1 | Loan    | 07/07/2022 | 580,000.00 | 1      |        |            |
| 2 | Payment | 07/07/2023 | 126,717.98 | 5      | Annual | 07/07/2027 |

**TValue Amortization Schedule - Normal, 360 Day Year**

|                     | Date       | Payment           | Interest         | Principal         | Balance    |
|---------------------|------------|-------------------|------------------|-------------------|------------|
| Loan                | 07/07/2022 |                   |                  |                   | 580,000.00 |
| <b>2023 Totals</b>  |            | <b>0.00</b>       | <b>0.00</b>      | <b>0.00</b>       |            |
| 1                   | 07/07/2023 | 126,717.98        | 17,516.00        | 109,201.98        | 470,798.02 |
| <b>2024 Totals</b>  |            | <b>126,717.98</b> | <b>17,516.00</b> | <b>109,201.98</b> |            |
| 2                   | 07/07/2024 | 126,717.98        | 14,218.10        | 112,499.88        | 358,298.14 |
| <b>2025 Totals</b>  |            | <b>126,717.98</b> | <b>14,218.10</b> | <b>112,499.88</b> |            |
| 3                   | 07/07/2025 | 126,717.98        | 10,820.60        | 115,897.38        | 242,400.76 |
| <b>2026 Totals</b>  |            | <b>126,717.98</b> | <b>10,820.60</b> | <b>115,897.38</b> |            |
| 4                   | 07/07/2026 | 126,717.98        | 7,320.50         | 119,397.48        | 123,003.28 |
| <b>2027 Totals</b>  |            | <b>126,717.98</b> | <b>7,320.50</b>  | <b>119,397.48</b> |            |
| 5                   | 07/07/2027 | 126,717.98        | 3,714.70         | 123,003.28        | 0.00       |
| <b>2028 Totals</b>  |            | <b>126,717.98</b> | <b>3,714.70</b>  | <b>123,003.28</b> |            |
| <b>Grand Totals</b> |            | <b>633,589.90</b> | <b>53,589.90</b> | <b>580,000.00</b> |            |

**TOWN OF BLACK MOUNTAIN TOWN COUNCIL**  
**REQUEST FOR COUNCIL ACTION**  
**Meeting Date: July 11, 2022**

**SUBJECT:** Public Hearing to Close Portion of Unopened, Platted Portion of Buckeye Street  
**#R-22-17**

**AGENDA INFORMATION**

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

**BRIEF SUMMARY:** The Planning Board recommended that the Town Council initiate a petition to close the east end of the unopened, platted portion of Buckeye Street at their March 28<sup>th</sup> meeting. The Town Council voted unanimously at their April 11<sup>th</sup> meeting to initiate the petition. The requested closure is approximately 200 feet in the length and 42 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. If closed, the right-of-way will be split down the middle with the Town receiving both halves of the right-of-way. The Planning Board recommended the closure with a vote of 6-1, with Shawn Slome voting against the motion, at the April 25, 2022, 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-22-17** to Close Unopened, Platted Portion of Right-of-Way of Buckeye Street (remainder).
2. To close the public hearing.
3. To approve **Resolution #R-22-17** for the right-of-way closure.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** *Resolution #R-22-17, Map*

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** To approve **Resolution #R-22-17** as presented.

## **RESOLUTION #R-22-17**

### **RESOLUTION TO CLOSE A PORTION OF AN UNOPENED, PLATTED PORTION OF BUCKEYE STREET (REMAINDER)**

**WHEREAS**, the Town Council has initiated a petition to close that unopened, platted portion of Buckeye Street (remainder); 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 Buckeye Street (remainder) 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 northeast corner of Lot 8, Block 2, as shown on that plat recorded in Plat Book 154 at Page 193, Buncombe County Registry, said lot corner being locate South 83°30' East 130 feet from the the intersection of the southern edge of Second Street, now known as Buckeye Street, with the eastern edge of Swannanoa Avenue, as said street are shown on said plat; thence with the wouthern boundary of Second Street South 88°30' East to the northeast corner of Block 2 and the western edge of Park Street as shown on the above referenced plat; thence in a northerly direction to a point in the western edge of Park Street, said point being the southeast corner of the unnumbered parcel in Block 28 a shown on the above referenced plat; thence North 85°30' West with the northern edge of Second Street to the intersection of the northern boundary of Second Street with the eastern edge of Swannanoa Avenue' tjmce wotj the western edge of Swannanoa Avenue South 2°30' East 40 feet to the BEGINNING, being the remaining portion of Second Street, now known as Mountain Street, lying between the northeast corner of Lot 8,Block 2, Plat Book 154 at Page 193, Buncombe County Registry, and Park Street as shown on said plat.

**WHEREAS**, the Town Council of the Town of Black Mountain considered the above referenced request at its regular meeting at 6:00 p.m. on the 9<sup>th</sup> day of May, 2022, and for good cause shown, the Town Council declared its intent to close the described unopened, platted portion of Buckeye Street (remainder); and

**WHEREAS**, a copy of the resolution adopted by the Town Council at their May 9, 2022, 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 Buckeye Street (remainder) was posted at two prominent places along said street no later than June 20, 2022; and

**WHEREAS**, a public hearing was held to receive public comment at the regular meeting of the Town Council in the Board meeting room in the Town Hall Building on Monday, July 11, 2022, at 6:00 p.m.; and

**WHEREAS**, it appears to the satisfaction of the Town Council that closing the described unopened, platted portion of Buckeye Street (remainder) is not contrary to the Town, and that no individual owning property in the vicinity of said unopened, platted portion of Buckeye Street (remainder) would be hereby deprived of reasonable means of ingress or egress; but

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Black Mountain that:

1. Pursuant to the North Carolina General Statute Section 160A-299, that unopened, platted portion of Buckeye Street (remainder) 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:

---

Council Member

**READ, APPROVED AND ADOPTED**, this the 11<sup>th</sup> day of July 2022.

ATTEST:

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Larry B. Harris, Mayor

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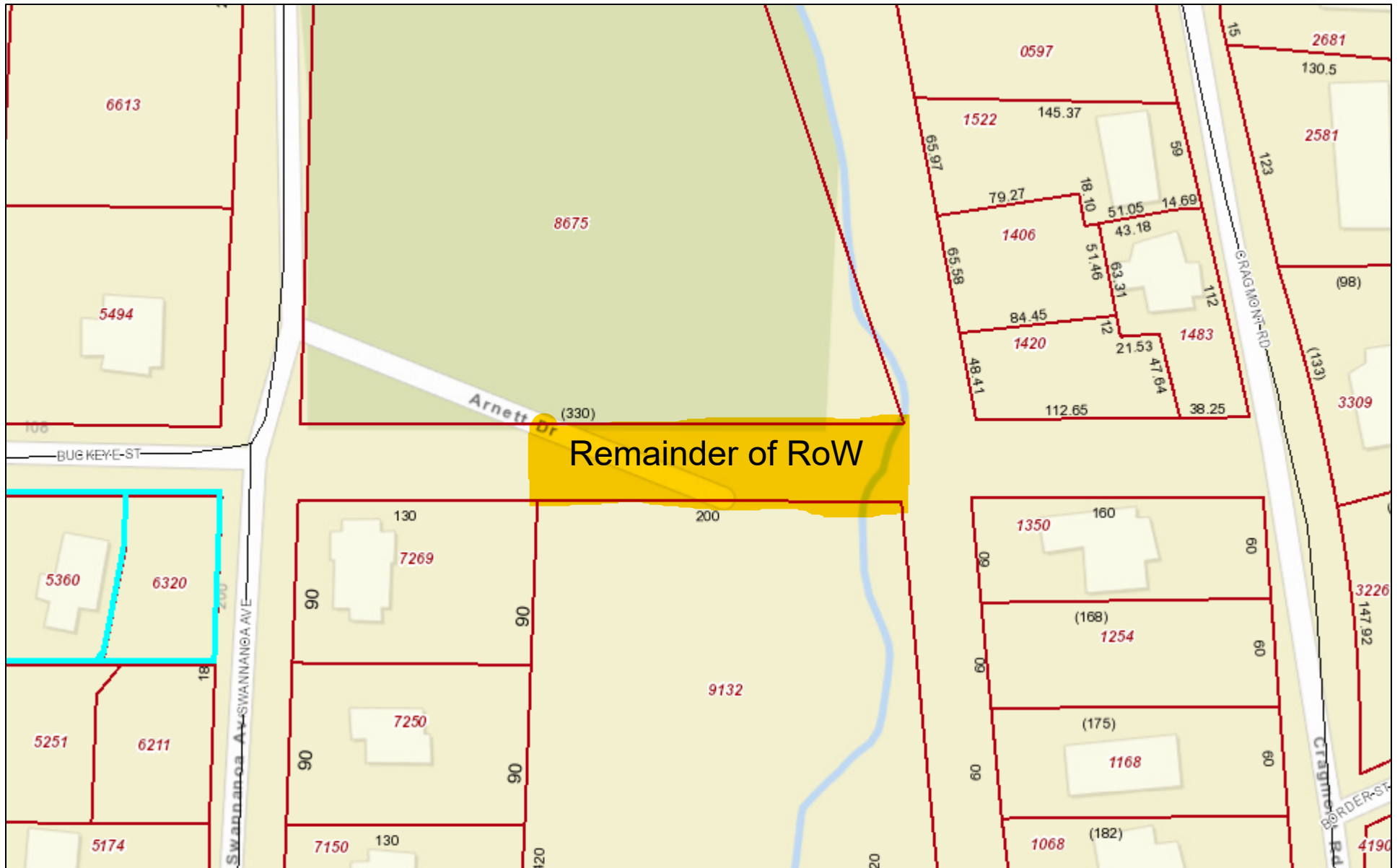
Savannah Parrish, Town Clerk

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Josh Harrold, Town Manager



# Buncombe County



April 14, 2022

1:1,128

0 0.0075 0.015 0.03 mi

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