



REVISED

TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: **12/20/10** (*rescheduled from 12/13/10, due to inclement weather*)

Time: **6:00 p.m.** (*preceded by a Board Work Session at 5:00 pm*)

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1. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Invocation – Joan Brown, Mayor pro tem
- Announcements

2. MAYORAL PROCLAMATION

- Recognizing athletic and academic accomplishments – Stephanie Jones

3. PRESENTATION OF NCLM AWARD

- Recognizing the Town of Black Mountain for achieving Advanced Level in the statewide Green Challenge – Angela Greene, NCLM Membership Services

4. 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 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.*

5. PUBLIC HEARING

- A. Public Hearing on an Ordinance Imposing a Temporary Moratorium on the acceptance of applications for, and/or issuance of, any building permits within The Settings subdivision in the Town of Black Mountain, NC, pursuant to NC General Statute §160A-381.

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Motions:

1. *To open the public hearing on a 60-day moratorium beginning December 14, 2010 on the issuance of new building permits in The Settings subdivision;*
2. *To close the public hearing;*
3. *To adopt (or not adopt) the attached Resolution to assert a 60-day moratorium.*

6. COMMUNICATIONS FROM BOARDS/AGENCIES/CONSULTANTS

- A. Town Square Public Opinion Survey Report and Resolution of Support –
Tom Gill, Chair, Town Square Steering Committee
Chris Cooper, Gibbs Knotts and Billy Hutchings, Consultants, Public
Policy Institute, Western Carolina University

Motions:

- 1) *To accept/adopt the reports as presented by consultants of Public Policy Institute, acknowledging the survey results as an accurate representation of the opinions of Black Mountain registered voters;*
- 2) *To adopt **Resolution #R-10-16** supporting an application to secure MPO Planning Funds to complete a community design process for the NC9/US7.*
- 3) *To empower the existing Town Square Steering Committee and Town staff to continue working together to begin the process of gathering and analyzing various conceptual designs for use of Town Square property either as: a) passive park/public space; b) mixed use public space with public parking, and report back to the Board of Aldermen for further action no later than May 9, 2011.*
- 4) *To charge the Town Square Steering Committee with researching and soliciting the private sector for funding, matching grants, foundation participation, etc. for the purpose of generating financial support to complete the design and construction of a Board-adopted conceptual plan.*

- B. Financial Statements and Independent Auditor's Report for the Town of Black Mountain for the Year Ended June 30, 2010 – Phil Church & Rick Hammer, Lowdermilk Church & Co., Morganton,NC

Motion: *To accept the Auditor's Report for the Year Ended June 30, 2010, as presented, with thanks to Lowdermilk Church & Co. and Finance Dept staff.*

- C. ABC Board Annual Report & Financial Statements – Mary Padgett Sneed, Chair

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- D. IT Master Plan Preliminary Report of Consultants – Bill Gettys, Crawley, Lee & Co. and Matt Shea, Electronic Office
- E. Downtown Bulletin Board – Cathy Ollis & Diane Hutchins, FOBB (Friends of the Bulletin Board)

7. 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 November 8, 2010 (Agenda Workshop) November 8, 2010 (Regular Session), November 8, 2010 (Closed Session), November 22, 2010 (Workshop on Golf Operations), and November 22, 2010 (Closed Session-Workshop on Golf Operations).

B. Budget Amendment #FY2011-06

Motion: To adopt budget amendment #FY2011-06 as submitted, allocating \$30,000 to line item 10-00-4200-040, transferring funds from salary to professional services for engagement of interim finance director under contract

C. Budget Amendment #FY2011-07

Motion: To adopt budget amendment #FY2011-07 as submitted, allocating \$113 to line item 10-10-5100-200 for expense associated with drug enforcement activities; allocating \$1,400 to line item 10-10-5100-170 for repairs to a police cruiser; and allocation of \$6,981 for repairs to the back-up generator system at the Public Safety Building that was damaged by lightning

D. Budget Amendment #FY2011-08

Motion: To adopt budget amendment #FY2011-08 as submitted, allocating \$84,374 to line item 10-10-5100-790 for the installment purchase of three police cruisers; allocating cruisers \$37,385 to line item 10-20-5550-790 for the installment purchase of one F250 pick-up truck; allocating \$37,385 to line item 10-83-6190-790 for the installment purchase of one F250 pick-up truck; allocating \$18,498 to line item 10-10-5400-790 for the installment purchase of one Ford Ranger; allocating \$70,358 to line item 10-10-5300-790 for the installment purchase of one Suburban Quick Response vehicle and one Ford Ranger.

E. Declaration of Surplus Property – Four (4) Police Patrol Vehicles (1997-1999 models)

Motion: To declare as surplus four Crown Victoria Police patrol vehicles (1997 & 1999 models), and authorize staff to dispose via auction on GovDeals

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F. Code of Ethics and Rules of Procedure for the Board of Aldermen

*Motion: To approve **Resolution #R-10-17**, adopting a Code of Ethics and Rules of Procedures for the Board of Aldermen of Black Mountain, Buncombe County, North Carolina, as presented.*

G. Acceptance of Timber Park Water System

Motion: To accept dedication of Timber Park Water System to the Town of Black Mountain, upon approval by Timber Park Homeowner's Association, and to direct the town manager and town attorney to initiate and execute appropriate agreements and deeds accepting ownership of pump house, equipment, and land underneath, providing for joint responsibility for repair, replacement and maintenance during first two years, as outlined in the staff report.

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

8. UNFINISHED BUSINESS

A. Golf Operations Follow-Up to Board Workshop – Marcy Onieal, Town Manager

- Workshop Review & Discussion
- Maintenance/Facility/Staffing Needs
- Facility Leases
- Town Manager's Recommendations

B. Sewer Extension Project Update – Mark Combs, Public Services Director

C. Bear Proof Container Update – Mark Combs, Public Services Director

9. NEW BUSINESS

A. Request to consider a change in the Town's leaf collection policy (request of Phyllis Parker)

10. COMMUNICATIONS FROM STAFF

A. Town Attorney – Ron Sneed

- Enforcement of Video Poker Ban
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B. Town Manager – Marcy Onieal

- Revenue Audit Update-Privilege License re-billing
- ADA Compliance Update
- NCLM Legislative Agenda
- Lighten Up For Life & Healthy Hydration Challenge
- Retirement of Deputy Finance Officer

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11. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMEN

- MSD Extension Incentive Program – Alderman Joan Brown
- Revised Board Meeting Schedule for 2011 – Alderman Joan Brown
- IBC Code Change – Alderman Mike Sobol
- Recycling Concerns – Alderman Mike Sobol

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. ADJOURNMENT



Marcia D. Onieal, Town Manager