



TOWN OF BLACK MOUNTAIN

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

Date: **February 8, 2021** Time: **6:00 p.m.** **Regular Session Minutes**

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*Town Clerk Savannah Parrish at 419-9310, or by email at townclerk@townofblackmountain.org
(828) 419-9300 / TDD (800) 735-2962*

1. CALL TO ORDER

Mayor Larry Harris called the meeting to order at 6:00 p.m. with the following members present:

Mayor Larry B. Harris
Vice Mayor Ryan Stone
Alderman Archie Pertiller
Alderman Ryan Stone
Alderman Tim Raines
Alderman Doug Hay
Alderman Pam King

The following staff members were present:

Josh Harrold, Town Manager
Savannah Parrish, Town Clerk
Ron Sneed, Town Attorney
Fred McCormick, Reporter – The Valley Echo

Mayor Harris welcomed everyone and led the Pledge of Allegiance. Fire Chief Scottie Harris led the invocation. Mayor Harris then read the following statement from Steve Woody, CEO of Avadim Health.

“Happy New Year Guys....I would love to up-date everyone.

Obviously 2020 was a difficult year with COVID and our IPO delay. The impact to Avadim was pretty straight forward....it limited the capital that the company needed to grow and launch two of the new products we had ready to put on shelves in over 50k pharmacies as well as other expansion plans.

However, the company did pivot from a high growth focus to a profitability focus so that we reduced our need for outside capital. In doing so we had our 2nd and 3rd best quarters in the history of the company even though we couldn't call on hospitals or long term facilities or even some pharmacies.

As we look to 2021 we still have some work to do to position the company for profitability and growthbut we are launching some new products in the physician office space and in the pharmacy space that will allow the company to grow in the second half of the year. So our goal is to position the company by the end of the year for future growth and expansion as originally envisioned.”

2. PROCLAMATIONS, AWARDS & RECOGNITION

Mayor Harris read a statement in honor of the late Jim Levine, Owen High School Athletic Director.

3. CITIZEN COMMENTS

Town Manager Josh Harrold read the following comments

James Full and Courtney Halcomb - I have faith and trust in our own Leadership and support staff that they will make well informed and fair decisions going forward.

My questions pertain the the Town will be thinking and doing. BC are going to do whatever they will do to balance the spending vs. revenue. Out of my control to input.

As you know, they announced the huge 3-year assessment increases 2 Feb 2021. That follows the last 3- year large increases.

Does the Town have an ordinance or law which restricts the levy from being more than a certain % of the property value or assessment in any given tax year? A cap?

IF the Town of BM leaves their levy the same as last year, **then** tax collected will increase by ~ 55 % along with the assessment increases.

Below is spread sheet table showing sample increases in assessment. (The fair market value is highly questionable based on comp sales....I am getting that info. together as well as a current appraisal)

So, I am asking the Finance Director, Mayor, Board of Aldermen, will they **decrease the levy** such that the 2021 spending budget is essential flat vs. the prior year because revenue will increase in proportion to the tax base increase?

The Town has years of history maintaining a flat to decreasing levy as the tax base and revenue have risen.

I do understand the Town has added taxable property (new construction) year-over-year which has increased spending, but offset by increased property tax collections to achieve a balanced budget.

Capital and operating costs to take Trash / Recycle in house were a net reduction in spending vs. the WastePro contract.

Theresa Fuller - Good evening! My name is Theresa Fuller living at 207 Rhododendron Avenue. In March of 2020, I presented the following during my opportunity to speak for three minutes. I never got any response and am so happy to see this finally being addressed.

Before moving to North Carolina, I had never heard the term alderman. My family has lived in towns where the personnel representing the town were called council members. I looked up the term alderman. It is defined as a member of a city legislative body and literally translates as “old man” in old English. Even though many local municipalities in Western North Carolina still refer to themselves as board of aldermen, it’s considered an outdated gender-specific term that many younger people don’t recognize.

Alderman was a term made back in the 1880s when no one dreamed a woman would serve office. With more women serving on town governing boards, the word aldermen isn’t representative of the modern times. Don’t you believe we should change Black Mountain’s legislative body to use the word council and council members? The word council has a great meaning of consultation and advice, which I believe our town should convey in the spirit of becoming a progressive town with non-gender titles. Vote yes for Town Council!

4. COMMUNICATIONS FROM STAFF, BOARDS, COMMISSIONS & AGENCIES

A. Sunrise Owen – Isabelle Hale and Elsa Quam

Isabella Hale and Elsa Quam addressed the Board regarding the Sunrise Owen Hub, a movement that supports The Green New Deal. The presentation covered the hub’s purpose, past actions, and goals.

B. Fire Department Annual Report – Chief Scottie Harris

Fire Chief Scottie Harris presented the annual report of the Black Mountain Fire Department. The Fire Department responded 2084 calls in 2020, with 107 of those being related to COVID-19. Chief Harris is applying for a grant in hopes to replace air tanks. Chief Harris also addressed equipment, much of which is overdue to be replaced according to National Fire Protection Association. The National Fire Protection Association also recommends more staffing than the Fire Department currently employs. 160 in 2020 the Fire Department was understaffed

according to The National Fire Protection Association. The Chief also explained that the Black Mountain Fire Department also provides mutual aid to several area fire departments.

Alderman Pam King asked if the COVID-19 vaccine had been made available to the staff at Black Mountain Fire Department. Chief Harris confirmed that it had been offered and many had already been vaccinated.

In closing, there was a discussion about Fire Department staffing, with Chief Harris emphasizing the need for more fire fighters.

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.

Manager Josh Harrold presented the consent agenda to the Board of Aldermen.

A. Adoption of Minutes

Motion: *To adopt the minutes of January 7, 2021 Agenda Workshop, the January 11, 2021 Regular Session Meeting and the January 14 2021 Special Call Meeting.*

B. Call for Public Hearing to Close Portion of Unopened, Platted Portion of Right-of-Way Parallel to Fairway Drive and Tomahawk Avenue. #R-21-02

Motion: *To call for the public hearing to close an unopened, platted portion of right-of-way parallel and between Fairway Drive and Tomahawk Avenue to be held on Monday, April 12, 2021 at 6:00 p.m. or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.*

C. Call for Public Hearing to Close Portion of Unopened, Platted Portion of Right-of-Way Parallel and Between Hiawassee Avenue and S. Oconeechee Avenue #R-21-03

Motion: *To call for the public hearing to close an unopened, platted portion of right-of-way parallel and between Hiawassee Avenue and S. Oconeechee Avenue to be held on Monday, April 12, 2021 at 6:00 p.m. or as soon thereafter as possible, in the Board Room of Town Hall at 160 Midland Avenue.*

D. Call for Public Hearing for Text Amendments Chapter 1 – Definitions. # O-21-01

Motion: *To call for a public hearing for text amendments to definitions to be held on Monday, March 8, 2021, at 6:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 160 Midland Avenue.*

Alderman Archie Pertiller moved to approve consent items A-D as presented. The motion was approved by a vote of 5-0

6. CITIZEN COMMENTS - NONE

7. UNFINISHED BUSINESS - NONE

8. NEW BUSINESS

A. Riverwalk Greenway Alignment

Fred Grogan presented alternatives Riverwalk Greenway alignments to the Board of Aldermen. The inability to create a no-rise scenario have temporarily frozen the project and make moving forward with the original alignment potentially impossible. Mr. Grogan outlined a route featuring Scotland Road, Center Avenue and Ridgeway Avenue and an additional route that would utilize existing infrastructure with downtown sidewalks leading west onto U.S. 70. Moving forward with an on-road plan, the town would be required to add multi-use paths, like bike lanes, and additional traffic signals. Manager Harrold added that moving forward with original planning would involve purchasing the properties impacted by the lack of no-rise. Moving forward with the plan would depend on the property owner's willingness to sell.

The Greenways Commission has not received the presented alternatives and a meeting with the N.C. Department of Transportation will be held to see if other alternatives could be possible.

Alderman Pam King expressed her disappointment with the alternates being offered. Mayor Larry Harris noted a no-rise scenario is unlikely.

9. PUBLIC HEARING

A. Public Hearing for Voluntary Annexation of property owned by Wm C Honeycutt, Jr. ETAL #O-20-20 (Continued from January 11, 2021)

Alderman Doug Hay moved to open the public hearing for the proposed voluntary annexation for Buncombe County PIN #0619-88-6353.00000. The motion was approved by a vote of 5-0.

Town Manager Josh Harrold addressed density allowances in the R-1 district by summarizing an email from the county planning director. Manager Harrold also read the public comments, which are made part of these minutes.

Attorney Ron Sneed addressed the Board advising that it would be best to vote against the annexation if they planned to vote against the rezoning. He also clarified several questions about ingress/egress, which would require a site plan, which is not required.

Jesse Gardner, a representative of the property owner, addressed the Board of Aldermen clarifying that the property owner planned to develop the land in Buncombe County if the Board of Aldermen chose to annex the property.

Vice Mayor Ryan Stone addressed the Board expressing support for the annexation stating that he felt it was more beneficial for the Town if the property were developed within Town limits.

Alderman Pam King moved to close the public hearing. The motion was approved

by a vote of 5-0.

Vice Mayor Ryan Stone moved to adopt Ordinance #O-20-20 as presented. The motion was approved by a vote of 5-0.

- B. Public Hearing for Rezoning of property owned by Wm C Honeycutt, Jr. ETAL
#Z-O-20-06 (Continued from January 11, 2021)**

Vice Mayor Ryan Stone moved to open the public hearing to rezone 99999 Laurel Drive from R-1 to UR-8. The motion was approved by a vote of 5-0.

There were no further public comments.

Vice Mayor Ryan Stone moved to close the public hearing. The motion was approved by a vote of 5-0.

Vice Mayor Ryan Stone moved to adopt Zoning Ordinance #Z-O-20-06 (statement of consistency included) to rezone 99999 Laurel Drive from R-1 to UR-8. The motion was approved by a vote of 5-0.

Aldermen Pertiller and Raines initially voted against the request, believing the R-1 zoning designation could remain in place after annexation. Both aldermen reversed their votes after they were advised that county zoning regulations could not apply to property within town limits.

10. COMMUNICATION FROM STAFF

- A.** Town Attorney – Ron Sneed – stated that the last easement has been received related to the Montreat water meter infrastructure.
- B.** Town Manager – Josh Harrold – reminded the Board of the Special Call meeting to be held on February 18, 2021. He also stated that he would poll the Board for a date to hold a Budget Workshop in March.

11. COMMUNICATION FROM MAYOR AND BOARD OF ALDERMEN

Alderman Archie Pertiller clarified with Attorney Ron Sneed about losing access to county zoning after being annexed.

Alderman Pam King reminded the public to support local restaurants by supporting the Chamber of Commerce’s Take Out 21 initiative.

12. CLOSED SESSION

A. Closed session to discuss personnel matters as permitted by NC G.S. 143-318.11(a)(6).

Vice Mayor Ryan Stone moved to enter into closed session as permitted by NC G.S. 143-318.11(a)(6). The motion was approved by a vote of 5-0.

Vice Mayor Ryan Stone moved to return to open session. The motion was approved by a vote of 5-0.

Vice Mayor Ryan Stone moved to promote Cortney Kidd from accounting clerk to senior accountant and to raise her salary \$3,569 per year. The motion was approved by a vote of 5-0.

13. ADJOURNMENT

There being no further business Mayor Don Collins adjourned the meeting at 8:29 p.m.

ATTEST:

Savannah M. Parrish
Savannah M. Parrish Town Clerk

Larry B. Harris
Larry B. Harris, Mayor

Josh Harrold
Josh Harrold, Town Manager