

**MINUTES OF THE TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN**  
**AGENDA WORKSHOP and REGULAR SESSION**  
**October 8, 2007**

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**THE BLACK MOUNTAIN BOARD OF ALDERMEN** met in the regular monthly agenda workshop and regular session on Monday, October 8, 2007 at 4:00 p.m. in the meeting room of the Public Safety Building, 106 Montreat Road.

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

Mayor Carl R. Bartlett  
Vice Mayor C. Michael Sobol  
Alderman Joan Brown  
Alderman Chuck McKeown  
Alderman Rosalie Phillips - absent  
Alderman Mary Leonard White

Also present:

Anthony N. Caudle, Town Manager - Absent  
Bo Ferguson, Assistant Town Manager  
Shirley Raines, Town Clerk  
Ron Sneed, Town Attorney  
Pam Hoen, Public Response Clerk

Mayor Bartlett called the agenda meeting to order.

Members then reviewed the items that are proposed for the October regular session agenda and made the following changes:

Under IX, "Communications from the Town Manager" – Add items 6 & 7.  
Under XII, "Closed Session" – Move closed session to after agenda meeting.

*With no further business, Vice Mayor Sobol made a motion to go into closed session at 5:10 p.m. to consult with the Town Attorney as permitted in NCGS 143-318.11(a)(3), after which time the Board toured the women's dorm in the Fire Department and observed the new equipment in the police patrol cars. The motion passed with a vote of 4-0.*

The Board reconvened at 6:00 p.m. for the Regular Session Board Meeting.

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

The regular monthly meeting of the Black Mountain Board of Aldermen was called to order at 6:00 p.m. with the following members present:

Mayor Carl R. Bartlett  
Vice Mayor C. Michael Sobol  
Alderman Joan Brown  
Alderman Chuck McKeown  
Alderman Rosalie Phillips  
Alderman Mary Leonard White

The following staff members were present:

Anthony N. Caudle, Town Manager – out of Town attending Manager’s conference  
Bo Ferguson, Assistant Town Manager  
Ron Sneed, Town Attorney  
Shirley Raines, Town Clerk  
David Ballard, Golf Pro/Manager  
Pam Hoen, Public Response Clerk  
Jim Orr, Recreation Director  
Kevin Pressley, Police Chief  
John Shaw, Golf Course Superintendent  
Elizabeth Teague, Planning Director  
Bob Watts, Public Works Director

Representing the media:

Andy Grabel, Black Mountain News  
Jim Genaro, Daily Planet  
Gary & Sally Biggers, Black Mountain Video Productions

Mayor Bartlett led the Pledge of Allegiance, followed by prayer led by Deacon Ralph Eckoff, St. Margaret Mary Catholic Church, Swannanoa, NC.

Mayor Bartlett 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. CITIZEN COMMENTS – NONE**

**III. ADOPTION OF THE AGENDA**

The agenda was amended with the following changes:

Under IX, “Communications from the Town Manager” – Add items 6 & 7.  
Under XII, “Closed Session” – Move closed session to after agenda meeting.

*With these changes the agenda was approved with a 5-0 vote on a motion by Alderman Brown.*

#### **IV. COMMUNICATIONS FROM THE MAYOR**

Mayor Bartlett reported that he attended two workshops recently: (1) the U.S. 70 Corridor Study and the public hearing; and (2) the Comprehensive Pedestrian Transportation Plan.

Mayor Bartlett said he presented a proclamation to Tyco Valves & Controls in recognition of the company's safety record. He noted that the company has worked 780,000 man hours without an accident. Tyco Valves & Controls was awarded the Blue Star safety award by Secretary of Labor, Cherie Berry. Mayor Bartlett said Tyco has been a stable employer in the community employing approximately 150 employees.

Mayor Bartlett said he attended the rededication ceremony for the Black Mountain Center. He said the state office is now referred to as Black Mountain Neuro-Medical Treatment Center.

Mayor Bartlett reported that he and Aldermen Brown and White will be attending an entrepreneurial workshop at Montreat Conference Center on Thursday, October 11. He said Alderman White has agreed to chair the Entrepreneurial Committee that was recently formed in partnership with AdvantageWest.

#### **V. COMMUNICATIONS FROM TOWN ATTORNEY – NONE**

#### **VI. OLD BUSINESS - NONE**

#### **VII. NEW BUSINESS – NONE**

#### **VIII. CONSENT AGENDA**

With the adoption of the agenda for the October 8, 2007 Regular Session Meeting, the following actions were approved:

A. Adoption of the Minutes

*Motion: To adopt the minutes of September 6, 2007 - Agenda Workshop, September 10, 2007 - Regular Session, September 10, 2007 – Closed Session*

B. Budget Amendment #10

*Motion: To adopt Budget Amendment #10 as submitted authorizing the allocation of donations in the General Fund and appropriation of retained earnings/fund balance in the Water Fund*

- C. Designation of Voting Delegate to the North Carolina League of Municipalities Annual Business Meeting  
*Motion: To appoint Tony Caudle as the Town of Black Mountain's Voting Delegate to the North Carolina League of Municipalities 2007 Annual Business Meeting to be held on Tuesday, October 16, 2007 at 9:15 a.m. in the Fayetteville Crown Expo Center*
- D. Removal of Original Minute Books from Town Hall to Send to Raleigh for Copying to Microfilm  
*Motion: To authorize original Board of Adjustment files be removed from Town Hall and sent to Raleigh for microfilming*
- E. Update Title IX, General Regulations, Section 94, "Fire Prevention Code Adopted" to Reflect Current Edition of the North Carolina Fire Code  
*Motion: To amend Code of Ordinance Book, Title IX, General Regulations, Section 94 to reflect the 2006 North Carolina Edition of the 2006 International Fire Code*
- F. **CALL FOR PUBLIC HEARING** to Consider Zoning Text Amendment to Raise the General Industrial Zoning District's (I-2) Height Limitation from 35 Feet to 55 Feet  
*Motion: To call for a public hearing to be held on November 13, 2007 at 6:00 p.m., or as soon thereafter as possible, in the meeting room of the Public Safety Building, located at 106 Montreat Road to consider raising the building height limitation for the General Industrial District (I-2) from 35 feet to 55 feet*
- G. **CALL FOR PUBLIC HEARING** to Solicit Input on Proposed Projects for the FY 2008- 2013 Capital Improvement Program  
*Motion: To call for a public hearing to seek input on the development of the FY 2008-2013 Capital Improvement Program to be held on Tuesday, November 13, 2007 at 6 p.m., or as soon thereafter as possible, in the meeting room of the Public Safety Building at 106 Montreat Road*

## **IX. COMMUNICATIONS FROM THE TOWN MANAGER**

Mr. Ferguson, Assistant Town Manager, reviewed the following actions under the Consent Agenda.

### **A. Review of Consent Agenda**

In the absence of Town Manager, Anthony Caudle, who is attending the manager's conference in Pittsburg, Assistant Town Manager, Bo Ferguson, reviewed the action that was taken under the Consent Agenda with the adoption of the agenda.

### **B. Projects Update**

**1. Water Leak Detection/Meter Replacement Report** – Bob Watts, Public Works Director, reported that 52 of 85 commercial meters have been replaced. He presented a copy of the water leak detection report to the Board. Vice Mayor Sobol asked Mr. Watts for a meeting with the contractor on the Blue Ridge Road water line project to discuss the surface that will be replaced after work is done to possibly allow for pedestrian traffic.

**2. Bus Shelter Construction** – Mr. Ferguson reported that the bus shelter on Hwy. 70 is nearing completion and should be completed by the end of this week. Mr. Ferguson reported that the initial construction of the bus shelter at Town Hall was completed by the Street Department and volunteer labor from the City of Asheville finished the project last Tuesday. Alderman Brown asked if staff could look at putting a bus shelter at North Blue Ridge Road when the sidewalk is complete. Mr. Ferguson said he would talk with the Asheville Transit Company and discuss a location. Vice Mayor Sobol asked if staff could look at adding an overhang to the bus shelters for rain runoff.

**3. Skateboard Park** – Jim Orr, Recreation Director, reported the Skateboard Park committee meets every Thursday evening and is trying to finalize plans for the park. He said the goal of \$12,000 that the kids were trying to raise has been met with a pledge of \$9,100 by an anonymous donor. Mayor Bartlett asked Mr. Orr to take the kids and visit a finished park before a final decision is made. Mayor Bartlett thanked Jim for his leadership in this project.

**4. U.S. Highway 70 Corridor Study** – Elizabeth Teague, Planning Director, reported that a public workshop on the U.S. Highway 70 Corridor Study was held at St. James Church on September 18, 2007 to look at current development patterns and what would happen if development continued at its existing trend. Ms. Teague said the committee hopes to have a report ready for the Metropolitan Planning Organization and the Town to review in December.

**5. Comprehensive Pedestrian Transportation Plan** – Elizabeth Teague, Planning Director, said a workshop was held on September 12 on the Pedestrian Plan. She said draft text of the plan and maps are on the web for viewing. Ms. Teague said this will be brought to the Board for their consideration in November or December.

**6. Flood Plain Draft Maps** – Elizabeth Teague, Planning Director, reported that the flood plain draft maps arrived last week and are available for viewing in the lobby. She said a meeting will be scheduled with State officials later this month.

**7. Green Building Council** – Bo Ferguson gave a report on the closeout of the green building grant that was held in partnership with the western North Carolina Green Building Council. He said this grant was used to promote green building technologies and initiatives in the Town of Black Mountain and has been very successful.

**8. Recycling Bins** - Mr. Ferguson reported that the new recycling bins that have been purchased will be distributed on October 13 & October 20 to each home and business who currently participate in the Town's refuse program.

**C. Fire Department Monthly Report** – Chief Tim Rayburn announced that the Volunteer Firefighters' Association has partnered with the Police Auxiliary and the Swannanoa Fire Department, and with help from Alderman Brown, will be awarding a scholarship in the amount of \$1,500 to any student in the Swannanoa Valley who wants to pursue positions in the field of fire prevention, EMS, or police work. Chief Rayburn said they hope to award the first scholarship next May.

Chief Rayburn reported that the solar panel used for the public safety radio system on Allen Mountain has been featured in the Sierra Club's newsletter.

Chief Rayburn also noted that fire prevention week is October 7-14, 2007 with open house scheduled for Sunday, October 14, 2007 from 2-4 p.m. He encourages everyone to attend.

Alderman Brown asked Chief Rayburn if the contract position for the fire inspector had been hired. Chief Rayburn said no, but the ad has been placed in several newspapers and on professional web sites. He said no one has applied to date. Chief Rayburn said it will be

difficult to find a contract person that meets the job requirements; most people want a full-time position. Alderman Brown asked what the time frame is for filling the position. Chief Rayburn said we need the position and the most important project is the Ingle's warehouse project. Mayor Bartlett said he believes the project has been put on hold until next year.

**D. Police Department Monthly Report** – Chief Kevin Pressley presented the September 2007 report for the Police Department. Chief Pressley noted that the Police Department is participating in the Fire Department open house. He said he has two brochures covering personal safety and risk assessment that will be available to the public.

Alderman Brown asked for an update on the U.S. 70 sidewalk project. Elizabeth Teague, Planning Director, said that the Department of Transportation did award the contract on October 1, 2007. Ms. Teague said DOT is meeting with adjacent landowners to work out encroachments. She said construction should begin soon.

Mayor Bartlett reported that the dedication for the new addition to the Swannanoa Valley Christian Ministry would be held on Sunday, October 7, 2007 at 3:30 p.m. He thanked all the people involved for all their work in helping to meet the goal to make this expansion possible.

## **X. COMMITTEE/BOARD REPORTS**

Alderman Brown reported that ridership on both Asheville Transit and Mountain Mobility has increased. She thanked everyone for utilizing the transit system.

Alderman White encouraged anyone who is interested in serving on the Entrepreneurial Committee to contact her.

Vice Mayor Sobol represents the Town of Black Mountain on the Metropolitan Sewerage District board. He gave an update on the current projects.

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

Ruth Brandon, 722 Laurel Avenue, thought that the fire inspector position had been filled based on the statement made by Vice Mayor Sobol at a recent forum. She said after hearing the report from Chief Rayburn, the position seems to still be open. Ms. Brandon said she is disappointed that the money in the Recreation budget was used to purchase right-of-ways for greenways instead of being used for the skateboard park.

Terry McCall, 112 Disoway Street, thanked the Board for the joint meeting with the Planning Board. He said the Planning Board has looked at Ingle's plans for the new store and noted that there are rain gardens in the plans.

Alderman Brown thanked the Boy Scout Troop 50 for attending and being so patient and polite during the meeting.

## **XII. CLOSED SESSION** – Convened to closed session after agenda meeting.

**XIII. ADJOURNMENT** – *With no further business, Alderman McKeown made a motion to adjourn the meeting at 7:10 p.m. The motion passed unanimously.*

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Carl R. Bartlett, Mayor

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Anthony N. Caudle, Town Manager

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Shirley J. Raines, Town Clerk

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