

MINUTES OF THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN
REGULAR SESSION
October 11, 2004

THE BLACK MOUNTAIN BOARD OF ALDERMEN met in regular monthly session on Monday, October 11, 2004 at 6:00 p.m. in the meeting room of the Public Safety Building, 106 Montreat Road, Black Mountain, NC.

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE, PRAYER

The meeting was called to order with the following members present:

Mayor Wm. Michael Begley
Vice Mayor Will Kennedy
Alderman Phil Garrison
Alderman C. Michael Sobol
Alderman Mary Leonard White

Alderman Joan Brown – Absent – out of town

The following staff members were present:

Anthony N. Caudle, Town Manager
Ron Nalley, Assistant Town Manager
Shirley Raines, Town Clerk
Ron Sneed, Town Attorney
David Ballard, Golf Pro/Manager
Gary Bartlett, Fire Chief
Chad Jonsson, Recreation and Parks Director
Bob Watts, Public Works Director
Allen Willet, Police Chief

Representing the media:

John P. Kennedy, Black Mountain News
Gary & Sally Biggers, Black Mountain Video Productions

Mayor Begley led the Pledge of Allegiance, followed by prayer, led by Rev. Lynn Michie, Chaplain, Black Mountain Correctional Center for Women.

Mayor Begley thanked everyone in attendance and expressed appreciation to all those who were attending for the first time and also the viewing audience. The meeting was duly constituted and opened for the transaction of business. The following business was transacted.

II. ADOPTION OF THE AGENDA

The minutes of September 9, 2004 – Agenda Workshop, September 13, 2004 – Regular Session, September 13, 2004 - Closed Session, September 14, 2004 – Joint Meeting with Board of Aldermen and Planning Board were approved.

The agenda was amended at the Agenda Meeting on October 7, 2004 with the following changes:

Under VI, Communications from the Town Manager, canceled the meeting with City/County Representatives re Water Agreement scheduled for October 18, 2004 – will reschedule at a later date

Under VII, Committee/Board Reports, added:

- A. Health Fair Report
- B. Greenways Report
- C. Beautification Committee Report

Under IX, New Business, added:

- B. Proposal for Organizational Study and Pay Classification Study
- C. Contacts for Debris Removal

Mayor Begley informed the Board that Vice Mayor Kennedy has asked to add under IX, New Business, Item “D”, Community Gardens Report by Dr. Wilson.

With these changes the agenda was approved with a 4-0 vote on a motion by Alderman White.

III. COMMUNICATIONS FROM THE MAYOR

Mayor Begley announced that Gary Bartlett, Fire Chief, has been awarded the Order of the Long Leaf Pine. He said this is the highest honor that can be given to a citizen by the Governor of our state. On behalf of the Board of Aldermen, Mayor Begley congratulated Chief Bartlett.

Mayor Begley said he has been incredibly proud of the Town staff and the efforts in which they have responded to the recent flooding crises. He also thanked the volunteers for their time and effort during the hurricanes. He said the storms caused much damage and loss of property to the citizens of Black Mountain. Mayor Begley reported that FEMA is actively working with the citizens in the community assessing the damage. Alderman White said she is proud of the Town employees who worked around the clock to provide for our safety. She thanked the many volunteers who helped to give out water and other assistance they provided. Vice Mayor Kennedy said in a few weeks staff will study the procedures followed during the floods and try to learn what we need to know about the water system. He said he learned how blessed we are to have electricity, water, etc. most of the time and to live in a place where everyone helps each other during difficult times

IV. COMMUNICATIONS FROM TOWN ATTORNEY - None

V. CONSENT AGENDA

With the adoption of the agenda for the October 11, 2004 Regular Session Meeting, the following actions were approved:

- A. Adoption of the Minutes
Motion: To adopt the minutes of September 9, 2004 – Agenda Workshop, September 13, 2004 – Regular Session, September 13, 2004 - Closed Session, September 14, 2004 – Joint Meeting with Board of Aldermen and Planning Board
- B. Adoption of Budget Amendments #05
Motion: To adopt budget amendment #05 as submitted
- C. **CALL FOR PUBLIC HEARING** – An Ordinance to Amend Chapter 74, Schedule II (Speed Limits) of the Code of Ordinances of the Town of Black Mountain – Speed Limit Reduction
Motion for Consideration: To Call for a Public Hearing on November 8, 2004 at 6:00 p.m. or as soon thereafter as possible in the Public Safety Building to Consider Adoption of An Ordinance to Amend Chapter 74, Schedule II (Speed Limits) of the Code of Ordinances of the Town of Black Mountain to Reduce Speed Limit on Genesis Circle to 15 mph
- D. Appointment of Voting Delegate to the NCLM Annual Conference on October 25, 2004
Motion for Consideration: To Appoint Town Manager as Town's Delegate to the NCLM 2004 Annual Conference
- E. FEMA Resolution
Motion for Consideration: To Approve Resolution to Designate Agents to file applications to FEMA on behalf of the Town of Black Mountain for Hurricane Ivan
- F. Senior Center General Purpose Funding Grant Application
Motion for Consideration: To authorize the Mayor or Town Manager to sign the grant application to Land-of-Sky Regional Council for the Senior Center General Purpose Funding Grant in the amount of \$7,883.

VI. COMMUNICATIONS FROM THE TOWN MANAGER

A. Review of Consent Agenda

B. Projects Update

1. **Water Improvements Project** – Mr. Caudle reported construction is underway on the North side water tank.

2. **Update on Required Repairs to Black Mountain Pool** – Mr. Caudle noted that the Board had asked for estimates on repair of pool and estimates for emergency repairs that would allow the Town to get through for 1-2 years. The Recreation Department should have that information for the November agenda. Mr. Caudle said if the Board approves the project, it will take 6-8 weeks to complete.

3. Filling of Planning Director's Position – Mr. Caudle advised that interviews with four applicants for the position of Planning Director are scheduled for Thursday and Friday, October 14 & 15, 2004.

4. Scheduled Board of Aldermen Special Meeting – Mr. Caudle reported that a meeting has been scheduled with the Board of Aldermen and Chairs of the voluntary boards/commissions for Tuesday, October 19, 2004. The purpose of the meeting is to provide general guidelines for the chairs, review parliamentary procedures, and share ideas.

5. Storm Response Update – Mr. Caudle reported that a major leak caused by the recent storms has been found and repaired. He said although the public has water, there are still some repair work to be done. Mr. Caudle said staff is working with FEMA to arrange for storm debris removal and reimbursement for storm-related expenses. He said the creek crossings should be repaired soon.

6. Fire Department Open House – October 10, 2004 – Chief Bartlett reported there was a large turnout for the Fire Department Open House on Sunday, October 10, 2004. He said this week is fire prevention week and programs will be given in area schools.

Mr. Caudle said a letter has been received from the District Attorney's office commending Lee Ribley and David McDonald of the Police Department for their assistance on recent cases.

Mr. Caudle reported that Tim Rayburn, Assistant Fire Chief, is in the hospital recovering from a recent heart attack and hopes to be home soon.

VII. COMMITTEE/BOARD REPORTS

A. Health Initiative Task Force Report – Health Fair – November 6, 2004

Beth Allison, a representative of the Health Fair subcommittee, reported that the Health Fair that was canceled recently has been rescheduled to Saturday, November 6, 2004 from 10 a.m. to 2:00 p.m. at the Bi-Lo store. She said the purpose of the Health Fair is to provide health education to the community. People will have an opportunity to complete a needs assessment form to determine other interests they have in the health care initiative. She said the Health Fair is sponsored by: Black Mountain Health Initiative, Black Mountain Center Foundation, Inc., Community Care Partners Foundation, Inc., Healthy Buncombe, Cheshire Fitness & Racquet Club, Montreat College and Mission Hospitals.

B. Greenways Committee Report – Alderman C. Michael Sobol

Alderman Sobol reported the Greenways Committee met last week. He said there is another roadblock in trying to utilize the underpass underneath the Norfolk Southern Railway. FEMA requires a no-rise certificate that states if you put something in the river that it cannot impact the flooding stage at all. He said the committee will look at other options. The Committee wanted to add another section of the greenway to connect from the primary school to the elementary school. The committee would also like to run a sidewalk from the Black Mountain Park to connect to the Owen Youth Center. At this time Jon McNair, a member of the Greenways

Committee, gave a presentation on the proposed connectors. He explained the two connectors: (1) The Swannanoa Connector will connect the “In the Oaks” Connector with the proposed Owen Spur, following beside the Swannanoa River. The Swannanoa Connector would meet the Owen Spur at a crosswalk at the intersection of Highway 70 and Grovestone Road. (2) The Owen Spur would connect the Swannanoa Connector to Owen High School, Owen Middle School, the Owen District Pool, the Swannanoa 4-H Camp, and the future Owen Area Youth Center. Alderman Sobol asked if the Board would approve adding the Swannanoa Connector, the Owen Spur, and a segment going from the primary school to the elementary school on Village Way to the Greenway Master Plan. After discussion, Mayor Begley asked that the proper paperwork be prepared and brought forward at the November meeting.

C. Beautification Committee – Alderman Mary Leonard White

Alderman White reported that Black Mountain Cleanup Day was very successful. She said five, 30-yard dumpsters were filled and disposed of by our garbage contractor. Alderman White reported that the flower beds in front of the primary school, planted by the Beautification Committee, were dedicated to Mr. & Mrs. Worley, long-time employees at the school.

VIII. OLD BUSINESS - None

IX. NEW BUSINESS

A. Approval of Municipal Enhancement Agreement for Sidewalk Construction on Dougherty Street

Alderman White made a motion to approve the Municipal Enhancement Agreement with the North Carolina Department of Transportation for the construction of a sidewalk and paving of a parking area at the corner of Dougherty Street and Sutton Avenue and authorize the Mayor to sign on behalf of the Town. The motion passed with a vote of 4-0.

B. Proposal to Conduct Organizational Study and Pay Classification Study

Vice Mayor Kennedy made a motion to approve a contract for an Organizational Study and Pay Classification Study for the Town of Black Mountain to be conducted by the North Carolina League of Municipalities and authorize the Town Manager to sign on behalf of the Town. The motion passed with a vote of 4-0.

C. Contracts for Debris Removal As Related to Tropical Storm Frances and Hurricane Ivan

Alderman Garrison made a motion to approve contracts for hauling and disposal for debris removal related to Tropical Storm Frances and Hurricane Ivan. Alderman White stated that she does not agree that the debris should be transported to just outside the Town limits for disposal. She would rather it be taken to a location away from the Town. After discussion, Alderman Garrison revised the motion to add if there are any amendments necessary to execute these documents that the Board authorize the Town Manager to sign on behalf of the Town. The motion passed with a vote of 3-1, with Alderman White opposed.

D. Community Gardens Report – Dr. John Wilson

Dr. Wilson gave a powerpoint presentation showing the success of the Community Gardens this past summer. He said fall vegetables have been planted and will be available until December. Dr. Wilson said the Board approved the use of the Clevenger property for the gardens until March 2005. Dr. Wilson is requesting that the Board approve the continued use of the Clevenger property for a community garden and that it become a permanent part of Black Mountain. The Board agreed that this item would be discussed at a future date. Vice Mayor Kennedy said if the Board decides other uses for the property, he hopes that other locations can be found.

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

Connie Pruitt, 107 Scotland Street, asked if there is any plan for flood assistance for disabled citizens or should there be a community effort? Mr. Nalley said he would contact people who wish to help and give assistance.

Belinda Box, 107 3rd Street, said she thought the pool issue would be discussed at this meeting. She submitted a petition asking that the pool be repaired and remain open until there is an alternative.

Betty Lane, 278 Cragmont Road, said no one has come out to look at the damage to her road. She said her neighbor's road is also washed from the storm. Ms. Lane said if her road is not fixed, she will get a lawyer. Ms. Lane submitted pictures of her road.

XI. ADJOURNMENT - *With no further business, Alderman Garrison made a motion to adjourn the meeting at 8:00 p.m. The motion passed unanimously.*

Wm. Michael Begley, Mayor

ATTEST

Anthony N. Caudle, Town Manager

Shirley J. Raines, Town Clerk