



TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: **6/13/11** Time: **6:00 p.m.** (preceded by a Board Work Session at 5:00 pm)

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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). Should you need assistance or particular 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 Steve Rayburn, First Baptist Church, Swannanoa
 - Announcements – Important Dates & Schedules
- Black Mountain Pool Now Open Daily 11a–6p
 - Gianni Panini's at Black Mountain Golf Course, Now Open Daily 11a – 3p
 - Park Rhythms, every Thursday night 7-9 pm, June 16 – August 4, 2011
 - Town Square Design Workshop & Public Meetings, June 22-24, 2011
 - July 4th Street Dance & Fireworks, Downtown 5-9 pm, sponsored by Family Care Home

2. CERTIFICATES OF APPRECIATION

- From Boy Scout Troop 50, Montreat, NC

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 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.

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.

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CONSENT AGENDA cont.

A. Adoption of Minutes

Motion: To adopt the minutes of May 9, 2011 (Agenda Workshop), and May 9, 2011 (Regular Session).

B. Adoption of a regular monthly meeting schedule for the Board of Aldermen for the six month period from July through December 2011.

Motion: To adopt the schedule for the Board of Aldermen Monthly meetings through December 2011 as presented.

C. Surplus Property Disposition - 1987 JCB Backhoe (Public Services Department)

Motion: To declare as surplus a 1987 JCB Backhoe, assigned to the Public Services Department, and to authorize staff to dispose via auction on GovDeals.

D. Appointment of designee(s) to notify the North Carolina Alcoholic Beverage Control (ABC) Commission of the recommendation of the Town of Black Mountain, regarding the suitability of any person(s) and location(s) seeking to acquire ABC permits within its jurisdiction.

*Motion: To adopt **Resolution R-11-03** authorizing the Police Chief of the Town of Black Mountain, or any successor appointed to the same position, to make recommendations concerning the suitability of persons or locations for ABC permits within its jurisdiction as required by General Statutes 18B-904(f).*

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

5. UNFINISHED BUSINESS

A. Request for the Black Mountain Board of Aldermen to call for a referendum by popular vote to allow sales of mixed beverages (*considered by the BoA without action on May 9, 2011 on request by citizen Bobby Buggia, and requested for reconsideration by Vice Mayor Joan Brown*)

Motion: To request that the Buncombe County Board of Elections place on the ballot for popular vote during the next scheduled general election on November 8, 2011, a referendum considering the sale of mixed beverages in the Town of Black Mountain, as provided in NCGS §18B-600 (Article 6).

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- B. Request that the Town of Black Mountain, in cooperation with Buncombe County, engage the services of the Parker Poe Law Firm to pursue payment of the completion bond for infrastructure construction in The Settings subdivision (*request of 243 property owners/members of The Settings HOA*)

Motion: [At the Board's discretion; no action]

**6. FY11-12 ANNUAL OPERATING BUDGET –
PRESENTATIONS & PUBLIC HEARING**

- A. Overview of Financial Condition & Proposed Budget–Dean Luebbe, Finance Director
- B. Overview of Manager's Recommendations – Marcy Onieal, Town Manager
- C. Presentation of Management Options for Black Mountain Golf Course –
1. In-house Management Considerations & Background
Marcy Onieal, Town Manager
 2. Management Contract Options
Joe Goodrich, Senior Vice President
Douglas White, Vice President – Business Development
Bill Casper Golf, Vienna, VA
- D. Considerations from Board Budget Workshop (June 7, 2011)
- 1) Requested Data & Proposed Changes to Manager's Recommendations
 - 2) Grey Eagle Soccer Complex – Construction Project & Current Operations
(*request of Alderman Showers*)
 - 3) Confirmation of Schedule for remaining Budget Workshops
- E. Public Hearing on the Proposed FY11-12 Annual Operating Budget for the Town of Black Mountain

Motions:

1. *To open the public hearing on the Proposed FY11-12 Annual Operating Budget for the Town of Black Mountain.*
2. *To close the public hearing.*
3. *At the Board's discretion [The FY11-12 Annual Operating Budget may be adopted as presented or as amended at any public meeting regularly or specially called before July 1, 2011] .*

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7. NEW BUSINESS

A. Americans with Disabilities Act (ADA) Transition Plan for the Town of Black Mountain

Motion: To adopt the ADA Transition Plan as presented.

B. Appointments to fill Vacancies on Town Boards and Commissions

1. ABC Commission – (1) vacancy (3-yr term ending June 30, 2014)

1 Applicant: Debra Wooton

2. Greenways Commission – (2) vacancies (3-yr terms ending June 30, 2014)

1 Applicant: Julia Weatherford

3. Historic Preservation Commission – (1) vacancy (3-yr term ending June 30, 2014)

No applicants to date

4. Housing Commission – (2) vacancies (3-yr terms ending June 30, 2014)

No applicants to date

5. Planning Board – (2) vacancies (3-yr terms ending June 30, 2014)

1 Applicant: Michael Raines (reapplying for 2nd term)

6. Recreation Commission – (3) vacancies (3-yr terms ending June 30, 2014)

3 Applicants: Dr. John DeWitt (reapplying for 2nd term)

Dr. James Halverson (reapplying for 2nd term)

Don McMahill

7. Urban Forestry Commission – (2) vacancies (3-yr terms ending June 30, 2014)

3 Applicants: Joyce Schwartz (reapplying for 3rd term)

(requires policy exception to be re-appointed)

Susie Smith (reapplying for 3rd term)

(requires policy exception to be re-appointed)

Joe Tomczyk

8. Zoning Board of Adjustment – (3) vacancies (see cover sheet for terms)

3 Applicants: Allen Arcand

Jerry Atkins (reapplying for 2nd term)

Everett Thomas, Jr.

Motion: To appoint [candidate's name] to [name of board/commission] for [terms as indicated above]

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8. COMMUNICATIONS FROM STAFF

A. Town Attorney – Ron Sneed

B. Town Manager – Marcy Onieal

9. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMAN

10. 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.

11. ADJOURNMENT



Marcia D. Onieal, Town Manager