



TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: January 9, 2012 Time: 6:00 p.m.

REVISED

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Should you need other assistance or accommodation for this meeting, please contact

*Town Clerk Darlene Whisenant at 419-9310, or
by email at townclerk@townofblackmountain.org
(828) 419-9300 / TDD (800) 735-2962*

1. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Invocation – Pastor Doug Snipes, Homer's Chapel, Black Mountain
- Announcements

2. MAYORAL PROCLAMATION

- Honoring the Legacy of Dr. Martin Luther King, Jr.

3. CITIZEN COMMENTS

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

4. 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 December 12, 2011 (Pre-Meeting Work Session) and December 12, 2011 (Regular Session); December 12, 2011 (Closed Session); December 15, 2011 (Closed Session); and December 28, 2011 (Closed Session).

- #### B. Proposal to adopt Resolution #R-12-01 to call subdivision or development bonds for completion of infrastructure of The Settings.

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*Motion: To adopt **Resolution #R-12-01** declaring that all bonds insuring completion of the infrastructure in all parts and phases of The Settings in Black Mountain be called and that demand be made on Lexon Insurance Company and Bond Safeguard Insurance Company to complete the construction of the infrastructure of The Settings Development in Black Mountain, and that counsel be directed to pursue performance by the named companies and/or payment in full of the bond amounts.*

- C. Proposal to adopt Resolution #R-12-02 to designate agent for opening closed session minutes.

*Motion: To adopt **Resolution #R-12-02** designating that the Town Attorney shall act as the agent of the Board to determine when and if minutes from closed meetings of the Board of Aldermen may be opened and available to public for review.*

- D. North Carolina Firemen's Relief Fund Board Appointment.

Motion: To appoint Sterling Poe to serve as the Board of Aldermen's appointment until January 2014 as recommended by the Black Mountain Firemen's Local Relief Fund Board.

- E. Municipal Bridge Inspection Agreement

Motion: To approve and authorize the mayor to sign the biennial municipal bridge inspection agreement between the Town of Black Mountain and the NC Department of Transportation, for bridge inspections beginning January, 2012 and ending July, 2012; and to designate the Public Services Water Quality Specialist as responsible to coordinate with municipal official.

- F. Town Square Project

Motion: To approve recommendation from the Town Square Steering Committee meeting held on December 19, 2011, 5:30 p. m. to authorize the Town of Black Mountain's Public Service department to excavate and remove gravel and cement areas on the Montreat / State Street side of the Town Square Property in preparation for sod or seeding in early spring.

- G. Stop Sign at Richardson Blvd. and Sutton Avenue

Motion: To approve the removal of the multi-way stop control at Richardson Blvd. and Sutton Avenue and reconfigure the intersection to allow Sutton Avenue full right-of-way, as well as create a turn lane going east onto Sutton Avenue.

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

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5. COMMUNICATIONS FROM BOARDS, COMMISSIONS & OUTSIDE AGENCIES

- A. Annual Report of the Planning Board- Ames Tryon, Chair
- B. Rainbow Recycling Presentation- Marilyn Sobanski, Director
 - Hard-to-Recycle Collection Video
 - South Buncombe Hard-to-Recycle Collection -January 14, 2012
- C. Financial Statements and Independent Auditor's Report for the Town of Black Mountain for the Year Ended June 30, 2011 – Phil Church & Rick Hammer, Lowdermilk Church & Co., Morganton, NC

Motion: To accept the Auditor's Report for the Year Ended June 30, 2011, as presented, with thanks to Lowdermilk Church & Co. and Finance Dept staff.

6. NEW BUSINESS

- A. Personnel Update- Al Richardson

Motion: To approve Interim Town Manager's recommendation for an officer for downtown patrol, as well as other duties to be determined by the Manager and Interim Police Chief.

Motion: To approve temporary part-time assistant for the Administrative Department.

7. COMMUNICATION FROM STAFF

- A. Interim Town Manager – Al Richardson
 - Interim Chief of Police
- B. Town Attorney – Ron Sneed
- C. Town Hardware Storm Water Project- Jamey Matthew, Interim Public Services Director

8. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMEN

9. CITIZEN COMMENTS

The time reserved for closing comments is intended to address citizen interests not already addressed by the earlier citizen comment period or public hearings. Closing Comments by any one speaker shall be limited to three minutes.

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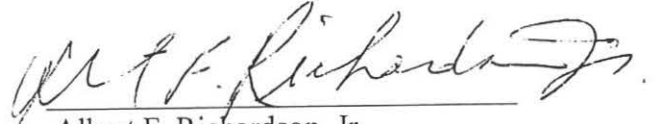
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10. CLOSED SESSION (*request of Town Attorney Ron Sneed*)

Motion: To go into closed session to discuss litigation matters as permitted in NCGS 143-318.11(a)(3).

11. ADJOURNMENT



Albert F. Richardson, Jr.
Interim Town Manager