BLACK MOUNTAIN TOWN COUNCIL MINUTES

September 10, 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 review on Thursday, September 10, 2026, at 5:00 PM in the Council Chambers of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

1. CALL TO ORDER

Vice Mayor Archie Pertiller called the meeting to order at 5:00 p.m. with the following members in attendance: Vice Mayor Archie Pertiller, Town Council Member Alice Berry, Council Member Larry Harris, Town Council Member Ryan Stone. *Mayor C. Michael Sobol and Council Member Lawrence Lytle were absent.*

The following staff members were present: Interim Town Manager Richard Hicks, Town Clerk Wesley Barker, Recovery & Capital Programs Director Matt Begley, Zoning Administrator Russell Cate, Interim Project Manager Chad Goins.

Council Member Alice Berry asked if the September 14, 2026 regular meeting agenda review item could be moved to the top of the agenda. All Council was in consensus.

2. AGENDA REVIEW AND APPROVAL

2.A. September 14, 2026 Regular Meeting Agenda Draft Review.

Interim Town Manager Richard Hicks reviewed the September 14, 2026 monthly Council meeting agenda. After some discussion on the new business item 11.A. entitled "ERU Rate Presentation," it was recommended that this item be pulled off of this meeting agenda and be a separate Council work session as the proposals will be a significant change for businesses and industry and would need to be discussed in more depth, and when the full Council could be present. Council Member Harris recommended this work session not be held until after the November election. All Council agreed with this proposal.

The next item discussed was item 11.C. under New Business entitled "Discussion of Flock Cameras" as recommended by Mayor Sobol. Interim Manager Hicks stated that the Police Chief would be absent at the September 14th meeting and had planned to provide a presentation at the October Council meeting. Council Member Harris suggested that this item be tabled until the October Council meeting. Council members emphasized that they were interested in having a discussion around flock cameras and wanted to have this discussion when the full Council was present and when the Police Chief could be present to provide more detail.

Council Member Berry brought forward a citizen request to add a proclamation to the

agenda honoring Dolly Parton under item 2: Proclamations, Awards, Recognitions, Special Resolutions. The proclamation would be for September 25th, which has been dubbed "9 to 5" to honor and recognize Dolly Parton for her contributions and impact she made on others. Council agreed to add this proclamation to the agenda, and Council Member Berry would draft language.

Council Member Stone discussed a recent draft ordinance that was shared with Council entitled "Existing Business Stabilization and Comprehensive Review Ordinance" from the Chamber of Commerce, which aims to preserve existing businesses in Black Mountain. The Council was in consensus not to add the ordinance to this agenda until more conversations could take place between Chamber representatives, the Town Manager, and Council Members. Council Member Stone stated he would put the Chamber of Commerce representatives in touch to meet with the Interim Manager, and the conversations could continue from there.

Council Member Larry Harris made a motion to approve the September 14, 2026 meeting agenda as presented with the amendments to table the ERU Rate Presentation for a work session to be held at a later date, table the Flock Camera discussion until the October 12, 2026 meeting, and add the proclamation honoring Dolly Parton. A vote of 4-0 in favor. Council Member Lawrence Lytle was absent.

3. NEW BUSINESS

3.A. Designation of OSBM Grant Accounts as Official Depositories of Public Funds.

Matt Begley, Recovery & Capital Programs Director, presented this item. Mr. Begley stated that the Town Council will consider a resolution designating four bank accounts as official depositories of public funds for the Town of Black Mountain. These accounts will be set up to hold funds received as part of the Office of State Budget and Management (OSBM) Helene Local Government Capital grant program. Due to the requirements of the grant program to completely segregate the funds received from other Town funds, including any interest earned, the funds cannot be held in the Town's main account while grant related expenses are still being incurred. These four accounts will be hosted at NCCMT (NC Capital Management Trust) and will be named as follows:

- "OSBM – Public Safety (12395)"
- "OSBM – Cragmont Rd. (12392)"
- "OSBM – Veteran's Park (12393)"
- "OSBM – Golf Maintenance (12394)"

Council Member Larry Harris made a motion to approve the resolution to designate four bank accounts for the OSBM grant awards as official depositories for public funds as presented and recommended. A vote of 4-0 in favor. Council Member Lawrence Lytle was absent.

A RESOLUTION TO DESIGNATE FOUR BANK ACCOUNTS FOR THE OFFICE OF STATE BUDGET AND MANAGEMENT (OSBM) GRANTS AWARDS AS OFFICIAL DEPOSITORIES FOR PUBLIC FUNDS

RESOLUTION NO. # R-26-68

WHEREAS, the Town of Black Mountain has been awarded four grants from the Office of State Budget and Management (OSBM) North Carolina Helene Local Government Capital grant program; and

WHEREAS, these funds are intended to be used for specific recovery projects which are partially or entirely ineligible for funding through FEMA Public Assistance; and

WHEREAS, this grant program distributes funds prior to expenditures associated with the grant project scope; and

WHEREAS, OSBM requires these funds be held segregated from other Town funds, including interest earned, until eligible expenses are incurred; and

WHEREAS, Town staff have set up separate bank accounts from the Town's main account to hold these funds until expenses are made; and

WHEREAS, for financial reporting, the Town will be require to recognize these accounts as official depositories; and

WHEREAS, these accounts will be set up at NCCMT and be named the following, corresponding with the grant project itself, (1) "OSBM – Public Safety Building (12395)", (2) "OSBM – Cragmont Rd. (12392)", (3) "OSBM – Veteran's Park (12393)", and (4) "OSBM – Golf Maintenance (12394)"; and

WHEREAS, once received, these funds will be distributed to these accounts according to the project for which they are intended; and

WHEREAS, Capital Project Ordinances for these projects will subsequently be created or amended to reflect the procedure for withdrawing these funds to reimburse eligible grant expenses;

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

1. The Interim Town Manager, and/or a designee(s) thereof, is authorized to create these accounts and designate them as official depositories of public funds and execute and file any documents necessary to this end.
2. The Interim Town Manager, and/or a designee(s) thereof, is authorized to deposit funds from OSBM for these grant awards in their corresponding accounts.
3. The Town Council directs Town staff to bring amendments to existing Capital Project Ordinances and new Capital Project Ordinances for these four projects which reflect the procedure for reimbursing grant-related expenses once these accounts are created.

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ADOPTED this 10th day of September 2026.

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3.B. Grant Application for Golf Maintenance Building Debris Removal.

Matt Begley, Recovery & Capital Programs Director, presented this item stating that Town Council will consider a resolution to authorize the submission of a grant application to the North Carolina Department of Environmental Quality (NCDEQ) Helene Debris Recovery & Disposal grant program for the golf maintenance building. This funding is available to local governments to remove solid debris from Tropical Storm Helene. The current golf maintenance building cannot be repaired in its current location, and the Town has applied for funding to relocate the facility. The programs for which the Town has previously submitted applications do not cover costs to remove the remnants of the current facility. This funding, if received, would help cover the gap between the funding for which the Town has been awarded or has outstanding applications, and the total project costs to relocate to a new golf maintenance facility.

Town Council Member Ryan Stone made a motion to approve the resolution as presented. A vote of 4-0 in favor. Council Member Lawrence Lytle was absent.

A RESOLUTION AUTHORIZING TOWN STAFF TO SUBMIT AN APPLICATION FOR THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY (NC DEQ) HELENE DEBRIS RECOVERY & DISPOSAL (DRD) GRANT PROGRAM

RESOLUTION NO. # R-26-69

WHEREAS, Tropical Storm Helene caused extensive damage to the Town of Black Mountain Golf Maintenance Building; and

WHEREAS, this building was subsequently deemed unsafe due to the extent of the damage incurred; and

WHEREAS, this building cannot be restored in its current location and comply with modern codes and standards; and

WHEREAS, the Town has applied for funding to relocate a golf maintenance facility to higher ground to comply with NFIP standards; and

WHEREAS, the funding received by the Town does not cover demolition and removal of the remnants of the current structure; and

WHEREAS, the Town is eligible for the NC DEQ Helene Debris Recovery & Disposal grant program; and

WHEREAS, this program covers solid waste disaster debris clean-up and removal projects that are not covered by Federal Emergency Management Agency (FEMA) or other funding sources;

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

1. That the Town of Black Mountain is authorized to submit a formal application to the NC DEQ Helene Debris Recovery & Disposal grant program for removing the remnants of the current golf maintenance building.
2. That the Town Manager (or designee) is authorized to execute and file the application, including all assurances and agreements required, on behalf of the Town of Black Mountain.

This Resolution shall take effect immediately upon its adoption.

APPROVED this the 10th day of September 2026.

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3.C. Grant Contract Agreement with NC Commerce for the Sutton Ave. Stormwater Project.

Town Council will consider a resolution to approve the grant agreement with the North Carolina Department of Commerce for the Sutton Ave. Stormwater Project Phase I. Matt Begley explained that the Town Council considered a resolution authorizing execution of a $1 million NC Department of Commerce SmBIZ grant agreement for Phase I of the Sutton Avenue Stormwater Project. Council had previously approved the grant application on September 8, 2025, through Resolution R-25-53. The Town has been awarded this $1 million, and the project will improve stormwater infrastructure and resiliency in the low-lying downtown area north of the railroad tracks.

Town Council Member Alice Berry made a motion to approve the resolution as presented and recommended. A vote of 4-0 in favor. Council Member Lawrence Lytle was absent.

A RESOLUTION TO AUTHORIZE THE GRANT AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF COMMERCE FOR THE SUTTON AVE. STORMWATER PROJECT (PHASE I)

RESOLUTION NO. # R-26-70

WHEREAS, the Town Council authorized Town staff to apply for the NC Department of Commerce Small Business Infrastructure (SmBIZ) grant program for the Sutton Ave. Stormwater project (Phase I) through resolution R-25-53 approved on September 8, 2025; and

WHEREAS, the maximum grant award amount from the program is $1,000,000 per project; and

WHEREAS, the Town was awarded $1,000,000 through the NC Department of Commerce

SmBIZ grant program for the Sutton Ave. Stormwater Project (Phase I); and

WHEREAS, this project will improve stormwater infrastructure along Sutton Ave. and provide for a more resilient stormwater system for the low-lying downtown area on the North side of the railroad tracks; and

WHEREAS, the Town has received the grant contract from the NC Department of Commerce; and

WHEREAS, Town staff have reviewed the grant agreement and have included the agreement as an attachment for Council approval;

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

1. The Town Council of the Town of Black Mountain authorizes the Chief Elected Official of the Town of Black Mountain to execute the attached agreement with the NC Department of Commerce to fund the Sutton Ave. Stormwater Project (Phase I).
2. The Interim Town Manager, and/or a designee(s) thereof, is authorized to execute and file any other documents required to supplement this agreement with the NC Department of Commerce.

This Resolution shall take effect immediately upon its adoption.

ADOPTED this 10th day of September 2026.

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3.D. Resolution to Award the Sutton Ave. Stormwater Project to John R. McAdams Company, Inc. and Approval of a Capital Project Ordinance for the Sutton Ave. Stormwater Project.

Matt Begley, Recovery & Capital Programs Director, stated that the Town Council will consider a resolution to award the design and engineering of the Sutton Ave. Stormwater Project (Phase I) to the John R. McAdams Company, Inc. as they were considered the most qualified firm according to the scoring method used to evaluate the statements of qualifications. Council would consider approval of the Capital Project Ordinance for this stormwater project.

Council Member Ryan Stone made a motion to approve the following resolution. A vote of 4-0 in favor. Council Member Lawrence Lytle was absent.

A RESOLUTION TO AWARD THE SUTTON AVE. STORMWATER PROJECT (PHASE I) DESIGN AND ENGINEERING TO THE JOHN R. MCADAMS COMPANY, INC.

RESOLUTION NO. # R-26-71

WHEREAS, the Town has been awarded a $1,000,000 grant for the Sutton Ave. Stormwater Project (Phase I) from the North Carolina Department of Commerce Small Business Infrastructure (SmBIZ) grant program; and

WHEREAS, the Town Council of the Town of Black Mountain has authorized the grant agreement to fund the project; and

WHEREAS, the Town requested statements of qualification from firms who wished to be considered for the design and engineering of the project; and

WHEREAS, the John R. McAdams Company (hereinafter referred to as "McAdams") was considered the most qualified firm according to the scoring method used to evaluate the statements of qualification; and

WHEREAS, the Town has previously entered into a Master Services Agreement with McAdams for on-call engineering services and will, if awarded to McAdams, authorize work on this project on a task order basis;

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

1. The Interim Town Manager, and/or a designee(s) thereof, is authorized to enter into negotiations with McAdams for engineering and design services for the Sutton Ave. Stormwater project (Phase I) and the subsequent task order(s) and budget amendment(s) will be presented to Town Council at a later date.

ADOPTED this 10th day of September 2026.

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4. ADJOURNMENT.

With no further business to be discussed, Vice Mayor Pertiller adjourned the meeting at 5:37 pm.

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Archie Pertiller, Vice Mayor

Attest: _____
Wesley M. Barker, Town Clerk

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