



REVISED

## TOWN OF BLACK MOUNTAIN – Regular Session Agenda

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

Date: 11/09/09 Time: 6:00 p.m.

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### 1. CALL TO ORDER

- Welcome
- Pledge of Allegiance
- Invocation Led by: Rev. Bob Blaylock, Ridgecrest Baptist Church

### 2. COMMUNICATIONS FROM THE MAYOR

- A. Announcements
- B. Recognition of service of elected officials with terms ending in 2009

### 3. CITIZEN COMMENTS

*Individuals wishing to address the Board are asked to sign the attendance sheet at the entrance to the board room, and to limit comments on any one topic to three minutes. If the topic you wish to address pertains to a public hearing scheduled later on the agenda, please reserve your comment for the applicable public hearing.*

### 4. COMMUNICATIONS FROM THE TOWN ATTORNEY

### 5. 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 October 8, 2009 (Agenda Workshop), October 12, 2009 (Regular Session), and October 12, 2009 (Closed Session)*

#### B. Budget Amendment #2009-05

*Motion: To approve budget amendment #2009-05, allocating insurance proceeds in the amount of \$713 and controlled substance taxes in the amount of \$106*

#### C. Municipal Bridge Inspection Agreement

*Motion: To approve, and authorize the mayor to sign, the biennial municipal bridge inspection agreement between the Town and the NC Dept. of Transportation, for bridge inspections beginning October, 2009 and ending July, 2010; and to designate Public Works Director Bob Watts as responsible coordinating municipal official.*

#### D. Acceptance of NCDENR Recreation & Trails Grant

*Motion: To accept the award, and authorize the town manager to sign a performance agreement between the Town and NCDENR, for a Recreational Trails Program (75-25) grant in the amount of \$75,000 for the purpose of greenway development*

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

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**6. OLD BUSINESS**

- A. Discussion of scope of work for previously adopted Stormwater Projects along Tomahawk Branch (at the request of Mayor Bartlett and Vice Mayor Sobol) – J. P. Johns & Joel Storro, McGill & Associates

**7. NEW BUSINESS**

- A. Letters of Intent to apply to the NC Dept. of Energy Block Grant program for funds available through the American Reinvestment and Recovery Act  
*Motion:* To authorize staff to submit Letters of Intent to apply for funding for eligible town projects to the State Energy Block Grants Program for the purpose of improving energy efficiency of Town facilities

**8. PUBLIC HEARINGS**

- A. **PUBLIC HEARING** on the 2007 Revised Preliminary Flood Insurance Rate Maps (FIRMs) and Revisions to the Flood Damage Prevention Ordinance, Chapter 151 of the Town Code of Ordinances

*Motions #1 & #2: To open/close the public hearing*

*Motion #3: To adopt the attached statement of consistency*

*Motion #4: To adopt the FIRMs dated January 6, 2010 and the draft replacement of Chapter 151 of the Town Code of Ordinances as presented*

- B. **PUBLIC HEARING** on the proposed Development Agreement and Master Plan for the Roberts Farm property

*Motions #1 & #2: To open/close the public hearing*

*Motion #3: To adopt the attached statement of consistency*

*Motion #4: To adopt the Development Agreement and Master Plan for the “Roberts Farm” property (PIN #0609-88-7008-00000)*

- C. **CONTINUATION OF PUBLIC HEARING** (*continued from September 14, 2009 and October 12, 2009*) on proposed updates to Land Use Codes and consideration of adoption with an effective date of March 1, 2010

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*Motion # 1 & #2: To open and close continuation of public hearing on zoning map and text amendments as presented in the revised Land Use Code (Title XV of the Town Code of Ordinances)*

*Motion #3: To adopt the accompanying Statement of Consistency in concurrence with the Planning Board.*

*Motion #4: To adopt the Land Use Codes as presented in the August, 2009 draft, with additional changes as recommended to date by the Planning Board and staff.*

*(Alternate Motion to Motions 3 & 4) To continue the public hearing to December 14, 2009 and direct the Planning Board to re-examine mapping recommendations and the NMU-8 District permitted uses table along Montreat Road.*

**9. COMMUNICATIONS FROM THE TOWN MANAGER**

- A. Appointment of ad hoc Town Square Steering Committee
- B. 2009 ISO Ratings
- C. McCoy/Avena/Blue Ridge Sewer Project Update
- D. Other

**10. COMMITTEE/BOARD REPORTS**

**11. CITIZEN COMMENTS**

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**12. CLOSED SESSION**

*Motion: To go into closed session to discuss personnel matters as permitted in N.C.G.S. § 143-318.11 (a) 6*

**13. ADJOURNMENT**



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Marcia D. Onieal, Town Manager