BLACK MOUNTAIN TOWN COUNCIL MINUTES

August 6, 2026 | Special Meeting & Agenda Review | Time: 5:00 PM

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

Black Mountain Town Council held their special meeting agenda on Thursday, August 6, 2026, at 5:00 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 meeting to order at 5:00 p.m. with the following members in attendance: Vice Mayor Archie Pertiller, Council Member Larry Harris, Council Member Lawrence Lytle, Town Council Member Ryan Stone. *Council Member Alice Berry was absent.*

The following staff members were present: Interim Town Manager Richard Hicks; Town Clerk Wesley Barker; Fire Chief John Coffey; Deputy Police Chief Chris Kuhn; Recreation & Parks Director Jacob Guiot; Recovery & Capital Programs Director Matt Begley.

****

2. NEW BUSINESS.

2.A. Consideration of Master Services Agreement with Anchor QEA of NC, PLLC for Professional Engineering & Architectural Services.

Chris Engle from Anchor QEA discussed with the Town Council the Master Services Agreement (MSA) for establishing the relationship with the Town for recovery projects, including the Flat Creek Greenway and Oconeechee Sinkhole projects. Discussion included tasks associated with the initial work for the Flat Creek Greenway project. Matt Begley, Recovery and Capital Programs Director, spoke to the Council on the FEMA Public Assistance process for these projects. Town Council considered a resolution to approve the proposed MSA with Anchor QEA for recovery projects.

Council Member Larry Harris made a motion to approve the master services agreement with Anchor QEA of NC, PLLC for Professional Engineering & Architectural Services as presented. A vote of 4-0 in favor. Council Member Alice Berry was absent.

DRAFT

A RESOLUTION AUTHORIZING AGREEMENT WITH ANCHOR QEA OF NORTH CAROLINA, PLLC FOR PROFESSIONAL ENGINEERING & ARCHITECTURAL SERVICES

RESOLUTION NO. # R-26-60

WHEREAS, the Town of Black Mountain (the "Town") requires on-demand professional engineering and consulting services to support public infrastructure recovery, planning, and capital improvement initiatives; and

WHEREAS, Anchor QEA of North Carolina, PLLC (the "Engineer"), a professional engineering firm was selected through a qualifications-based selection process in accordance with the North Carolina Mini-Brooks Act (G.S. 143-64.31); and

WHEREAS, the Town and the Engineer desire to enter into a Master Services Agreement to establish terms and conditions under which the Engineer will provide professional services on an as-needed basis, through individually authorized Task Orders; and

WHEREAS, the Master Services Agreement includes federally required terms and conditions applicable to projects funded through FEMA or other disaster recovery programs related to Tropical Storm Helene (DR-4827-NC); and

WHEREAS, Town staff recommends approval of the Agreement to allow timely engagement of professional services necessary to advance infrastructure repair and capital projects.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Black Mountain, North Carolina, that:

1. The Town Council hereby authorizes the Town Manager to execute the Master Services Agreement between the Town of Black Mountain and Anchor QEA of North Carolina, PLLC, as presented.
2. The Town Manager is further authorized to execute individual Task Orders under the Agreement for the Flat Creek Greenway and N Oconeechee Ave. & Sunset Dr. Sinkhole FEMA Public Assistance projects, subject to availability of funds and compliance with applicable procurement requirements.

Adopted this 6th day of August, 2026.

****

2.B. Existing Public Safety Building Presentation by McGill Associates & Moseley.

Representatives from McGill Associates and Moseley presented a report entitled Public Safety Building Professional Expected Damages Certification, dated July 8, 2026. Below is a summary of the report:

- The engineering report finds that the existing Public Safety Facility at 106 Montreat Road has significant structural distress, including foundation compromise, settlement, wall movement, slab cracking, and water-related deterioration.
- The damage is consistent with loss of bearing beneath footings and slabs, likely caused by groundwater movement, drainage failures, soil migration, and a cracked stormwater pipe beneath the building.
- The facility has been unoccupied since March 2026 and is described as nonfunctional and not repairable in place without major site remediation.
- Continued groundwater movement and poor subsurface drainage are expected to cause additional settlement and deterioration unless extensive repairs and remediation are completed.
- Estimated replacement costs are approximately $19,998,000 for a new code-compliant facility, or approximately $22,512,000 to demolish and replace the facility on the existing site with geotechnical remedies.
- The report concludes that the current site has persistent long-term risks, including chronic groundwater movement, concentrated watershed runoff, reduced soil bearing capacity, and elevated flood-related vulnerability.
- The existing watershed and drainage conditions cannot be fully eliminated through simple stormwater pipe relocation and would require comprehensive groundwater, stormwater, subsurface stabilization, and foundation design measures.
- Hurricane Helene may have contributed to or accelerated the observed deterioration, but the report identifies the underlying site conditions as ongoing and persistent.
- The proposed relocation site at North Fork Road and Lions Way appears to have substantially lower flood, stormwater, and geotechnical risk based on currently available information, though a geotechnical investigation is still needed.
- Overall, the report supports relocation as a way to reduce recurring structural, flood, stormwater, and geotechnical risks compared with rebuilding at the existing site.

After their presentation, a lengthy discussion ensued between the representatives, Town Council members and staff on the existing Public Safety Building. Council asked the Town Manager to work on estimates on the amount of money needed to repair the existing building, and based on these estimates, it would then be determined if the building could be salvaged or not based on any reasonable costs. Next steps also included obtaining a structural engineer on the existing building estimates.

****

2.C. Proposed Public Safety Building Presentation by McGill Associates & Moseley.

Representatives from McGill & Associates and Moseley then presented the proposed facility preliminary concept which was created as part of the application for funding from the Building Resilient Infrastructure and Communities **(**BRIC) program for relocating the facility. The layout included should not be considered a final design layout but is included to facilitate discussion around design philosophy and limitations. The representatives stated this proposed facility was 24,000 square feet, and they were tasked with keeping the cost

under $20 million. Some discussion ensued around funding opportunities and pending grant applications as well as whether any county funding would be available for a new facility. **A copy of the proposed building layouts by McGill & Moseley is included at the end of these minutes as Appendix A.**

****

2.D. Review and Approval of the August 10, 2026 Town Council Regular Meeting Agenda.

Interim Town Manager Richard Hicks reviewed the proposed agenda for the August 10, 2026 Town Council regular meeting agenda. ***Council Member Larry Harris made a motion to approve the August 10, 2026 agenda as presented with the addition of the "Lennie's Law" resolution. A vote of 4-0 in favor. Council Member Alice Berry was absent.***

****

3. CLOSED SESSION. - No closed session was held.

****

4. ADJOURNMENT. With no further business to be discussed, Mayor C. Michael Sobol adjourned the meeting at 6:05 pm.

_____
C. Michael Sobol, Mayor

Attest: _____
Wesley M. Barker, Town Clerk

DRAFT