

**TOWN OF BLACK MOUNTAIN – Regular Session Agenda**

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

Date: 8/10/09 Time: 6:00 p.m.

**I. CALL TO ORDER**

- Welcome
- Pledge of Allegiance
- Invocation Led By: Rev. Randy Stone, Meadowbrook Freewill Baptist Church, Black Mountain, NC

**II. COMMUNICATIONS FROM THE MAYOR**

- A. Recognition
  - “Relay for Life” – Ashley Burpeau McElerath, Jennifer Tipton, Ann Holmes
- B. Buncombe County Board of Commissioners

**III. CITIZEN COMMENTS****IV. COMMUNICATIONS FROM TOWN ATTORNEY****V. 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 the Minutes

*Motion: To adopt the minutes of July 9, 2009 – Agenda Session, July 13, 2009 - Regular Session, July 13, 2009 - Closed Session*

- B. Budget Amendment #2

*Motion: To approve budget amendment #02 as submitted allocating \$2,160 received from the Black Mountain Tennis Association to be designated for the tennis court resurfacing project*

ADD

- C. **CALL FOR PUBLIC HEARING** on the Proposed Updates to Land Use Codes

*Motion: To call for a public hearing on zoning map and text amendments as presented in the revised Land Use Code (Title XV of the Town Code of Ordinances), to be held on Monday, September 14, 2009 at 6:00 p.m., or as soon thereafter as possible, in the meeting room of the Town Hall located at 160 Midland Avenue*

**VI. OLD BUSINESS**

- A. **PUBLIC HEARING** Authorizing Application for Financing Approval from the State of North Carolina Local Government Commission for the Construction of Sewer Lines

*Motion: To hold a public hearing as required for filing of an application to the State of North Carolina Local Government Commission for approval to enter into a twenty (20) year financing agreement for approximately \$1,400,000 for the construction of sewer lines*

- B. Resolution Authorizing the Filing of An Application for Approval of a Financing Agreement Authorized by NC General Statute 160A-20 for the Construction of Sewer Lines

*Motion: To adopt the Resolution authorizing the filing of an application for approval of a financing agreement authorized by NC General Statute 160A-20 for construction of sewer lines as submitted*

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- C. Presentation by Brown and Caldwell on the Swannanoa Flood Risk Management Project

*Motion: N/A*

- D. Letter of Final Determination from the State Floodplain Mapping Program

*Motion: N/A*

- E. **PUBLIC HEARING** on Proposed Updates to Land Use Codes (no action at this time)

*Motion: Open/Close public hearing on zoning map and text amendments as presented in the revised Land Use Code (Title XV of the Town Code of Ordinances)*

**VII. NEW BUSINESS**

ADD

- A. Proposal to Remove ABC Board Members

*Motion: To remove Black Mountain ABC Board members due to failure to conduct Black Mountain ABC Board business by following Town of Black Mountain Boards/Commissions Manual, Black Mountain ABC Board Personnel Manual, and NC General Statutes, thus compromising the credibility of Black Mountain ABC store employees, the ABC store, and the Black Mountain Board of Aldermen*

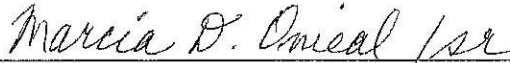
**VIII. COMMUNICATIONS FROM THE TOWN MANAGER**

**IX. COMMITTEE/BOARD REPORTS**

**X. CITIZEN COMMENTS** (at 8:00 p.m. if all preceding items on the agenda have not been finished by then)

**XI. CLOSED SESSION** – To go into Closed Session to: (1) discuss property acquisition as permitted in NCGS 143-318.11(a)(5)

**XII. ADJOURNMENT**

  
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Marcia D. Onieal, Town Manager