BLACK MOUNTAIN TOWN COUNCIL MINUTES

May 12, 2025 | Regular Session Agenda | Time: 6:00 PM

Town Hall Council Chambers | 160 Midland Avenue, Black Mountain, NC 28711

Black Mountain Town Council held their regular monthly meeting on Monday, May 12, 2025, at 6:00 PM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER

Mayor C. Michael Sobol called the May 12, 2025 Town Council meeting to order at 6:00 p.m. with the following members in attendance: Mayor C. Michael Sobol, Vice Mayor Archie Pertiller, Council Member Alice Berry, Council Member Doug Hay, Council Member Pam King, and Council Member Ryan Stone.

The following staff members were present: Josh Harrold, Town Manager; Jessican Trotman, Assistant Town Manager; Wesley Barker, Town Clerk; Jamey Matthews, Public Works Director; John Coffey, Fire Chief; Tammy Heide, Finance Director; Deputy Police Chief Chris Kuhn; Recreation & Parks Director Josh Henderson; Project & Facilities Manager Angela Reece.

Mayor Sobol led those in attendance in the pledge of allegiance and a moment of silence, then read the ethics statement.

2. PROCLAMATIONS, AWARDS, RECOGNITIONS, SPECIAL RESOLUTIONS

Special Employee Recognitions. Fire Chief John Coffey recognized firefighters Andrew Operato, Chance Hensley, and Gavin Wood with the Lifesaver Award for saving a life at a recent structure fire. Town Department Heads also recognized Town Manager Josh Harrold for a belated Boss' Day.

3. CITIZEN COMMENTS

- Mayor Sobol read submitted statements from citizens Joe Tyson and John Decker about the golf course.
- Blake Martin, 3 Shakespeare Cir., spoke about the golf course and keeping it under Town management.
- Carl Bartlett, 277 North Fork Rd., spoke on the golf course and the benefits it brings to the Town. Statement of good faith about the golf course
- Maggie Tuttle, 104 Pleasant Dr., and Black Mountain Women's Golf Association

representative, spoke about the golf course and producing a solution to get it back to normal.

- Alan Tripp, 109 Third St., President of the Friends of BM Golf, a 501C3 organization, discussed GAP funding to help with course maintenance until permanent repairs are made & funding is received from FEMA.
- Larry Pearlman, 203 N. Park Ln. & Ruth Pittard, 208 Central Ave., spoke about a scheduled event on Sat., May 31, from 1-5pm, at Town Square for the "hearts of love" global event.
- Rick Harwood spoke on the golf course.
- Rick Earley, 203 N. Park Ln., spoke about the golf course proposal that was provided to the Council by the Mayor at the May 8th, 2025 budget meeting, to fully open the full eighteen holes by end of July.
- Richard Hudson spoke to express concern about the golf course.
- Charlie Lundsford, 805 Laurel Ave., spoke on the golf course.
- Chuck Richardson, 151 Last Resort Terrace, spoke about the community and the golf course.

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4. COMMUNICATIONS FROM STAFF, COUNCILS, COMMISSIONS & AGENCIES

4.A. **Buncombe County Helene Recovery Updates.** Jeremiah LeRoy, Deputy Recovery Officer for Buncombe County, gave a presentation on Helene Recovery Planning on a county-level. He also spoke on the Envision Buncombe survey for public input. *A copy of this presentation is included at the end of these minutes as Appendix A.*

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4.B. **Public Works Report.** Public Works Director Jamey Matthews gave a presentation on pre- and post-Helene and Public Works tasks and performance. Information presented included water system repairs and street repairs. *A copy of this presentation is included at the end of these minutes as Appendix B.*

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The Mayor called for a 5-minute recess.

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5. CONSENT AGENDA

5.A. **Adoption of Meeting Minutes: April 2, 2025, Budget Meeting; April 9, 2025, Budget Meeting; April 10, 2025, Agenda Work Session; April 14, 2025, Regular Meeting; April 23, 2025 Budget Meeting; May 1, 2025 Budget Meeting.** ***Vice Mayor Archie Pertiller made a motion to approve the minutes as presented. A vote of 5-0 in favor.***

5.B. **Extension of Tax Collection Agreement with Buncombe County.** The Town's original agreement with Buncombe County for ad valorem tax listing and collection services was entered into around May 13, 2019 for a period of three (3) years. This agreement was extended for an additional three (3) years in July 2022. This amendment extends the agreement from July 1, 2025, until June 30, 2028. ***Vice Mayor Archie Pertiller made a motion to approve extension of tax collection agreement with Buncombe County as presented. A vote of 5-0 in favor.*** *A copy of this agreement is included at the end of these minutes as Appendix C.*

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5.C. **Consideration of Budget Amendments.** This budget amendment recognizes ABC Law Enforcement Special Allocation Grant funds from the Black Mountain ABC Store to be used within the Police Department for new technology equipment in the amount of $10,000. ***Vice Mayor Archie Pertiller made a motion to approve budget amendments as presented. A vote of 5-0 in favor.***

Adjustment Number	Summary	Description	Account Number	Account Name	Account Type	Amended Amount
BA25-0000134	BAMEND - PD ABC Special Allocation	ABC Special Allocation for PD Technology	100-4510-42810	ABC Law Enforcement Revenues	Revenue	$10,000.00
			100-4510-52115	Technology and Software License	Expense	$10,000.00

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5.D. **2025 Audit Contract and Audit Engagement Letter.** This item is consideration of the standard contract to Audit Accounts (LGC-205) as provided by Gould Killian, CPA Group, P.A. The audit contract fee is $52,400 which includes $47,900 for the standard audit contract, and $4,500 for the Single Audit for one account. The Local Government Commission (LGC) must approve the contract prior to the audit work beginning. ***Vice Mayor Archie Pertiller made a motion to approve the audit contract and audit engagement letter as presented by Gould Killian, CPA Group, P.A. A vote of 5-0 in favor.***

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5.E. **Monthly Tax Collector Report.** ***Vice Mayor Archie Pertiller made a motion to approve the monthly tax collector report as presented. A vote of 5-0 in favor.***

CURRENT YEAR TAX -ADVALOREM TAXES		
Billed	$	5,324,247.84
Collected	$	5,247,597.56
Adjustments and Releases	$	4,825.31
Outstanding real and personal property taxes	**$**	**81,475.59**
TAX COLLECTION PERCENTAGE FOR CURRENT TAX YEAR		98.47%
PRIOR YEAR TAXE(S) COLLECTED WITHIN THE MONTH		
Collected	$	1,287.21
Adjustments and Releases	$	-

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5.F. Call for Public Hearing on Franchise Renewal with Public Service Company (d.b.a. Enbridge/Dominion Energy) for Natural Gas Utilities. Dominion Energy (Enbridge Gas) has sent over the proposed franchise agreement renewal for natural gas utility operation within the Town. The original franchise agreement was adopted by the Town Council in 1995 for 30 years by Ordinance (O-95-10), expiring July 2025. When this franchise agreement was first adopted in 1995, a public hearing was held before the franchise ordinance was adopted by the Council. Attorney Justus has advised a public hearing to be held if any citizen wishes to speak about the item. This hearing will be held at the next meeting on Monday, June 9th, 2025 at 6:00 p.m. in the Council Chambers. Following the public hearing on June 9th, the Council will then consider adoption of the franchise renewal. ***Vice Mayor Archie Pertiller made a motion to call for public hearing on June 9th, 2025 at 6:00 p.m. as presented. A vote of 5-0 in favor.***

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6. PUBLIC HEARING

6.A. Public Hearing for Voluntary Annexation of Property Owned by Givens Highland Farms. Assistant Town Manager Jessica Trotman gave an overview of this rezoning request. There are two parcels (99999 Frances Avenue, PIN #0609-56-4489.00000 and 320 Tabernacle Road, PIN #0609-56-1464.00000) that have been purchased by Givens Highland Farms. The parcel identified as 99999 Frances Avenue is three acres, and the parcel identified as 320 Tabernacle Road is 0.5 acres. Givens Highland Farms is seeking voluntary annexation of these parcels to be able to combine the parcels with their existing 75+ acre campus, all of which is inside Town limits. The Planning Board heard this request at their March 24, 2025 meeting and found no reason the property should not be annexed into the Town limits. The Planning Board made a comment requesting that Givens Highland Farms not use the access easement from Tabernacle Road to access the properties**.**

Town Council Member Alice Berry made a motion to open the public hearing. A vote of 5-0 in favor. The time was 7:52 p.m. No public comments were provided. Vice Mayor Archie Pertiller then made a motion to close the public hearing. A vote of 5-0 in favor. The time was 7:53 p.m.

Vice Mayor Archie Pertiller then made a motion to approve the following ordinance. A vote of 5-0 in favor.

AN ORDINANCE ANNEXING THAT PROPERTY OF GIVENS HIGHLAND FARMS, LLC, ON THAT PLAT RECORDED IN PLAT BOOK 247 AT PAGE 83 INTO THE TOWN OF BLACK MOUNTAIN

Ordinance No. #O-25-06

WHEREAS, Givens Highland Farms, LLC has requested that the Town of Black Mountain annex that property owned by Givens Highland Farms, LLC and described as that

3.512-acre tract of land shown on that plat recorded in Plat Book 247 at Page 83, Buncombe County Registry; and

WHEREAS, Givens Highland Farms, LLC owns all of the property proposed to be annexed and submitted an application in their name and signed by them, so that such application and petition is signed by or on behalf of all the property owners as required by N.C.G.S 160A-31 et seq.; and

WHEREAS, the Town Clerk has investigated the annexation petition and has certified that he found as a fact that the petition was signed by all owners of the property lying within the area to be annexed; and

WHEREAS, Givens Highland Farms, LLC has asserted that there are no vested rights that they wish to retain after annexation; and

WHEREAS, a public hearing was held by the Town Council of the Town of Mountain after proper notice was given to the public and the parties; and

WHEREAS, the Town of Black Mountain will benefit from annexation of the proposed area to be annexed in that its annexation will allow the Town to regulate development and insure a use of such property that is beneficial to the area where it is located and not detrimental to the properties surrounding it.

NOW, THEREFORE, BE IT ORDAINED by the Town Council for the Town of Black Mountain, North Carolina, that the property described in Exhibit A as being all of that 3.512-acre parcel of land shown on that plat record in Plat Book 247 at Page 83, Buncombe County Registry is hereby annexed and made a part of the corporate limits of the Town of Black Mountain, North Carolina.

This ordinance shall become effective on the 12th day of May 2025, if confirmed by the Town Council at its regular meeting in May 2025. In the absence of a majority vote of the Council to confirm this ordinance at that meeting, it shall become void and have no force or effect.

READ, APPROVED AND ADOPTED, by a vote of 5 to 0 on this the 12th day of May 2025.

A complete copy of this ordinance is attached at the end of these minutes as Appendix D.

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6.B. **Public Hearing to Rezone 99999 Frances Avenue and 320 Tabernacle Road from R-1 to OI-6.** Assistant Town Manager Jessica Trotman gave an overview of this rezoning request. There is a 3-acre parcel off Frances Avenue (identified as 99999 Frances Avenue, PIN #0609-56-4489.00000) and a 0.5-acre parcel off Tabernacle Road (identified as 320 Tabernacle Road, PIN #0609-56-1464.00000) that have been purchased by Givens Highland Farms. The parcels are currently zoned R-1 by Buncombe County. Givens Highland Farms is also seeking voluntary annexation of these two parcels and, if approved, would like to have the

properties rezoned to OI-6, which is the zoning designation for the existing 75+ acre campus. The Planning Board heard the request at their March 24, 2025 meeting and recommended the properties be rezoned to OI-6 upon annexation into the Town limits. The motion passed with a vote of 7-0 by the Planning Board. Jessica Trotman stated that any current OI-6 allowances would apply to this property, once rezoned to OI-6.

Council Member Doug Hay made a motion to open the public hearing. A vote of 5-0 in favor. The time was 7:58 p.m. There were no public comments made. Council Member Alice Berry then made a motion to close the public hearing. A vote of 5-0 in favor. The time was 7:59 p.m.

Vice Mayor Archie Pertiller made a motion to rezone the presented properties as presented from R-1 to OI-6. A vote of 5-0 in favor.

AN ORDINANCE AMENDING THE ZONING MAP FOR PROPERTY LOCATED AT 99999 FRANCES AVENUE AND 320 TABERNACLE ROAD
ZONING ORDINANCE No. #Z-O-25-07

WHEREAS, the Town of Black Mountain has the authority pursuant to Article 6 of Chapter 160D of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, a comprehensive amendment to the Town's zoning regulations was adopted on January 11, 2010, (Ordinance No. #O-10-01) and is codified in Appendix A of the Town of Black Mountain Code of Ordinances (herein "Zoning Ordinance"), and map dividing and classifying the property within the Town's zoning jurisdiction were adopted on January 11, 20210, (Ordinance No. #O-10-01) and are on file and maintained in the Offices of the Town of Black Mountain Planning and Development Department (herein "Official Zoning Map"); and

WHEREAS, this proposed amendment is consistent with the Town of Black Mountain Comprehensive Plan and other official plans of the Town of Black Mountain and is determined to be reasonable and in the public interest for the following reasons:

a. The overall size of the tract of land proposed for the rezoning is reasonable compared to the size of the zoning district in which the subject property is located.
b. The proposed rezoning is consistent with the comprehensive plan or elements thereof.
c. The impact to adjacent property owners and surrounding community is reasonable and the benefits of the zoning shall outweigh any potential inconveniences or harm to the community.
d. The allowed uses within the proposed zoning district are similar or comparable to the permitted uses as currently zoned.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF BLACK MOUNTAIN TOWN COUNCIL THAT:

The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain portion of real property described in Exhibit A and identified on the Buncombe County tax maps as PIN 0609-56-4889 and PIN 0609-56-1464, recorded in Deed Book 247, Page 83 and currently owned by Givens Highland Farms, LLC, from R-1 to Office and Institutional (OI-6). A copy of the official zoning map showing said lot is attached hereto as Exhibit "B" and made a part thereof.

This ordinance shall be in full force and effective on the date of adoption.

READ, APPROVED AND ADOPTED, this the 12th day of May 2025.

A complete copy of this ordinance is attached at the end of these minutes as Appendix E.

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6.C. Public Hearing to Amend Chapter 8, Sections 8.2.2., 8.2.7, 8.2.14, 8.2.15, 8.2.18, and 8.2.29, Phase II Stormwater Ordinance to align the Phase II Stormwater Ordinance with the Town's requirements from the NC Department of Environmental Quality for the Town's National Pollutant Discharge Elimination System (NPDES) permit and the Stormwater Management Plan (SWMP). Assistant Town Manager Jessica Trotman gave an overview of these proposed amendments to the Phase II Stormwater Ordinance, which are post-construction stormwater ordinance changes. Stormwater Technician and Floodplain Administrator Anne Phillip provided context of the proposed amendments. The purpose includes updating & improving post-construction stormwater regulations, addressing resident and developer concerns, improving stormwater outcomes, ensuring NPDES MS4 Phase II compliance and aligning with state/federal guidance.

Vice Mayor Archie Pertiller made a motion to open the public hearing. A vote of 5-0 in favor. The time was 8:30 p.m. With no public comment, Town Council Member Doug Hay made a motion to close the public hearing. A vote of 5-0 in favor. The time was 8:31 p.m.

Council Member Doug Hay made a motion to approve the stormwater ordinance text amendments as presented and finds that these amendments promote the general welfare of the citizens. A vote of 5-0 in favor.

A complete copy of this ordinance is attached at the end of these minutes as Appendix F.

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7. CITIZEN COMMENTS – none.

8. UNFINISHED BUSINESS – none.

9. NEW BUSINESS

9.A. Amended Hemphill Grant Project Ordinance and Budget Amendment.

Tammy Heide, Finance Director, gave a report on this Grant Project Ordinance & budget amendment. This agenda item is to consider the amendment of the Hemphill Property Grant Project Ordinance and corresponding budget amendments. The Town of Black Mountain has been awarded $50,000 of funding from the NC Regional Economic Development Reserve Grant to be used toward feasibility study and site planning for the recently acquired property. $150,000 in total funding will be needed to complete the defined expenditure contained within the grant contract. The additional $100,000 fully funds the project and was transferred from general fund available fund balance. The Town received a donation from the Estate of Mary Hemphill to be used towards the Hemphill project. This proposed budget amendment will transfer the appropriated fund balance of $100,000 back to the General Fund due to sufficient funds being received from the donation to cover the funds needed to complete the defined expenses within the Grant Contract.

Town Council Member Alice Berry made a motion to approve the Grant Project Ordinance & Budget Amendment as presented.. A vote of 5-0 in favor.

TOWN OF BLACK MOUNTAIN HEMPHILL PROPERTY MASTER PLANNING AND FEASIBILITY ASSESSMENT AMENDED GRANT PROJECT
Ordinance No: O-25-09

BE IT ORDAINED by the Town Board of the Town of Black Mountain, North Carolina, that, pursuant to the Local Government Budget and Fiscal Control a local government may, in its discretion, authorize and budget for a capital project or a grant project in a project ordinance adopted pursuant to G.S. 159-13.2. A project ordinance authorizes all appropriations necessary for the completion of the project and neither it nor any part of it need be readopted in any subsequent fiscal year; and the following Capital Project Ordinance is hereby adopted as follows:

Section 1. Project Defined
The Town of Black Mountain defines a "Grant Project" as a project financed in whole or in part by revenues received from the Federal and/or State Government for operating or capital proposed as defined by the grant contract. The project may include expenditures that span across multiple fiscal years.

Section 2. Project Authorization
The project authorized is Hemphill Property Master Planning and Feasibility Assessment. Property located at PIN 061965722800000, 061934981600000, 061945761900000, 061956501300000, 061956569400000, henceforth referred to as the “Hemphill Property”. This project includes, but is not limited to, the community engagement, feasibility study and conceptual site plans, master planning, financial analysis and other assessments as approved by the Council on this newly acquired property.

Section 3. Funding

This project is to be funded in part by the North Carolina Session Law 2023-134 – House Bill 259 referenced as follows: Grant 12391 master planning and feasibility studies of newly acquired property. Remaining funding will be transferred in from the Town's general fund balance.
The Town has also received a donation from the Estate of Mary Hemphill to be used for the Hemphill Capital Project. Initially the Town transferred 100,000 from the general fund to assist with initial design work for the Hemphill Project, upon receiving the donation the 100,000 will be returned to the general fund.

Section 4. Directives
The officers of this unit are hereby directed to proceed with the capital project within the terms and budget contained herein, as approved by the Governing Board of the Town of Black Mountain.

Section 5. Revenues
The following anticipated Revenues are hereby adopted:

Budgeted Revenues	*Prior Authorized*	*Change*	*Amended Funding*
General Fund Transfer In	100,000.00	(100,000.00)	0.00
Regional Economic Development Reserve Grant	50,000.00		50,000.00
The Estate of Mary Hemphill Donation	164,160.00	0.00	164,160.00
Total Funds	**$314,160.00**	**-$100,000.00**	**$214,160.00**

Section 6. Expenditures

Budgeted Expenses	*Prior Anticipated*	*Change*	*Amended Expense*
Professional Services - Studies and Consultations	$314,160.00	-$100,000.00	$214,160.00
Total Expenses	**$314,160.00**	**-$100,000.00**	**$214,160.00**

The following anticipated appropriations are hereby adopted:

Section 7. Records and Reporting
The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 8. Official Copies
Copies of this Capital Project Ordinance shall be furnished to the Town Clerk and shall be held in the Finance Department for the direction of carrying out this project.

Section 9. Project Expiration
This project ordinance expires when the project has been completed and all the Project Funds have been obligated and expended by the Town OR by the date set forth within the grant funding contract, if applicable, whichever occurs sooner.

Duly adopted this 12th day of May 2025.

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9.B. Amended Hurricane Helene Grant Project Ordinance and Budget Amendment. This agenda item is to consider the approval of Hurricane Helene Grant Project budget amendments and the Amended Grant Project Ordinance. The Town of Black Mountain is included in FEMA-4827-DR, North Carolina Disaster Declaration. Initial funding for this Grant project came from the Town's General Fund Balance. This amendment recognizes the transfer from the General Fund in the amount of $40,000 for Dog Park Repairs and reallocation of prior authorized expense line funding.

Council Member Ryan Stone made a motion to approve the following grant project ordinance and budget amendment as presented. A vote of 5-0 in favor.

TOWN OF BLACK MOUNTAIN HURRICANE HELENE
AMENDED GRANT PROJECT ORDINANCE
Ordinance No: O-25-10

BE IT ORDAINED by the Town Board of the Town of Black Mountain, North Carolina, that, pursuant to the Local Government Budget and Fiscal Control a local government may, in its discretion, authorize and budget for a capital project or a grant project in a project ordinance adopted pursuant to G.S. 159-13.2. A project ordinance authorizes all appropriations necessary for the completion of the project and neither it nor any part of it need be readopted in any subsequent fiscal year; the following Grant Project Ordinance O-24-15, originally adopted October 7, 2024, is hereby amended and adopted as follows:

Section 1. Project Defined
The Town of Black Mountain defines a "Grant Project" as a project financed in whole or in part by revenues received from the Federal and/or State Government for operating or capital proposed as defined by the grant contract. The project may include expenditures that span across multiple fiscal years.

Section 2. Project Authorization
The project authorized is Hurricane Helene. Beginning September 25th, 2024, the Town of Black Mountain entered into a State of Emergency within North Carolina. September 28th, 2024 a Federal Major Disaster Declaration for the State of North Carolina due to Tropical Storm Helene was issued. September 30th, 2024 the Town of Black Mountain declared a State of Emergency. FEMA-4827-DR, North Carolina Disaster Declaration as of September 28, 2024, defines the Incident Period as September 25, 2024 and continuing.

Section 3. Funding
This project is to be funded in whole or part by FEMA-4827-DR. FEMA's Office of Response and Recovery has determined that with the President's Emergency Declaration, exigent and emergency circumstances currently exist. FEMA Assistance for this project has been declared for 100% of approved expenditures. For all permanent expenditures related to the storm FEMA has declared 90% reimbursement. The state of NC Emergency Management has declared funding of 10% to cover the remaining unreimbursed amounts from FEMA. Funding may be advanced from other Town of Black Mountain Funds for the purpose of

making payments as due. Reimbursement requests should be made to any applicable grantor agency following the regulations and rules of the grant.

Town of Black Mountain Operating Fund Transfers:

- Initial Funding for this project will need to be provided by a budget amendment from the General Fund-Fund Balance. In the case of funding that is not needed due to other funding sources, the Town will transfer unneeded funds transferred from the General Fund back to the general fund.
- The board approved in the January agenda meeting to Transfer funding from the general fund to the Helene Project to cover costs to Veteran Park Fencing in the amount of $121,000.
- Board Approved within March 2025 meeting a budget amendment to transfer $300,000 for the Hilltop Road Repairs $100,0000 from the Powell Bill Fund and $200,000 from the General Fund Street Department.
- Requested Funding transfer from the General Fund to make needed repairs to the Dog Park in the amount of
  $40,000 May 2025 meeting.

NCLM is the Town's insurance carrier. The Town has received insurance proceeds totaling $2,255,184.47 to date:

- An advanced payment of $1,500,000 has been received by NCLM to assist in immediate needs while our insurance claims are being completed. This payment will be deducted from the insurance proceeds to be received for flood damage to Town buildings.
- Total Vehicle and Equipment Insurance Claims paid to date from NCLM equal $755,184.47.

Donations

- The Town has received a donation in the amount of $67,000 from Black Mountain Presbyterian Church to assist in the repairs at Veteran's Park

FEMA Funding Received to Date:

- The Town has received a payment of 50% of the emergency expenditures submitted. The total amount received was $860,666.18.

State Funding Has Been Awarded for the Following Items:

- NC DEQ Division of Water Infrastructure project Number HEL-0003 provides funding up to the amount of
  $3,000,000, repayable at 0% interest. The DEQ Water Infrastructure Emergency Bridge Loan Program established in Session Law 2024-53 Section 4C.7 has been awarded to the Town.
- The Town has also been awarded an additional $200,000 in grant funds for engineering assessment, planning and design work associated with the Water Infrastructure Emergency Bridge Loan.
- NC Department of State Treasurer has awarded a loan in the amount of $705,703.37 to aid with Cashflow due to Hurricane Helene

Section 4. Directives

The officers of the Town of Black Mountain are hereby directed to proceed with the federal and/or state grant project within the terms of the rules and regulations of those grants and the budget contained. The Town Manager is hereby directed to act on behalf of the Town Council in all matters associated with the project within the terms of all contracts, agreements, and legal requirements binding on the project and within limits of the funds appropriated.

Section 5. Revenues

Budgeted Revenues	*Prior Authorized*	*Change*	*Amended Funding*
Transfer In From General Fund	2,321,000.00	40,000.00	2,361,000.00
Transfer In From Powell Bill Fund	100,000.00	0.00	100,000.00
Grant Revenue Federal - FEMA Emergency Expenditures	860,666.18	0.00	860,666.18
NCDEQ - Infrastructure Loan	3,000,000.00	0.00	3,000,000.00
NCDEQ - Infrastructure Tech Assist Grant	200,000.00	0.00	200,000.00
NCDST - Cashflow Loan	705,703.37	0.00	705,703.37
Contributions/Donations	67,000.00	0.00	67,000.00
Insurance Proceeds	2,255,184.47	0.00	2,255,184.47
Total Funds	**$9,509,554.02**	**$40,000.00**	**$9,549,554.02**

Section 6. Expenditures. The following anticipated appropriations are hereby adopted:

Budgeted Expenses	Prior Anticipated	Change	Amended Expense
Salaries and Benefits	$501,500.00	$0.00	$501,500.00
Protective Clothing	$10,909.80	$0.00	$10,909.80
Professional Services - Engineering and Design	$204,000.00	$0.00	$204,000.00
Professional and Technical Service	$50,100.00	$0.00	$50,100.00
Contract Services	$2,405,793.66	$0.00	$2,405,793.66
Technology and Software License	$1,000.00	$0.00	$1,000.00
R&M Buildings	$16,261.58	$0.00	$16,261.58
R&M Grounds/Parks/Greenways	$3,500.00	$0.00	$3,500.00
R&M Equipment	$21,614.43	$0.00	$21,614.43
R&M Vehicle	$2,375.96	$0.00	$2,375.96
R&M Streets/Sidewalks/Curb	$26,989.76	$0.00	$26,989.76
R&M Utility System	$142,500.00	$455,000.00	$597,500.00
Office Supplies	$2,086.54	$0.00	$2,086.54
Medical Supplies	$710.49	$0.00	$710.49
Non-Capital Equipment and Furniture	$56,934.34	$0.00	$56,934.34
Lease Rental -Equipment	$144,150.00	$0.00	$144,150.00
Emergency Preparedness	$1,037.13	$0.00	$1,037.13
Miscellaneous Expense	$34,010.03	$0.00	$34,010.03
Capital Outlay - Land Improvements	$188,000.00	$40,000.00	$228,000.00
Capital Outlay - Vehicles	$2,251,080.30	$0.00	$2,251,080.30
Capital Outlay - Furnishings & Non-Motorized Equip	$95,000.00	$0.00	$95,000.00
Capital Street/Bridge/Sidewalk	$350,000.00	$0.00	$350,000.00
Capital Outlay - Dist Lines and Connections	$2,500,000.00	-$455,000.00	$2,045,000.00
Capital Outlay - Plants, Pump Stations, Sub Stations	$500,000.00	$0.00	$500,000.00
Total Expenses	**$9,509,554.02**	**$40,000.00**	**$9,549,554.02**

Section 7. Records and Reporting
The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable

Section 8. Official Copies
Copies of this Capital Project Ordinance shall be furnished to the Town Clerk and shall be held in the Finance Department for the direction in carrying out this project.

Section 9. Project Expiration
This project ordinance expires when the project has been completed and Project Funds have been obligated and expended for all project expenditures by the Town OR by the date set forth within the grant funding contract, if applicable, whichever occurs sooner.

Duly adopted this 12th day of May 2025.

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9.C. **Consideration of a Fire Department Cost Recovery Program.** This item was tabled until June. No action taken.

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10. **COMMUNICATION FROM TOWN ATTORNEY & TOWN MANAGER.** It was announced that a special called meeting would be held for the Town Manager's FY26 Budget Presentation and for a discussion on the golf course on Thursday, May 15th, 2025 at 8:30 a.m. at Town Hall.

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11. **COMMUNICATION FROM MAYOR AND TOWN COUNCIL**

12. **CLOSED SESSION – none.**

13. **ADJOURNMENT.** Mayor Sobol adjourned the meeting at 8:40 p.m.

Attached: Appendices A-F