

**MINUTES OF THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN**  
**REGULAR SESSION MEETING**  
**February 8, 2010**

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**THE BLACK MOUNTAIN BOARD OF ALDERMEN** met in regular monthly session on Monday, February 8, 2010 at 6:00 p.m. in the board room of Town Hall, 160 Midland Avenue, Black Mountain, NC.

**I. CALL TO ORDER, PLEDGE OF ALLEGIANCE, PRAYER**

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

Carl R. Bartlett, Mayor  
Joan Brown, Mayor pro tem  
Ruth D. Brandon, Alderman  
Tim Rayburn, Alderman  
Carlos Showers, Alderman  
C. Michael Sobol, Alderman

The following staff members were present:

Marcia Onieal, Town Manager  
Ron Sneed, Town Attorney  
Jim Orr, Recreation and Parks Director  
Sherry Williams, Deputy Finance Officer  
Kevin Pressley, Police Chief  
Steve Jones, Fire Chief  
Rick Shreve, Finance & Information Services Director  
Anna V. Stearns, Clerical Assistant

Representing the media:

Mark Vanderhoff, Black Mountain News  
Gary & Sally Biggers, Black Mountain Video Productions

Mayor Bartlett led the Pledge of Allegiance, followed by prayer led by Pastor Kevin Bennett of Mountain View Baptist Church.

Mayor Bartlett thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. He said that the weekly viewing times of monthly Board meetings are shown on Government Channel 2 at 8:00 p.m. on Friday, at 2:00 p.m. on Saturday, and at 8:00 p.m. on Sunday. The current meeting is shown weekly throughout the month. Citizens can also go to the Town website and click on "Town Board Video Stream" at any time and view the current Board meeting.

## **II. COMMUNICATIONS FROM THE MAYOR**

The Martin Luther King, Jr. Breakfast was postponed due to bad weather and has been rescheduled for February 20, 2010 at 8:30 am at Camp Dorothy Walls.

The Mayor thanked town employees for their hard work in snow removal and equipment repair.

The annual Board retreat will be held Thursday, February 18, 2010 at Highland Farms and the Mayor invited any interested citizens to attend.

## **III. CITIZEN COMMENTS**

Marilyn Sobanski, Rainbow Recycling, submitted a request that the town appropriate its allocation of the state's disbursement of the \$2.00 disposal tax to Town recycling and waste reduction programs. The Town has thus far received \$5,000 from this distribution. Ms. Sobanski requests that priority be given to establishing recycling facilities for parks and recreation areas. She distributed a handout with additional details of her request to the Board.

## **IV. STAFF COMMUNICATIONS**

### **A. Town Attorney**

None at this time.

### **B. Town Manager**

Ms. Onieal asked Steve Jones to give information about the annual firefighter's award ceremony. Mr. Jones said that this was the 91<sup>st</sup> annual banquet. Nine new volunteer firefighters were added this year. The Rookie of the Year this year was Brandon Wilson. The Training Achievement Award was presented to Brian Myers. The President's award was presented to Priscilla Hill. The Chief's award was presented to Bob Watts who volunteered his services as a surveyor in preparing maps for the fire insurance rating. The Rotary Club presented the Fireman of the Year Award to Jonathan Tolley. The Boy Scouts of America sponsors the Explorer Post program for children ages 14-21. Participation has declined over the last few years and the fire department would like to focus on expanding this program this year.

Ms. Onieal recognized Rick Shreve for obtaining his NC Budget & Evaluation Certification through the UNC School of Government. She also recognized Public Works Director Bob Watts for 10 years of service with the Town. Mr. Watts announced his retirement a few weeks ago, with his last work day being February 8, 2010.

The town has had four major winter weather events so far this season. The manager distributed a handout which provided a summary of costs to the town for snow removal efforts during the January 29<sup>th</sup> snow event, noting that all available town resources were deployed during that storm. The Town has been divided into 5 geographical zones with staff and

equipment assigned to each zone. The January storm required 309 hours of overtime and contract labor was used to clear town-owned facilities and public parking lots. The total cost of snow removal for this single event was \$14,063.25. The town website provided regular updates regarding weather conditions, progress with snow removal and other helpful public information and telephones were staffed around the clock to assist town residents during the storm event which occurred primarily over a weekend. The town will work with the Chamber of Commerce Business to Business and neighborhood associations to assist in communicating with residents and business owners about conditions unique to their areas that make snow removal difficult. Alderman Showers asked if a state of emergency was declared for this storm. Ms. Onieal said that the December 17-25, but not subsequent storms resulted in a declaration of disaster by the Governor, so the town may recoup from FEMA approximately one-quarter to one-third of the costs associated with emergency response to that storm. She noted that routine snow removal is not an allowable cost for FEMA reimbursement and that only those costs directly associated with emergency access and response (such as debris removal, repair of damaged equipment and facilities) are eligible for reimbursement.

**V. CONSENT AGENDA**

A. Adoption of Minutes

*Motion: To adopt the minutes of January 11, 2010 (Agenda Workshop), and January 11, 2010 (Regular Session)*

B. Urban Forestry Commission Meeting Schedule

*Motion: To approve change in regular meeting schedule for Urban Forestry Commission from 2<sup>nd</sup> to 1<sup>st</sup> Tuesdays of the month at 6:00 p.m.*

***The agenda was approved unanimously on a motion by Alderman Brown.***

**VI. PRESENTATIONS/REPORTS**

A. FIT Grant/Health Initiative/Community Garden-Update & Accomplishments – Mike Mayer and Carolyn Fryberger

Mike Mayer delivered a presentation to update the Board on the efforts of the Health Initiative. The Board of Aldermen began the initiative in 2004. The initiative focuses on healthy eating, physical activity and tobacco cessation. Recreation and Parks has instituted a healthy vending policy that requires that Town events offer a healthy alternative at any Town sponsored events through Recreation and Parks. There is a monthly produce distribution in partnership with Manna Food Bank. The initiative is also involved in the local school programs. Over \$150,000 in grants has been obtained by the initiative over a five-year period. The community garden is serving more than 50 families with individual garden plots. The primary school garden has 11 raised garden beds and the elementary school 14 raised garden beds. The school gardens have been very effective at increasing the children's interest in eating healthier foods. Eat Smart Black Mountain runs an after school garden club and works with the local summer camp as well.

The Mayor thanked Mike and Carolyn for their hard work. Alderman Brown thanked them for their contributions to the Welcome Table.

## **VII. OLD BUSINESS**

A. Resolution encouraging Buncombe County to establish a deadline for completion of infrastructure and call the bond on the Settings.

The Mayor recognized Mark Kraemer, a resident in The Settings, who addressed the Board about the need for the developer to complete the infrastructure in The Settings. He was originally promised by the developer that all infrastructures would be completed by December, 2007, and repeatedly assured that infrastructure to his lot would be completed before construction of his home was finished. Construction on Mr. Kraemer's home has been complete for some time and he has been forced to spend nearly \$10,000 over the last several months to keep the home temperature controlled with a diesel generator. The builder has had to scrape the road leading to the home with a tractor himself, because the developer will not. The current condition of the road would prevent fire trucks from accessing Mr. Kraemer's home in the event of a fire. Mr. Kraemer and several other lot owners have retained an attorney and have been told that the county would only call the bond on the Settings upon the recommendation of the Town of Black Mountain, and that this process would like be expensive, time consuming and difficult for all parties involved. As a result, Mr. Kraemer and another owner have agreed to contribute funding for the infrastructure to be completed. In the event the loan and agreement have not been executed by this Wednesday, he asks that the Town immediately recommend that the county call the bond on The Settings.

The mayor read into the record a resolution of the Board requesting that the County Commissioners establish a deadline for completion of infrastructure in The Settings of May 1, 2010, and that if substantial completion has not occurred by that date, the county should call the bond to complete the infrastructure.

*Alderman Sobol moved to adopt the resolution as read. The motion was unanimously approved.*

## **VIII. NEW BUSINESS**

A. Petition for road closure of portion of Terry Estates Drive, in conjunction with potential redevelopment of Ford Dealership, request of EcoPanels, Inc., and adjacent property owner(s).

Ms. Onieal directed the Board to the information included in its packet showing the location of the proposed closure.

*Alderman Brown moved to adopt the Resolution of Intent to close a Right-of-Way and to schedule a Public Hearing for closure petition for March 8, 2010. The motion passed unanimously.*

## **IX. REPORTS OF BOARDS/COMMISSIONS**

The mayor announced the dedication of the weight room at Owen High School in honor and memory of Chad Wiley on February 19, 2010 at 6:30 p.m. Chad was an Owen High School football player who went on to play football at Wake Forest. He passed away suddenly and is being recognized with the dedication of the weight room in his honor.

The mayor noted that the closed session originally scheduled for this meeting was conducted during the agenda worksession immediately preceding the regular meeting.

**X. ADJOURNMENT**

*With no further business, Alderman Brown made a motion to adjourn at 6:55 p.m. The motion passed unanimously.*

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Carl R. Bartlett, Mayor

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Marcia D. Onieal, Town Manager

ATTEST

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Rosa Hilbert, Deputy Town Clerk

Prepared by:

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Anna V. Stearns, Clerical Assistant