

# BLACK MOUNTAIN NEWS

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## Board rejects new offer, clashes on water talks

by Dan Ward

The Black Mountain Town Board rejected a counter proposal from the McMahan's, heard that the town's collision insurance had been canceled, and held some political sparring on water negotiations at its regular meeting December 11.

The board rejected a counter proposal of \$25,000 from the attorney of Mr. and Mrs. J. E. McMahan for damage done to their home by a Black Mountain fire truck August 1.

On the recommendation of Ald. Mike Begley, the board rejected the proposal and set a 10-day time limit for the McMahan's to accept an earlier offer of \$22,500 by the board. The McMahan's had earlier asked \$29,611 for replacement of the home, valued at \$16,870. (See related story).

### Insurance

Town Manager Mack Kirkpatrick also told the board that alternatives may be worked out to obtain collision coverage for Black Mountain vehicles since it had been cancelled by Maryland Casualty. (See related article).

police cars can be covered, but with \$500 - \$1000 deductible, by the end of the week. Also, equipment such as walky-talkies and radios can also be insured, he said.

On the recommendation of insurance agents, all town employees will attend a driving improvement school on defensive driving, Kirkpatrick added.

### Water negotiations

A partisan fog rested on debate over whether additional members should be appointed to participate in negotiations on Chestnut Cove water rights with the City of Asheville.

Ald. Ruth Brandon noted that at the last meeting, the board approved having former Mayor Richard Stone join Begley and Ald. John Klutz in the negotiations because of his official and legal background.

Mrs. Brandon suggested that Water Superintendent Al White, Ald. A. F. Tyson, and former Mayor Margaret Slagle be appointed to the team, because of their involvement in water negotiations with Asheville in the past.

Begley and Mayor Tom Sobol said they felt that the

committee would be too large to be able to work with five persons from Asheville. Ald. Brandon countered that White, Tyson and Mrs. Slagle were passed over as the most obvious persons to represent the town.

The board agreed that Tyson and White would join the others as advisors, but that all would not meet with Asheville officials.

Mrs. Slagle said she would decline working on the committee to remove political innuendo from the discussion.

### New well

Kirkpatrick told the board that a second well drilled at the Black Mountain Golf Course may prove to be a failure. He said preliminary reports show the well will not produce as much water as hoped for. However, he said geologists have told him that if it produces as little as 25 gallons per minute, it would be worthwhile installing a pump.

Despite drilling delays, the town has moved from the acute water shortage it was in, Kirkpatrick said. The water level at the reservoir is down 9 feet 6 inches - up from 12 feet, he said.

### Special meeting

Sobol called a special meeting for December 28, at 7 p.m. to approve any local bill legislation the board would like to see passed by the General Assembly.

One of those items will be a bill to solve a controversy over whether property owned by the Dickenses and Lehman's is actually annexed to the town.

Sobol suggested that other business may be placed on the agenda for that evening.

### Cemetery

The board also approved, with Tyson opposed, to accept responsibility for removing brush and keeping grass mowed at the Old Black Mountain Cemetery.

Before proceeding with maintenance, the town will hold a public hearing.

Tyson opposed the action, saying the town should clean the grounds once, but require plot owners to maintain graves. Cost to the town of maintaining the cemetery was estimated at \$250 to \$300 per year by Kirkpatrick. No provision for perpetual care was made when the town sold plots at the turn of the cen-

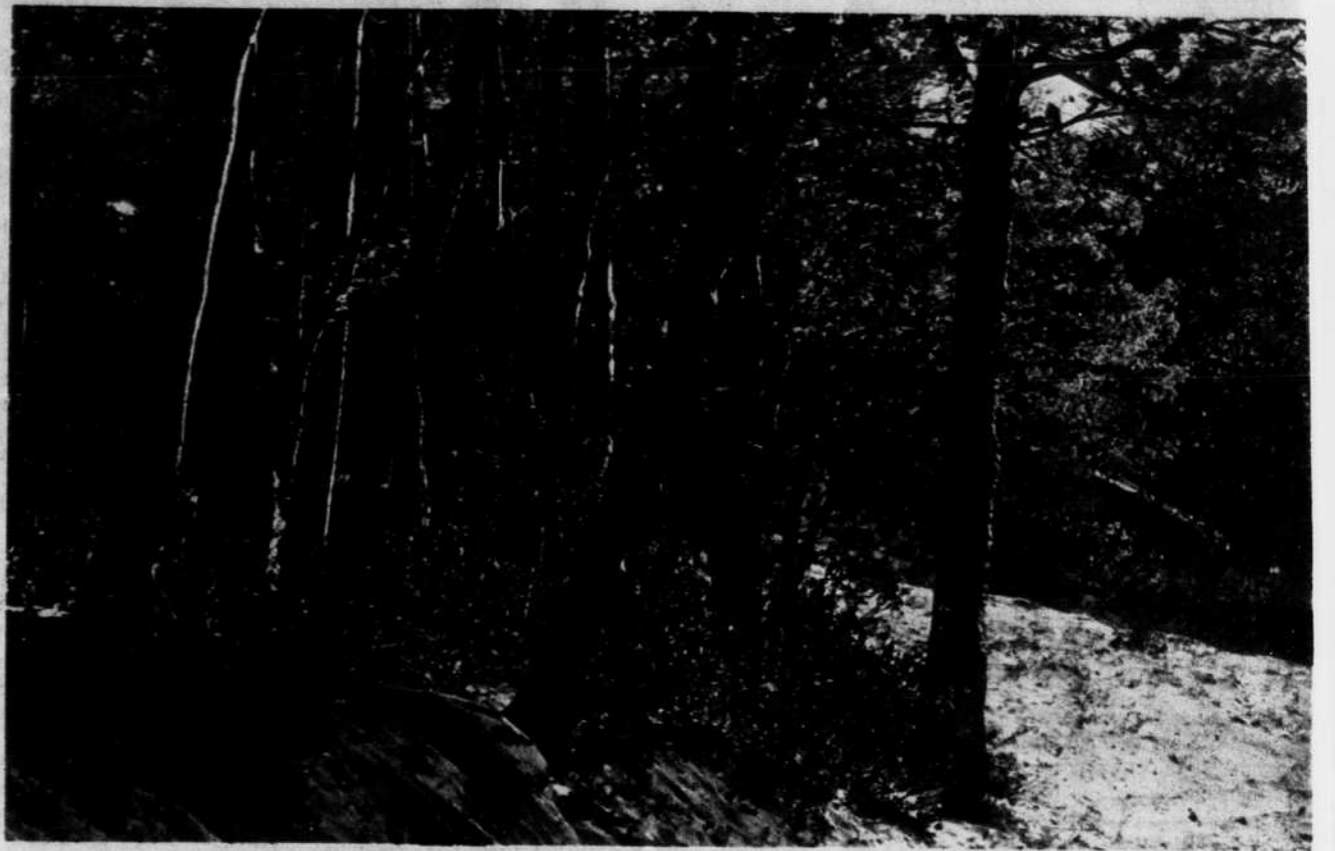
tury. However, a special committee appointed to study the problem with upkeep there found that many families of persons buried at the cemetery could not be found.

### Dispatcher grant

The board voted to accept an alternative to decreased three-year funding for the LEAA grant for police dispatchers.

A provision requiring the town to pay only \$1524 for the second year was adopted. Should the town want the dispatchers a third year, it would have to pay the entire cost, estimated at \$30,487.

(Con't. on page 10)



The time between fall and winter lingers in expectation. (Mountain Living Magazine)

## Town collision insurance cut

by Dan Ward

Bids from insurance companies across the state are expected within two weeks to replace collision insurance denied Black Mountain by its previous insurer, Maryland Casualty, according to Town Manager Mack Kirkpatrick.

Kirkpatrick was notified a month ago that Maryland Casualty would continue to carry liability insurance for town vehicles, but would drop collision on December 11.

Although the company gave no reason for the cancellation, it was apparently motivated

by the current rash of accidents involving town vehicles, Kirkpatrick said. Within the last six months, four police cars, a street department pickup truck and two fire engines have been in accidents - some total losses.

Kirkpatrick said the can-

cellation does not affect liability coverage, which stands at \$50,000 per accident bodily injury, \$100,000 total bodily injury and \$10,000 property damage. Nor does it include collision coverage on the new fire truck or the fire department ambulance, Kirkpatrick said.

Kirkpatrick said he is now trying, through the Asheville Insurance Exchange, to obtain bids from other insurance companies for collision coverage. He said one possibility being investigated is obtaining insurance from more than one company, possibly to supplement a new policy with Maryland Casualty. He added that he had been planning to obtain bids when the policy originally was to run out in June, anyhow.

The town had been paying \$5000 per year for both collision and liability vehicle insurance prior to the cancellation.

"Where I see the problem is not so much in what premiums we'll have to pay, but in how much is deductible," Kirkpatrick said. As an example, he said that the new fire truck is on a \$2500 deductible policy.

To lower insurance costs and make the town a lesser risk, he said that some town vehicles will have to be removed from any collision policy the town may get. He noted that some are so old, that two years' premium have cost more than the value of the vehicles.

"The gamble we're taking is in not insuring these lower value vehicles," he said. Those vehicles would still be covered for liability, he noted.

Kirkpatrick noted that the last three years have been exceptionally bad for wrecked town vehicles. Only four accidents involving Black Mountain fire trucks have occurred in the last 14 years - two of those since August, he noted.

## Cragmont water, drainage seen as grant priorities

by Dan Ward

Seventeen committees told a special committee holding hearings for a new Depart-

ment of Housing and Urban Development Community Development Grant application that new water lines

and fire hydrants were still a priority for the Cragmont Community on December 7. In addition, five of those

persons said that better drainage is also needed in the area, where rainwater often creates streams in gravel roads and ponds in residents' yards.

All but two who spoke said that an earlier application for up to \$500,000 worth of 10-inch water lines and fire hydrants should be duplicated - with possibly an amendment to provide for more efficient drainage.

A few persons also repeated an earlier complaint for the benefit of town officials present about a number of ponies kept at a residence on West College Street. One said that although Black Mountain Police had approached the owner, the ponies remain.

Some complained that they no longer open windows or sit outside because of the smell.

Other recommendations came from Corine Carson, who suggested some gravel streets be blacktopped; Margaret Slagle, who asked for water lines in the Kerlee Heights area and Robert Lee Stepp, who asked for street improvements.

Creola Austin asked that citizens be given the op-

portunity to see the final grant application. Some were apparently surprised to find that an earlier proposal asked for funds to demolish six condemned buildings. Becky Williams, grants coordinator for the Land of Sky Regional Council, said that citizens will definitely have a chance to hear all of the final proposed projects.

Ms. Williams told those present that the town now

stands a much better chance of getting a grant, but also noted that larger cities are traditionally in much better positions to get grants. She said the turnout at the hearing was better than at seven she had attended elsewhere in Western North Carolina so far.

If a grant is awarded to Black Mountain, construction may begin as soon as early summer, she said.

The second and final hearing for this grant application will be January 4 at 7 p.m. at Town Hall.

In attendance beside citizens Ms. Williams, and the press were special committee members Jean Standley, Bill Hickey, William Hamilton and Ruth Smith. From the town board were Mayor Tom Sobol and Ald. Ruth Brandon. Town Manager Mack Kirkpatrick was also present.

### Carl Bartlett

by Dan Ward

When Dr. Bob Dickey took the helm of the Chamber of Commerce a year ago, he foresaw "dynamic change" as being the key to transforming Black Mountain and Swannanoa from pit-stops for weary travelers into self-sustaining, thriving business communities.

Although the chamber brought about a number of changes to adapt to the I-40 bypass, and has promoted the Valley - primarily through the Sourwood Festival - better than ever before, the attitude in favor of dynamic change seems to many to still be lacking. Dickey appeared to be weary as he passed the presidency on to Carl Bartlett last week.

Bartlett realizes he has energetic shoes to fill, and that this is a crucial time in the business life of the valley.

"In a doer," he said. "If something needs to be done, I'll just do it. I don't always do it right, but I can't. I don't always do it right, but I can't stand just talking about what needs to be done."

The main thing that needs doing, he said, is getting the community involved in town growth, he said. To do that, he said, he intends to see that the Board of Directors for the chamber, who act as various committee chairmen, will

have to demonstrate an active role in getting input and getting things done. Each will be expected report what has been done to the other directors regularly, Bartlett said.

"The Board of Directors are just a steering committee to get the people of the community organized and get things done. I want to see the directors better organized to do their duty," he said.

"I want to see the committees become very active. You hear, 'What is the chamber doing for me?' When this year is up, I'm hoping people won't have to ask that question."

"Now's the time to tell the chamber 'hey, this is what I want out of the chamber this year. I hope to appoint a downtown committee with representatives from Cherry Street and the other streets downtown. What do they stress for this year? What do they want the chamber to do for their businesses?'"

Bartlett said that the sort of renovation done on Cherry Street by business persons there is indicative of the direction growth must go in the valley.

"We are a bedroom community - that's all we will ever be. This will never be known as an industrial area."

"We haven't had much demand for buildings

downtown in the past. Now we have. This is a business community - a shopping area. We need to have more shops here," he said.

Outside of business growth, Bartlett said he has other goals to work for.

"One thing that a lot of people expressed interest in is

an airstrip, and the chamber plans to appoint a committee to get real involved in that direction. I know some federal funds are available for that."

Another is to work to increase neighborhood pride. "Neighborhood pride will make the valley look better," he said.

Another is to draw retired persons into chamber planning. "There's a vast resource here in the retired people. There are retired executives from throughout the United States. We are receptive to whatever ideas they have."

As a former member of the Sourwood Days Planning Committee, Bartlett also hopes to make the event this year "even bigger and better." Some possible additions to festivities may be an additional race for marathon runners, expansion of the horseshoe tourney, a horse show and more events involving Swannanoa. He is also working on the possibility of arranging a country music concert on that weekend.

The main thing, Bartlett said, is to get everybody pulling in the same direction, as was done when the medical center drive was begun.

"I would really like to see political differences cast aside so we can just work together for the betterment of the community," he said.



Theodore Douglas tells a special HUD grant committee that drainage problems need to be corrected in Cragmont. (Dan Ward)

## Survey response varied

by Dan Ward

Results of a survey by the News to get citizen response to negotiations between the Town of Black Mountain and the J. E. McMahan's, whose home was destroyed by a Black Mountain fire truck August 1, may give town board members no better idea of how the voters feel than before.

The survey, which ran for two weeks, drew 21 responses from persons claiming to be Black Mountain taxpayers. In addition, two persons who said they lived outside the city responded. Those two letters appear on page two.

Suggested settlement figures offered ranged from

nothing above \$10,000 paid by the town's liability insurance to \$50,000 - some \$21,000 more than the McMahan's requested.

The average suggested settlement figure is \$28,838, less than the figure the McMahan's son, John, gave as the cost of replacing the house - \$28,116. Six responses ranged from that figure to \$29,661, the amount asked by the McMahan's.

Only one respondent gave \$22,500 - the amount offered to date by the town board - as the best settlement figure. Four gave \$16,870 - the assessed valuation of the former house - as the best offer, while two suggested the

town pay nothing beyond its liability coverage of \$10,000.

The latest submissions into the News office included three suggesting the settlement be \$35,000, one for \$30,000, and another at \$50,000 - the latter citing "mental agony of the old folks" as warranting payment above the amount requested.

Other submissions were one each for \$19,000; \$20,000; and \$20,800.

Those suggesting the fair market value of the older house or less cited legal responsibility of the town and common settlement practices as reasons for their figures. Two said the McMahan's should have had homeowners

insurance, one suggested their heirs are trying to make money from the accident, and one - point by point - disputed replacement costs submitted by John McMahan.

Those supporting the replacement cost or more said the town has a moral responsibility to the couple, and in this case may owe them more because the couple is elderly and suffered excessive grief because of the loss of their home, and temporary housing in an "inadequate trailer."

Responses to the survey, some signed and some not, are available at the News for public inspection.