

**TOWN OF BLACK MOUNTAIN
HOUSING COMMISSION
MINUTES OF REGULAR MEETING
October 21, 2008**

The **Black Mountain Housing Commission** held its regular monthly meeting on **Tuesday, October 21, 2008 at 10:00 a.m.** at the Carver Community Center, 101 Carver Avenue, Black Mountain, North Carolina.

I. CALL TO ORDER

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

Joanne Brannon, Chair
Ellen Farris, Vice Chair
Dot Jones
Ronald Krantz
Connie Pruitt
Dawn Wilson

Absent:

Dave Bassett
Joan Brown
Ruth Gleeson
Jessie Sherrill

Staff:

Elizabeth Teague, Planning Director
Rosa Hilbert, Senior Administrative Assistant

Chair Brannon declared a quorum present and the meeting was duly constituted and opened for business.

II. ADOPTION OF AGENDA

Vice Chair Farris made a motion to adopt the agenda. Dawn Wilson seconded the motion and it passed unanimously.

III. ADOPTION OF MINUTES

Connie Pruitt made a motion to adopt the minutes of September 16, 2008 with corrections noted on pages 2 and 3. Dot Jones seconded the motion and it passed unanimously.

IV. OLD BUSINESS

1. Minimum Housing Code Draft and recommendations for the Planning Board

Elizabeth Teague gave a brief summary of the Town's current Minimum Housing Code regarding rental housing. She said the challenge is to make the ordinance realistic in an applicable way to address sub-standard housing. The current language does not provide a way of enforcing the ordinance unless it is complaint driven or a renter comes to the Town with a problem. Staff has not encountered very many complaints, but surmised that it is not because there are no problems, but it is because of apprehension about the outcome for reporting sub-standard living conditions.

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Ms. Teague said there should be a way for staff to maintain some documentation on the safety of rental housing. The original proposal required an annual inspection. She said the Board of Aldermen felt that this action might decrease the availability of affordable housing and cost the people providing affordable housing more money. The current revisions to Section 151.23 contain some options noted on the first and second page for the renter and property owners or agents. The Commission discussed the revisions and included some more descriptive language. The draft will be presented to the Planning Board at their next meeting on Monday, October 27, 2008. Ms. Teague encouraged the Housing Commission members to attend the Planning Board meeting and offer their feedback.

The Commission discussed fees and inspections. Ms. Teague explained that the Town enforces many different regulations and there is a charge for the enforcement. The Town enforces international building codes, fire codes, zoning codes and there are fees for inspection services provided because it costs the Town money. She said that the general sense of the population of taxpayers is that they should not have to bear the burden of all costs for individual needs and services that the Town provides to different people. Ms. Teague said if there were no fees for building inspections, then the Town would have to increase taxes to pay for the services.

The Commission discussed Section 151.22 (B) Applicability. *Manufactured housing being moved and temporarily stored prior to relocation, or other temporary dwellings or demountable dwellings, when used or intended for use for rental within the Town, are subject to the applicable provisions of this Code.* Chair Brannon inquired whether this section of the ordinance included summer rentals. She asked if there are summer properties in Black Mountain that are stored in the winter and pulled out of storage when the residents return in the summer. She asked if they would be considered rentals or are they owned. Ms. Teague said if people are occupying the units which are not rentals then it would not fall under the ordinance. Ms. Teague said she was not aware of rentals used in that manner in Black Mountain.

The Commission discussed Section 151.23 (D) *No person shall let any manufactured home that was built before June 15, 1976, unless they can provide documentation that the home has been renovated and complies with the Housing and Urban Development (HUD) Code for Manufactured Home Construction and Safety Standards.* Chair Brannon inquired whether there is considerable property in Black Mountain that fits into that category. Ms. Teague said yes and it is the intention of the ordinance to single out manufactured housing built before June 15, 1976. She recalled that before 1976 there was a plethora of fires attributed to faulty wiring that gained national attention resulting in the federal government intervening to establishing the 1976 HUD Guidelines for Mobile Homes. She said that the Town Building Inspector will not permit mobile homes prior to 1976 unless there is documentation that the home has been renovated and complies with the HUD Code.

Chair Brannon asked about staff workload and who would be reviewing and enforcing the Housing Code. Ms. Teague said the workload of the Building Inspector will increase tremendously; however, one of the department staff is in training for the certification needed to assist the Building Inspector.

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Chair Brannon referenced Section 151.24 Unsafe Conditions – (B) and asked who would inspect the smoke and carbon monoxide detectors on a regular basis. She asked about the definition of *a regular basis* and whether they should be inspected on an annual basis. Ms. Teague said the Town would not be responsible for testing the detectors. The Commission discussed the language in the ordinance and recommended that the Town encourage landlords to test detectors on a regular basis.

Ron Krantz asked if there is documentation of the number of manufactured homes used for rentals or primary dwellings in the Town or if there is a way to identify them. Ms. Teague said there is no current inventory of rentals or field surveys. She approached Montreat College for student intern assistance with the project. The Town has records of most of the property uses within the past 10 years but there are no prior records.

Vice Chair Farris asked about the number of complaints that are received and addressed by the Building Inspector. Ms. Teague said that in terms of general building safety, there are approximately 3 to 8 complaints per year.

Dot Jones asked if there was any way to expedite the process for condemnation. Ms. Teague said it depends on the situation and relocation efforts of the renter or property owner or whoever is residing in the dwelling. Ms. Teague said there are strict procedures for structure condemnations to allow the property owner every opportunity to comply. The Town would take action in the case where the dwelling is a threat to the community. The Commission discussed more aspects of Section 151.22 and came to a consensus to omit (B) to avoid any misunderstanding of the intent of the ordinance. Ms. Teague reviewed the recommendations with the Housing Commission and said the revised draft will be presented to the Planning Board at the Monday meeting.

Ms. Teague suggested that Commission members contact Vice Mayor Sobol, who is an advocate of affordable housing, to discuss the implementation of the proposed Minimum Housing Code. The Commission discussed several options for documenting the need to enforce the Minimum Housing Code. The Commission came to a consensus that the best way to bring awareness of the benefits of enforcing the MHC is by encouraging property owners who have rentals to speak in the public comment forum at the Board of Aldermen meeting. The objective of the MHC is to ensure that all rental property, including low income rental, is meeting a specific minimum standard of safety.

2. Other work item reports from Commission members

Chair Brannon asked if there was more discussion about the Housing Trust Fund. Ms. Teague reported that the information on the Housing Trust Fund operation has been forwarded to the Community Foundation. She said that the Foundation is involved in a transition period and will contact the Town as soon as possible.

Dot Jones reported that many of the churches do not have programs to assist people in need. She said the summer programs that the Commission endorsed works well. She said that the Community Action Opportunities program aligns with organizations and accepts and processes

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individual applications for home winterization. Ms. Jones said the main draw-back is getting the word out to let folks know about these opportunities. She said the Covenant Community Church program operates in all areas of Buncombe County. The group meets on the second Monday of each month and also handles emergencies. She said that much of the talent such as contractors, carpenters, electricians, etc. is in the church membership and there is usually no cost for materials. Ms. Jones recommended that the Housing Commission stay in contact with the Covenant Community Church and make referrals for needs in Black Mountain.

The Commission came to a consensus to organize a field trip to visit some of the town-owned properties, affordable housing communities and other sites of interest at its next meeting on November 18, 2008.

Chair Brannon inquired about the responsibility of the Housing Commission to submit an annual written report of activities to the Board of Aldermen. Ms. Teague said that a report was submitted to the Board of Aldermen in July, 2008 which was a summary of actions and recommendations of the Housing Commission.

Dawn Wilson reported that in a conversation with the Town Manager, the Ashe Street Fire Department training site will be moved when the funds are available. Ms. Teague said that dirt cannot be dumped on the site because of floodplain issues.

V. NEW BUSINESS

Chair Brannon asked that foreclosed properties in Black Mountain be included on a future agenda.

VI. STAFF AND MEMBER REPORTS AND COMMUNICATION

Ms. Teague said that the Town will again host a Holiday Luncheon for all the boards in early December.

VII. PUBLIC COMMENT - none

VIII. ADJOURNMENT

The meeting adjourned by consensus at 11:35 a.m.

Ruth Gleeson, Secretary

Rosa B. Hilbert
Senior Administrative Assistant