



TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: December 12, 2011 Time: **6:00 p.m.** (preceded by a Pre-Meeting Work Session at 5:00 pm)

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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 – Mayor Carl Bartlett
- Announcements

2. MAYORAL PROCLAMATION

- Declaring the week of December 10-16, 2011 Human Rights Week in the Town of Black Mountain

3. UNFINISHED BUSINESS (Outgoing Board)

A. Adoption of Minutes

Motion: To adopt the minutes of November 14, 2011 (Pre-Meeting Work Session) and November 14, 2011 (Regular Session)

- #### B. Ordinance # O-11-03, adopting and enacting a re-codified edition of the Code of Ordinances for the Town of Black Mountain, North Carolina, as previously approved by contract with Municode Corporation.

Motion: To adopt Ordinance #O-11-03, replacing the Code of Ordinances for the Town of Black Mountain as published by American Legal Publishing with the re-codified edition published by Municode Corporation

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4. RECOGNITION OF SERVICE OF RETIRING ALDERMEN – Mayor Bartlett

- Ruth Brandon, Alderman – 7 Terms/16 years of service, 1975-2011
- Joan Brown, Alderman (and Vice Mayor) – 4 Terms/12 years of service, 1999-2011

5. ORGANIZATIONAL MEETING (Incoming Board)

A. Oath of Office and Installation of Aldermen-Elect -- Mayor Bartlett

- Don Collins, Alderman
- C. Michael Sobol, Alderman
- Maggie Tuttle, Alderman

B. Appointment of Mayor pro tem (Vice-Mayor)

Motion: To appoint [name of alderman] to serve as mayor pro tem in the absence or incapacity of the mayor

C. Adoption of schedule for the Board of Aldermen Pre-Meeting Work Sessions and Regular Sessions for 2012.

Motion: To adopt a 2012 schedule of regular meetings as presented [or as amended]

D. Adoption of schedule for two special called meetings

- Incoming Board Orientation/Procedure & Policy Setting
- Annual Board of Aldermen Pre-Budget Retreat

Motion: To adopt 2012 schedule for the board orientation and pre-budget retreat as presented [or as amended]

E. Appointments of representatives and alternates to represent the Town of Black Mountain on boards/committees of outside agencies

- Black Mountain Center for the Arts
- Black Mountain-Swannanoa Chamber of Commerce Executive Board
- Community Entrepreneurship Committee (CEC)
- Land-of-Sky Regional Council Board of Directors
- French Broad River MPO Transportation Advisory Committee (TAC)
- Buncombe County Metropolitan Sewerage District
- Flood Damage Reduction Task Force (FDRTF)

Motion: To appoint [name] as [representative/alternate] to [name of board or agency] until such time as his/her successor is appointed by this board

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6. 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 by topic. Comments by a single speaker shall be limited to three minutes per topic. If the topic you wish to discuss pertains to a **public hearing** scheduled for this meeting, please reserve your comment for the applicable **public hearing**.*

7. COMMUNICATIONS FROM BOARDS, COMMISSIONS & OUTSIDE AGENCIES

A. Annual Report of the ABC Board- Mary Sneed, Chair

B. Update from The Settings Property Owners Association and Request to Expedite Calling the Bond through Engagement of Assistant Outside Counsel for Town Attorney

- Don Brannon, President, The Settings POA
- Dick Kennedy, Vice-President, The Settings POA

Motion: [At the board's discretion]

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.

8. PUBLIC HEARING

A. CDBG Grant Application for \$750,000 for Development of Public Infrastructure (Railroad/Industrial Access) at Ingles Markets Distribution Center – Karen Kiehna, Senior Planner, Land-of-Sky Regional Council

Motions:

1. *To open the public hearing regarding submittal of a Grant Application to the NC Department of Commerce Finance Center Economic Development Program.*
2. *To close the public hearing.*
3. *Additional Motion(s) [at Board's discretion]*

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9. NEW BUSINESS

- A. Approval of 5-year operating lease for maintenance equipment for the Black Mountain Golf Course as previously approved in the FY2012 Operating Budget (*request of Mayor Bartlett*)

Motion: To approve the proposal of low bidder Tri-State Pump and Control, Liberty, SC as presented, and to authorize the mayor and/or manager to execute lease and finance agreement(s), accepting equipment delivery by December 31, 2011 and authorizing payment of \$4085.14 monthly for 60 months beginning May, 2012

- B. Approval of Master Plan – Village at Montreat

Motion: To approve the Village at Montreat Master Plan as presented and as recommended by the Planning Board.

- C. Acceptance of Donation of four (4) Automatic External (Portable) Defibrillators from Mission Hospital Foundation – Alderman Rayburn

Motion: To accept with thanks the donation of four defibrillators from Mission Hospital Foundation, and to direct staff to develop a budget and program of training and education to ensure their availability and use in appropriate public facilities throughout town.

- D. Budget Amendment #FY2012-07 – Replacement of Totaled Patrol Vehicle

Motion: To approve budget Amendment #FY2012-07 as submitted, increasing Capital Outlay (1010-5100-730) for \$28,000 and Insurance Settlements (1000-3840-800) by \$9,500, and Appropriated Fund Balance (1000-3905-900) for \$18,500

10. COMMUNICATION FROM STAFF

- A. Town Manager – Marcy Onieal

- Calendar/Holiday Activity Report
- ARRA Project Report - Electric Vehicle Charging Stations
- Public Restrooms-Cherry Street
- Report on Employee Development Accomplishments
- Staffing Updates
- ABC Mixed Beverage Permits
- Other

- B. Finance Director – Dean Luebbe

- Bank Draft Authorization now available for payment of Water Bills
- Billing Procedure for Solid Waste Fee

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- C. Police Department Follow-up/Mayor's Request for Information – Chief Kevin Pressley
- Death of Citizen at Lake Tomahawk
 - Breaking & Entering around Black Mountain
 - Plans for addressing holiday crime

D. Town Attorney – Ron Sneed

11. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMEN

- A. Alderman Sobol – Discussion of Solid Waste Fee
- B. Alderman Collins – Discussion of Requested Financial Data
- C. Alderman Rayburn – Request for Street Light

12. 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.

13. CLOSED SESSION (*requests of Mayor Bartlett and Town Manager*)

Motion: To go into closed session to discuss personnel matters as permitted in NCGS 143-318.11(a)(6) and to discuss honorary presentation as permitted by NCGS §143-318.11(a)(2).

14. ADJOURNMENT



Marcia D. Onical, Town Manager