



## TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: **05/09/11** Time: **6:00 p.m.** (preceded by a Board Work Session at 5:00 pm)

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[townclerk@townofblackmountain.org](mailto:townclerk@townofblackmountain.org)  
(828) 419-9300 / TDD (800) 735-2962

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### 1. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Invocation – Pastor Frank Cantrell, Calvary Free Will Baptist Church, Swannanoa
- Announcements

### 2. MAYORAL PROCLAMATIONS

- Black Mountain Woman's Club 90<sup>th</sup> Anniversary-April 14, 2011

### 3. INTRODUCTION OF NEW STAFF MEMBER

### 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 Zoning Text Amendments to the Land Use Code as recommended by the Planning Board – Ames Tryon, Planning Board Chair

Motions:

1. To open the public hearing on text amendments to the Land Use Code as recommended by the Planning Board.
2. To close the public hearing.
3. To adopt the statement of Consistency as provided.
4. To adopt Ordinance #O-11-01 as presented [or as amended].

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**6. 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 April 11, 2011 (Agenda Workshop), and April 11, 2011 (Regular Session).*

**B. Adoption of a schedule of Board/Staff Work Sessions for the purpose of reviewing and discussing the Proposed FY11-12 Annual Operating Budget.**

*Motion: To adopt the schedule of budget work sessions as presented.*

**C. Call for a Public Hearing on the Proposed FY11-12 Annual Operating Budget**

*Motion: To call for a public hearing on the Proposed FY11-12 Annual Operating Budget on Monday, June 13, 2011 at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue*

**D. Award of Contract to Audit Accounts of, and Provide Financial Statements for, the Town of Black Mountain for the period July 1, 2010 - June 30, 2011 (FY10-11).**

*Motion: To approve terms of the contract for FY10-11 auditing and financial reporting to Lowdermilk Church & Co., LLP, of Morganton, NC in the amount of \$16,650 as presented, and authorize the mayor and manager to execute the agreement on behalf of the Town.*

**E. Surplus Property Disposition- 1995 Chevrolet Tahoe (Fire Department)**

*Motion: To approve donation of a surplus 1995 Chevrolet Tahoe to the Swannanoa Valley Transitional Housing Committee, a 501(c)3 non-profit organization dedicated to assisting post-release clients of the Swannanoa Correctional Center for Women.*

**F. Acceptance and Dedication of a Liberty Tree Memorial from the Elm Research Institute**

*Motion: To accept donation of a Liberty Tree Memorial, to authorize the Town Manager to enter into agreement with the Elm Research Institute on behalf of the Town, and to charge the Urban Forestry Commission with establishing a permanent patriotic memorial and program for encouraging the reintroduction of the American Elm to the urban landscape in Black Mountain.*

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G. Budget Amendment #BA-FY2011-12 (Financing Irrigation Equipment)

*Motion: To adopt Budget Amendment #BA-FY2011-12 as submitted, recognizing both an expenditure and a revenue for \$55,400, (the total invoice amount less tax), for purchase of irrigation control equipment for the Golf Course.*

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

**7. UNFINISHED BUSINESS**

A. Review of Proposals and Selection of Vendor for Providing Food & Beverage Service at the Black Mountain Golf Course

*Motion: To approve in concept the proposal of [vendor's name] as presented [or as amended], and to authorize the town manager and town attorney to negotiate the specific terms of contract for execution and enter into the agreement on the Town's behalf at the earliest possible date.*

B. Discussion of Sewer Extension Policy and Review of Final Obligation Under Annexation Agreement (Cragmont area) – Mark Combs, Public Services Director

**8. NEW BUSINESS**

A. Request for the Black Mountain Board of Aldermen to call for a referendum by popular vote to allow sales of liquor by the drink (*request of citizen Bobby Buggia*)

*Motion: To approve the citizen request as presented, and authorize staff to coordinate with Buncombe County Board of Elections to place a referendum for liquor-by-the-drink on the ballot for November 8, 2011 elections.*

B. Revisions to the Lake Tomahawk Facilities Fee Schedule

*Motion: To adopt the proposed updates to the Lake Tomahawk Facilities fee schedule as presented.*

C. Approval of Beer Sales at Park Rhythms

*Motion: To approve the sale of beer at Park Rhythms as presented.*

D. Approval of Golf Course Membership & Daily Fee Schedule

*Motion: To approve golf course fees as presented.*

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E. Revisions to the Town of Black Mountain's Privilege License Fee Schedule

*Motion: To adopt the proposed updates to the Town's privilege license fee schedule as presented.*

F. Revisions to the Town of Black Mountain's Permit Fee Schedule

*Motion: To adopt the proposed updates to the Town of Black Mountain's permit fee schedule as presented.*

**9. COMMUNICATIONS FROM STAFF**

A. Town Manager – Marcy Onieal

- Golf Course Update
- ADA Update
- Town Square Design Charette. June 10-12, 2011
- Budget Considerations

B. Town Attorney – Ron Sneed

- Settings Update
- Tennis Court Update

C. Manager's Quarterly Report – Leadership Staff

**10. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMAN**

A. Review of Minutes of the Black Mountain ABC Commission for the period January - April, 2011 (*request of Alderman Michael Sobol*)

B. Mayor's Cup Raft Race, Sunday, June 5, 2011, 3:30 p.m.

**11. 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.*

**12. ADJOURNMENT**



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Marcia D. Onieal, Town Manager