



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, June 22, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/89160650474>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, June 22, 2020, at 7:00 p.m. as an electronic video meeting via Zoom Meeting.

Councilmembers remotely present were: Mayor Al Root, Vice Mayor Doug Jackson, and Councilmembers Andrew Nagle, Dottie Sherrill, Jeffrey McKenna and Patrick Fitzsimmons.

Staff remotely present was: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director James Eller, Finance Officer Tonya Dozier, Police Chief Ron Davis, Fire Chief Ted Williams, Public Works Director Dale Pennell, and Water Treatment Supervisor Trent Duncan.

1. Call to Order

Mayor Al Root called the meeting to order at 7:00 p.m.

2. Approval/Adjustments to the Agenda

Councilmember Fitzsimmons made a motion to approve the agenda as presented. Councilmember McKenna seconded and in a roll call vote all voted in favor of the motion. Motion passed 5-0.

3. Approval of Minutes

Councilmember Sherrill made the motion to approve the minutes from the May 12 Town Council Workshop; May 18 Town Council Public Hearing; May 18 Town Council regular meeting; May 20 Town Council recessed meeting; and June 9 Town Council workshop. Councilmember McKenna seconded the motion and in a roll call vote all voted in favor of the approval of the minutes. Motion passed 5-0.

4. General Public Comment

On a temporary basis due to the COVID-19 public health emergency, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted (1) by **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) by **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. The following comments were timely received and read:

Comment 1: Bill Neeriemer of 63 Brown Street asked the town to review the use of force policy applicable to the Police Department.

Comment 2: Michele Wood of 50 North College Street asked the town to ensure that the speed limit on Church Street be observed.

5. Consent Agenda

Councilmember Fitzsimmons moved for the approval of the Consent Agenda. Councilmember McKenna seconded the motion and in a roll call vote all voted to approve all action requested in the Consent Agenda listed below. Motion passed 5-0.

A. Monthly Tax Report – Information Only

B. Appointment of Interim Tax Collector – Adoption of resolution appointing Jennifer Jackson as Interim Tax Collector.

C. Budget Amendment: Police Department, Cops for Kids – Budget amendment approving \$175 from lost and found to Cops for Kids program.

D. Temporary Suspension of Town Fishing License Requirement – Adoption of ordinance temporarily suspending Section 18-37(b) and (c) of the Code of Ordinances concerning Town fishing licenses.

6. Town Manager's Report

Town Manager Coffey presented her Manager's report to Council including an update on the July Summer Series event cancellation; completed and upcoming citizens academy sessions; the appointment of an interim Town Clerk; an update on the progress of the Bike-Ped application; a quarterly report on the strategic plan; a reminder of the upcoming joint meeting with the Planning and Zoning Board; and a second grant for recycling carts.

Manager Coffey, Police Chief Davis, Lieutenant Oberlin and Public Works Director Pennell addressed ongoing efforts to mitigate on-street parking problems in the vicinity of Central Avenue.

7. Discussion and Action Items

A. Community Center Project Change Order & Budget Amendment

Public Works Director Pennell reviewed proposed change order #1 in the amount of \$6,585.24 with Town Council. This change order is related to a grease trap required by MSD and the removal of an unexpected area of rock. The project architect, Public Works Director and Town Manager have reviewed the proposed change order and Manager Coffey recommends approval.

Vice-Mayor Jackson moved to approve change order #1 for the Community Center project and the related budget amendment. Councilmember McKenna seconded the motion and in a roll call vote all voted to approve the change order. Motion passed 5-0.

B. ADA Transition Plan

Town Attorney Jackson reviewed the proposed ADA Transition Plan with Town Council as prepared by the engineering firm of WithersRavenel. The plan reviews each of the town's facilities including buildings, parks, parking lots and sidewalks along public streets, identifies ADA barriers, and outlines a five year transition plan to gain compliance with the ADA. Keith Pugh of WithersRavenel also spoke to Council regarding the plan.

Councilmember McKenna moved to adopt the plan as presented. Councilmember Fitzsimmons seconded the motion and in a roll call vote all voted to approve the ADA Transition Plan. Motion passed 5-0.

C. Approval of Recycling Contract

Manager Coffey reviewed the proposed recycling contract between the Town and Curbside Management including a proposed rate increase to \$3.00 per household per month up from the current rate of \$2.78 beginning in July 2020 and an increase to \$3.15 plus annual adjustment based on the consumer price index beginning in July 2021. Curbside Management has been collecting recycling within the town for approximately 18 years. The contract is proposed as a five year service contract.

Councilmember Fitzsimmons moved to authorize the Town Manager to finalize and execute a recycling contract with Curbside Management. Councilmember Nagle seconded the motion and in a roll call vote all voted to approve the authorization. Motion passed 5-0.

D. County Tax Collections Agreement

Manager Coffey has been exploring additional possibilities related to property tax collections. One of these options is an interlocal agreement with Buncombe County to provide tax collection for the town for a fee of 2% of all property taxes collected. Finance Officer Dozier estimates this cost to the town for collection at \$62,000, which she believes is the approximate cost of the Town's tax collection services. Manager Coffey and Finance Officer Dozier are recommending approval of the interlocal agreement with Buncombe County for tax collection services.

Several members of Council raised questions for staff related to the cost of collection for contracting with the County versus the cost of replacing an employee to fulfill the responsibility of tax collection.

Vice Mayor Jackson moved to adopt the resolution approving the Interlocal Agreement for tax collection and appointment of the Buncombe County Tax Collector as the tax collector for the Town. Councilmember Sherrill seconded the motion and in a roll call vote Vice Mayor Jackson, Councilmember Sherrill and Councilmember Fitzsimmons voted in favor of the motion. Councilmember McKenna and Councilmember Nagle cast dissenting votes on the motion. Motion passed 3-2.

E. Adoption of FY 2020-2021 Budget Ordinance

Town Council held a public hearing on the fiscal year 2020-2021 budget on June 9 and had a period open for submission of public comments. No comment was received by the public on the budget. The budget ordinance and fee schedule proposed for adoption reflected the revisions requested by Town Council during the budget process.

Councilmember Sherrill moved to adopt the 2020-2021 budget ordinance and fee schedule. Vice Mayor Jackson seconded the motion and in a roll call vote all voted to approve the change order. Motion passed 5-0.

F. Quarterly Report: Public Works & Water

Public Works Director Pennell presented Town Council with the quarterly report for public works and water.

8. Adjournment

Councilmember Fitzsimmons made the motion to adjourn the meeting. Councilmember Nagle seconded and in a roll call vote all voted to adjourn the Council's meeting at 8:57 p.m. Motion passed 4-1 with Councilmember Nagle voting nay.



James Eller, Interim Town Clerk

TOWN OF WEAVERVILLE
ORDINANCE TEMPORARILY SUSPENDING SECTION 18-37(b) AND (c) OF THE
WEAVERVILLE TOWN CODE CONCERNING TOWN FISHING LICENSES

WHEREAS, the Town wishes to take some affirmative action to decrease the risk of spread of COVID-19 in order to keep the public and staff as healthy as possible during the COVID-19 public health emergency;

WHEREAS, Section 18-37(b) of the Weaverville Town Code requires the issuance of a Town fishing license for fishing at Lake Louise and Section 18-39(c) indicates that a fee must be paid and the permit obtained at Town Hall;

WHEREAS, due to the COVID-19 pandemic Town Council has determined that the benefit of requiring a Town fishing license does not out weight the risk to the health and safety of the public and Town staff during the in-person issuance of the Town fishing license;

NOW, THEREFORE, BE IT ORDAINED by Town Council of the Town of Weaverville, North Carolina, as follows:

1. For the period from July 1, 2020 through June 30, 2021, subsections (b) and (c) of Section 18-37 of the Weaverville Town Code of Ordinances are hereby suspended.
2. This ordinance shall be effective immediately and shall automatically expire on June 30, 2021, at 11:59 pm.

ADOPTED THIS the 22nd day of June, 2020, by a vote of 5 in favor and 0 against.



ALLAN P. ROOT, Mayor

ATTESTED BY:



JAMES ELLER, Interim Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney



**TOWN OF WEAVERVILLE
RESOLUTION APPROVING INTERLOCAL AGREEMENT FOR TAX
COLLECTION AND APPOINTMENT OF TAX COLLECTOR**

WHEREAS, NCGS § 105-349 requires the governing body of each municipality to appoint a tax collector to serve for a term to be determined by the appointing body and until his or her successor has been appointed and qualified; and

WHEREAS, Article 20 of Chapter 160A of the North Carolina General Statutes allows the Town and Buncombe County to jointly exercise any function that they have been granted to exercise alone and to enter into contracts or agreements to specify the details of these joint undertakings;

WHEREAS, the Town and Buncombe County wish to enter into the interlocal agreement for the collection of the Town's property taxes that is attached hereto;

NOW, THEREFORE BE IT RESOLVED, that the Weaverville Town Council hereby (1) approves the attached Agreement and authorizes the Town Manager and Finance Director to execute it on behalf of the Town, and (2) appoints the Buncombe County Tax Collector as the Tax Collector of the Town of Weaverville effective July 1, 2020 and beginning with FY 2020-2021.

ADOPTED this the 22nd day of June, 2020.



ALLAN P. ROOT, Mayor



JAMES ELLER, Interim Town Clerk



NORTH CAROLINA

BUNCOMBE COUNTY

THIS AGREEMENT, made and entered into this ____ day of June, 2020, by and between the COUNTY OF BUNCOMBE, a political subdivision of the State of North Carolina, (hereinafter sometimes referred to as "County") and the TOWN OF WEAVERVILLE, a municipal corporation organized and existing under the laws of the State of North Carolina (hereinafter sometimes referred to as "Town");

WITNESSETH:

WHEREAS, the County and the Town have power pursuant to General Statutes 153A-445 and Article 20 of Chapter 160A of the North Carolina General Statutes to jointly exercise any function which they have been granted the power to exercise alone and to enter into contracts or agreements to specify the details of these joint undertakings; and

WHEREAS, the parties feel that it would be to their mutual advantage as well as the advantage of all citizens of the County and Town for the County to bill and collect both the County and Town taxes upon the terms and conditions hereinafter set out.

NOW, THEREFORE, in consideration of the mutual covenants of the parties hereto and for the purposes aforesaid, it is hereby agreed between the County and Town as follows:

1. This agreement shall cover the collection of taxes for a Three (3) year period beginning July 1, 2020 and ending June 30, 2023.
2. Unless sooner terminated as herein provided, the parties hereto may extend this Agreement for successive terms of three (3) years each provided such extensions are agreed to between the parties in writing.
3. That during the term of this agreement Buncombe County will bill and collect for the Town its real estate, business personal, personal property taxes, including the Town's fee charged for motor vehicles licensed within the Town, any taxes related to motor vehicles, and, subject to the provisions set forth below, any lien for special assessments made and confirmed by the Town (collectively "Town taxes"); provided, however, the parties hereto understand that the County must comply with applicable limitations on use of remedies as same are prescribed in GS §105-378.
4. That should the Town make any special assessments as authorized by Ch. 160A of the General Statutes then the Town shall make the following accommodations for County's collection of such special assessments:
 - a. Town shall provide County with at least 90 days advance notice of the date the Town anticipates that it will confirm any assessment roll;

- b. County shall be entitled to charge a one-time setup fee of \$7,500 in preparation for billing and collecting of the liens on each lot, parcel, or tract assessed;
 - c. County shall be entitled to charge a recurring annual fee of \$18.50 per bill on each lot, parcel, or tract assessed for the term of the assessment or until each such lien is paid in full whichever occurs first;
 - d. Town will be responsible for development of a special assessment file in the agreed-upon file format (included as Appendix to this Agreement). Town shall be responsible for the accuracy and integrity of the data provided in the file; and
 - e. Town will provide staff resources for data validation, testing, and other activities required during the setup phase.
5. That for its services in billing and collecting Town taxes, beginning with the Fiscal Year 2021, the Town will pay the County 2% of all amounts collected on behalf of the Town beginning July 1, 2020.
6. That in addition to the foregoing fee, the Town agrees to pay the County the actual additional cost the County may incur as a result of future annexation by the Town; said additional cost, if any, shall be separately listed and itemized.
7. That in addition to the foregoing fee, the Town agrees to pay its pro rata share of any professional expenses which the County may incur in collection of Town and County taxes (e.g., attorney fees, appraisal expenses, auditing expenses, etc.). The expenses herein contemplated are those which would be incurred to collect taxes requiring the use of professional help not available on the County Tax Collector's staff. Buncombe County will exercise restraint in expenditures to collect tax bills for which the amount of tax to be collected is small and the likelihood of collecting is poor. The Town is aware that the County may decide to employ one or more outside agencies (such as collection agencies) to locate missing taxpayers for either a fixed fee or for a percentage of the taxes collected. The Town consents to such arrangement.
8. That the portion of tax collections to which the Town is entitled shall be paid to the Town by electronic transfer into the Town's North Carolina Capital Management Trust Account (herein "NCCMT") by monthly electronic transfer on Mondays for the preceding week's receipts. Further, should any payment not be received within the time frame specified in this paragraph, the Town shall be entitled to receive interest lost for late payments into the Town's NCCMT from the County calculated as to the date and rate they would have received from the Town's NCCMT. It is agreed that upon request in writing by the County Finance Director, the Town Finance Director shall have the ability to waive the lost interest from late payments if the County has a reasonable explanation for the late payment. The waiver of the Town Finance Director shall not be unreasonably withheld.
9. That the Town agrees to adopt any County discount rate that may be afforded to citizens who pay their taxes early. It is understood the Town agrees to adopt a resolution to forgo collection of ad valorem tax bills that do not exceed five dollars

(\$5.00) pursuant to G.S. 105-321(f). It is also understood the Town agrees to adopt a resolution regarding small overpayments and underpayments of one dollar or less (\$1.00) pursuant to G.S. 105-357(c).

10. That the Buncombe County Tax Collector shall maintain records showing the amount of taxes assessed and collected for the County separate and apart from the amount of taxes assessed and collected for the Town and other taxing units.
11. That insofar as practical and permitted by law, all steps in the collection of County and Town taxes shall be combined to the end that the consolidation of the two tax collecting departments shall be given the full scope authorized by law, and in this connection, the Town delegates to the County its authority to collect, compromise and settle disputed tax claims.
12. That only one bill shall be mailed to the taxpayer owing taxes to both of the taxing units, except for any motor vehicle tax, which is separately billed. In the event of a partial payment on such consolidated tax bill, the amount of such payment shall be proportionately credited against taxes due each unit.
13. The tax records relating to taxes due to the Town shall be available to the Town, its agents and employees at all reasonable times.
14. That the Buncombe County Tax Collector shall have full power and authority to collect taxes due the Town by any legal means and to perform any and all other duties imposed by law upon the Town Tax Collector with respect to Town taxes.
15. That with respect to delinquent tax items due both the County and Town, the Buncombe County Tax Collector may cause actions to be brought for foreclosure of said tax liens in the name of the County, or both the Town and the County. If taxes are delinquent to one of the taxing units and not to the other, tax collection measures may be brought in the name of the unit to which the taxes are due.
16. That penalties and interest collected from a taxpayer and discounts allowed to a taxpayer shall be properly apportioned between the County and the Town where the same taxpayer makes payments on property taxable by both units.
17. That the County shall make available to the Town analysis of each year's levy when it is compiled. The analysis may include billing scrolls by name, by parcel identification number and by tax value, Top 10 (ten) delinquent taxpayers list, TR-2 value report, Motor Vehicle reports, etc.
18. That either party may terminate this Agreement effective at the end of the then current fiscal year by giving the other party written notice of termination of agreement on or before January 31 of any tax year covered by this Agreement.
19. Amendments to this agreement shall be effective only when reduced to writing and adopted in the same manner as this Agreement is required to be adopted.

20. This Agreement may be executed in several counterparts, including separate counterparts. Each shall be an original, but all of them together constitute the same instrument.

[Signature Pages Follows]

**SIGNATURE PAGE 1 OF 2 TO AGREEMENT BETWEEN
BUNCOMBE COUNTY AND TOWN OF WEAVERVILLE**

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their corporate names by their duly authorized officers, all by authority of their governing bodies of each of their taxing units duly adopted, this the day and year first above written.

BUNCOMBE COUNTY

By: _____
Brownie Newman, Chairman
Board of County Commissioners

ATTEST:

Lamar Joyner, Clerk to the Board

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, _____, Notary Public for said County and State, has personal knowledge of the identity of Lamar Joyner, and hereby certifies that said Lamar Joyner, Clerk to the Board, personally appeared before me this day and acknowledged that he is Clerk to the Board of Commissioners of County of Buncombe and that Brownie Newman is the Chairman of the Board of Commissioners of Buncombe County, and that by authority duly given and as the act of the County of Buncombe, the foregoing instrument was signed in its name by said Chairman, sealed with its official seal, and voluntarily attested to by himself as its Clerk as the act and deed of the County of Buncombe, all by authority duly given by its governing body.

Witness my hand and notarial seal, this the ___ day of _____, 2020.

Notary Public

My commission expires

**SIGNATURE PAGE 1 OF 2 TO AGREEMENT BETWEEN
BUNCOMBE COUNTY AND TOWN OF WEAVERVILLE**

TOWN OF WEAVERVILLE

BY:

Selena Coffey, Town Manager
Town of Weaverville

ATTEST:

NAME
Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, _____, a Notary Public in and for the aforesaid County and State, do hereby certify that James Eller, Town Clerk, personally came before me this day and duly acknowledged that she is the duly appointed Town Clerk of the Town of Weaverville, and that Selena Coffey is the Town Manager of the Town of Weaverville, and that by authority duly given and as the act of the Town of Weaverville, the foregoing instrument was signed in its name by said Mayor, sealed with its official seal, and voluntarily attested to by herself as its Clerk as the act and deed of the Town of Weaverville, all by authority duly given by its governing body

WITNESS my hand and Notarial Seal, this the ____ day of _____, 2020.

Notary Public

My Commission Expires:

This instrument has been preaudited
in the manner required by The Local
Government Budget and Fiscal Control Act

Name: Tonya Dozier
Finance Officer, Town of Weaverville

**FY 2020-2021 BUDGET ORDINANCE
TOWN OF WEAVERVILLE, NORTH CAROLINA**

WHEREAS, N.C.G.S §159-8 requires that the Town of Weaverville appoint a Budget Officer to serve at the will of the governing body and Town Council has and hereby appoints the Town Manager to serve in such capacity; and

WHEREAS, in accordance with N.C.G.S. §159-10, departmental budget requests were submitted to the Budget Officer by March 6, 2020, and in accordance with N.C.G.S. §159-11, the Budget Officer submitted the budget message to the Mayor and Town Council on May 12, 2020, which included the tax rate calculated as thirty-eight cents (\$0.38) per \$100 in valuation per the Buncombe County Tax Department's assessments; and

WHEREAS, in accordance with N.C.G.S. §159-12(a), the Budget Officer filed the proposed budget with the Town Clerk on May 12, 2020 and posted the same on the Town's website, and the Town Clerk caused a statement indicating that the proposed budget had been submitted to the governing body and was available for public inspection and that a public hearing on the budget was scheduled for June 9, 2020; and

WHEREAS, Town Council, in accordance with N.C.G.S. §159-12(b) and after proper notice under N.C.G.S. §159-12(a), held a public hearing on the proposed budget on June 9, 2020, providing the public with an opportunity to attend and provide comment; and

WHEREAS, Town Council has carefully considered the anticipated revenues and expenditures necessary to provide for the provision of municipal services within the Town of Weaverville during the 2020-2021 fiscal year and wishes to adopt this Budget Ordinance which reflects a balanced budget in accordance with N.C.G.S. §159-8 with the sum of estimated net revenues and appropriated fund balances equal to appropriations;

BE IT, THEREFORE, ORDAINED by the Town Council for the Town of Weaverville, North Carolina:

Section 1. General Fund Revenues

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

GENERAL FUND

REVENUES

Prior Year Taxes	\$4,000
Ad Valorem Taxes	\$3,299,048
DMV Tax Revenue	\$201,262
Tax Penalties & Interest	\$4,000
Utility Tax Revenue	\$467,500
Beer & Wine Excise Tax	\$17,000

Powell Bill Funds	\$100,000
Local Government Sales Tax Revenue	\$1,116,800
Fire Protection Contract Revenue	\$1,548,864
ABC – Distribution to Town	\$150,000
Cell Tower Revenue	\$16,000
Miscellaneous Revenue	\$35,000
Interest Income	\$12,100
Powell Bill Interest Income	\$500
Planning & Zoning Fees	\$20,000
Fire Inspection Fees	\$500
Sale of Surplus Property	\$10,000
Appropriated Fund Balance	\$238,220
	\$7,240,794
TOTAL ESTIMATED GENERAL FUND REVENUES	\$7,240,794

Section 2. General Fund Appropriations

The following amounts are hereby appropriated in the General Fund for the operation of the Town government and its activities for the fiscal year beginning July 1, 2020 and ending June 30, 2021, in accordance with the departmental units heretofore established for the Town:

APPROPRIATIONS

Governance	\$265,024
Administration	\$629,587
Planning Department	\$118,564
Police Department	\$1,984,143
Fire Department	\$2,506,566
Public Works:	
Streets Division	\$443,256
Powell Bill Division	\$100,000
Sanitation Division	\$702,518
Recreation Division	\$296,791
Contingency	\$20,000
Debt Service	\$174,346
	\$7,240,794
TOTAL GENERAL FUND APPROPRIATIONS	\$7,240,794

Section 3. Water Fund Revenues

It is estimated that the following revenues will be available in the Water Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

WATER FUND

REVENUES

Water Revenue	\$2,070,000
Miscellaneous Revenue	\$15,000
Water Tap Revenue	\$26,250
System Development Fees	\$147,000
Fees for MSD Collections	\$60,000
Interest Earned	\$5,500

TOTAL ESTIMATED WATER FUND REVENUES	\$2,323,750
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Section 4. Water Fund Appropriations

The following amounts are hereby appropriated in the Water Fund for the operation of the Town's water system for the fiscal year beginning July 1, 2020 and ending June 30, 2021, in accordance with the departmental divisions heretofore established for the Town:

WATER FUND

APPROPRIATIONS:

Water Administration	\$273,277
Water Production	\$817,297
Water Maintenance	\$729,566
Contingency	\$15,000
Reserve for Bond Payments	\$203,616
Transfer to Capital Reserve Fund	\$284,994

TOTAL WATER FUND APPROPRIATIONS	\$2,323,750
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Section 5. Capital Reserve Funds

Capital Reserve Fund – Water Fund

A Capital Reserve Fund for the Water Fund was established by resolution and adopted on June 18, 2018,

effective July 1, 2018. The fiscal year beginning July 1, 2020 and ending June 30, 2021 includes the following:

Transfer from the Water Fund to Capital Reserve Fund for future expansion of the Water Treatment Plant: \$284,994

Section 6. Capital Project Funds

A Capital Project Fund for the Waterline Extension Project was established by ordinance and adopted on February 25, 2019. The total cost of the project is estimated at \$2,970,600 and has a USDA loan approved. Of this amount, \$493,218 in expenditures has been paid as of June 30, 2020. For the fiscal year beginning July 1, 2020 and ending June 30, 2021, it is estimated that an additional \$1,975,000 will be spent on the project.

A Capital Project Fund for the new Community Center was established by ordinance and adopted on January 27, 2020. The total cost of the project is estimated at \$3,344,040 and will be funded by General Fund Balance. Of this amount, \$425,454 in expenditures has been paid as of June 30, 2020. For the fiscal year beginning July 1, 2020 and ending June 30, 2021, it is estimated that an additional \$2,781,600 will be spent on the project.

Section 7. Ad Valorem Taxes

An *ad valorem* tax rate of thirty-eight cents (\$0.38) per one hundred dollars (\$100.00) valuation of taxable property, as listed for taxes as of January 1, 2020 is hereby levied and established as the official tax rate for the Town of Weaverville for fiscal year beginning July 1, 2020 and ending June 30, 2021. This tax rate is based upon a total projected valuation of \$876,939,961 and an estimated collection rate of 99.0%.

Section 8. Fee and Rate Schedule

There is hereby adopted an official Fee Schedule (including Water Rates) listing monies receivable by the Town of Weaverville as referenced in Sections 1 and 3 of this Budget Ordinance. The Fee Schedule is incorporated as an addendum to this Budget Ordinance.

Section 9. Authorizations & Conditions

The Town Manager, serving also as Budget Officer for the Town of Weaverville, is hereby authorized to transfer appropriations as contained herein under the following conditions:

A. This Budget Ordinance defines departments and divisions as follows:

General Fund Departments:	Divisions:
Governance & Legal Administration Planning Department Police Department Fire Department Public Works:	<ul style="list-style-type: none">• Streets Division• Powell Bill Division• Sanitation Division• Recreation Maintenance Division
Water Fund Departments:	Divisions:
Water	<ul style="list-style-type: none">• Water Administration• Water Production• Water Maintenance

- B. The Budget Officer or his/her designee is hereby authorized to distribute departmental funds based upon the line item budgets and make expenditures therefrom, in accordance with the Local Government Budget and Fiscal Control Act.
- C. The Budget Officer or his/her designee may authorize transfers between line items, expenditures and revenues, within a department or division without limitation and without a report being required.
- D. The Budget Officer or his/her designee may transfer amounts up to 5%, but not to exceed \$10,000 monthly, between departments, including contingency appropriations, but only within the same fund. The Budget Officer must make an official report on such transfers at a subsequent regular meeting of Town Council.
- E. The Budget Officer or his/her designee may not transfer any amounts between funds, except as approved by Town Council, as a budget amendment.

Section 10. Contingency Concerning Fire Tax Rate

The North Buncombe Fire Tax Rate used in this Budget Ordinance is twelve cents (\$0.12) per \$100.00 in valuation. Should Buncombe County set the fire tax rate applicable within the Town's jurisdiction lower than \$0.12 per \$100.00 in valuation, then the Town's Budget for FY 2020-2021 shall be and is hereby automatically amended to appropriate the resulting difference in fire tax revenue from the fund balance within the Town's General Fund.

Section 11. Utilization of Budget Ordinance

The Budget Ordinance shall be the basis for the financial plan of the Town of Weaverville during the fiscal year beginning July 1, 2020 and ending June 30, 2021. The Budget Officer shall administer the budget. The accounting system shall establish records, which are in consonance with this budget and this ordinance and the appropriate statutes of the State of North Carolina.

Section 12. Distribution & Documentation

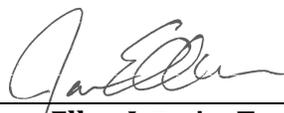
Copies of this Budget Ordinance shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer to be kept on file by them for direction in the collection of revenues and disbursement of Town funds.

DULY ADOPTED this the **22nd** day of **June 2020**.



Allan P. Root, Mayor
Town of Weaverville

ATTEST:



James Eller, Interim Town Clerk



**FY 2020-2021 Fee Schedule
Town of Weaverville**

Adopted June 22, 2020
Effective July 1, 2020

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Returned check fee for non-tax payments	3
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Special Event Permit Fees	3
Facility Use Fees	3
Lake Louise Fishing License	3
Solid Waste/Trash Violation	3
Recycling Fee	3
Public Records Request Copying Charge(s)	4
Annexation Petition Fee	4
Fire Hydrant Connection Permit	4
Hourly Charges for Equipment/Personnel	4
Beer & Wine Privilege Licenses	4
FIRE DEPARTMENT	4
POLICE DEPARTMENT	5
Violations of General Provisions	5
Dangerous Dog Violations	5
Parks and Recreation Violations (daily)	5
Parking Violations	5
Parked within Handicapped Zone	5
PLANNING & ZONING DEPARTMENT	5
Residential Zoning Permits:	5
Commercial / Industrial Zoning Permits:	6

*FY 2020-2021 Fee Schedule
Adopted June 22, 2020 and effective July 1, 2020*

Sign Permits:.....	6
Special Use Permit or Related Amendment Fee	6
Rezoning/Zoning Map Amendment Fees:.....	6
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GENERAL ADMINISTRATIVE FEES

Returned check fee for non-tax payments\$25.00
Returned check fee for tax payments 10%

Processing Fees for Electronic Payments

Direct vendor fees charged through ACI Worldwide and www.officialpayments.com - These fees shall automatically be updated should changes be made to the fees charged by vendor and the Town Manager is authorized to amend the adopted Fee Schedule to reflect such changes.

Utility Payments \$2.95 flat fee
 Tax Payments.....2.5% with a \$3.95 minimum
 Planning/Zoning Payments and Miscellaneous Payments.....2.5% with a \$1.95 minimum

Special Event Permit Fees (Reference Special Events Permit)

Events with No Alcohol \$200.00
 Events with Alcohol \$400.00

Facility Use Fees (Reference Facility Use Policy & Application)

Facility	Resident per Hour	Non-Resident per Hour	Deposit
Town Hall Community Room	\$100.00	\$300.00	\$500.00
Town Hall Community Room Kitchen	\$20.00	\$20.00	

Lake Louise Fishing License *[FEES TEMPORARILY SUSPENDED FOR FY 2020-2021]*

Daily (Residency Not Applicable)..... \$0.00
 Monthly, Town Residents \$0.00
 Monthly, Non-Residents..... \$0.00
 Annually, Town Residents..... \$0.00
 Annually, Non-Residents..... \$0.00

Solid Waste/Trash Violation.....\$50.00

Recycling Fee (Monthly fee included on utility bill)..... \$3.00

Direct vendor fees charged by Curbside Management - These fees shall automatically be updated should changes be made to the fees charged by vendor and the Town Manager is authorized to amend the adopted Fee Schedule to reflect such changes. Recycling Fee reflects vendor charge as of July 1, 2020.

Public Records Request Copying Charge(s)

8 ½" x 11" black & white single-sided hardcopy (per page).....	\$0.02
8 ½" x 11" color single-sided hardcopy (per page).....	\$0.09
8 ½" x 11" black & white double-sided hardcopy (per page).....	\$0.03
8 ½" x 11" color double-sided hardcopy (per page).....	\$0.18
Electronic Copies.....	No Charge

Applicable postage will also be charged for mailing hard copy documents.

Annexation Petition Fee \$200.00

Fire Hydrant Connection Permit \$30.00

Hourly Charges for Equipment/Personnel

Equipment

Police Car.....	\$15.00
Pumper Truck.....	\$80.00
Ladder Truck.....	\$150.00
Ton Truck (P/U Brush Truck).....	\$20.00
Command Vehicles.....	\$10.00
Tanker.....	\$30.00

Personnel

Firefighters, Police Officers, Public Works Employees.....	\$25.00
Captain.....	\$30.00
Chief Officers.....	\$35.00

Beer & Wine Privilege Licenses

Taxes will be assessed for all malt beverage and wine licenses in accordance with and as required by N.C.G.S. 105-113.77et seq, as the same may from time to time be amended.

FIRE DEPARTMENT

Plans Permit..... \$100.00

Fuel Dispensing Permit..... \$50.00

Other charges may be assessed by the Fire Department or Fire Marshal's Office due to fines associated with fire code and fire lane violations.

POLICE DEPARTMENT

Violations of General Provisions \$100.00

*Unless otherwise specifically provided, \$100.00 charge for each separate and distinct violation;
 additional civil penalties may be assessed pursuant to Town Code or other applicable law*

Dangerous Dog Violations

- Class I: \$250.00 first day, and \$250.00 each subsequent day of continuous violation.
- Class II: \$500.00 first day, and \$500.00 each subsequent day of continuous violation.
- Class III: \$1,000.00 first day, and \$1,000.00 each subsequent day of continuous violation.

Parks and Recreation Violations (daily) \$25.00

Includes fishing without a license, dogs off-leash, and vehicles on grass/trail

Parking Violations

Parked within Handicapped Zone.....	\$100.00
Parked within Fire Lane	\$100.00
Obstructing Traffic	\$100.00
Parked within 25 Feet of Intersection	\$50.00
Parked in or within 10 Feet of Crosswalk.....	\$50.00
Parked within 25 Feet of Traffic Sign/Signal	\$50.00
Blocking Private Driveway.....	\$50.00
Double Parked.....	\$50.00
Truck Traffic in Restricted Area	\$50.00
Exceeding Time Limit.....	\$30.00
Parked Across Lines.....	\$30.00
Exceeding 12 Inches from Curb or Street Edge.....	\$30.00
All Other Parking Violations	\$30.00

PLANNING & ZONING DEPARTMENT

Residential Zoning Permits:

Single Family Dwelling	\$150.00 plus \$0.05 per sq. ft. over 1,200 with a max of \$300.00
Multi Family Dwelling.....	\$300.00 plus \$50.00 per dwelling unit with a max of \$1,000.00
Secondary Dwelling	\$150.00
Addition to Dwelling.....	\$75.00 plus \$0.05 per sq. ft. over 1,200
Accessory Structure	\$50.00 plus \$0.05 per sq. ft. over 100
Deck/Porch.....	\$50.00
Home Occupation.....	\$50.00
Internal Up-fit.....	\$50.00
Temporary Structure/Use.....	\$50.00

Commercial / Industrial Zoning Permits:

Commercial/Industrial Structure	\$350.00 plus \$0.05 per sq. ft. over 2,000 with a max of \$1,000.00
Commercial/Industrial Addition.....	\$100.00 plus \$0.05 per sq. ft. over 2,000 with a max of \$500.00
Accessory Structure	\$50.00 plus \$0.05 per sq. ft. over 500 with a max of \$100.00
Internal Up-Fit/Renovation.....	\$100.00
Telecommunication Tower.....	\$4,000.00 per location or max allowed by law
Telecommunication Tower (Co-location, Microcell, Concealed)	\$500.00 per location or max allowed by law
Temporary Structure/Use (Annually)	\$100.00
Mobile Food Vendors:	
Daily.....	\$25.00
Annually	\$100.00

Sign Permits:

Sign Permit Fee.....	\$50.00 plus fee based upon total surface area of sign (see below) with a max of \$500.00
Up to 32 sq. ft.....	\$25.00
33 - 64 sq. ft.....	\$50.00
65 - 96 sq. ft.....	\$100.00
97 sq. ft. plus	\$150.00 plus \$2.50 per sq. ft.

Special Use Permit or Related Amendment Fee..... \$500.00

Rezoning/Zoning Map Amendment Fees:

Less Than 1 Acre	\$250.00
1 - 3 Acres.....	\$500.00
4 - 9 Acres.....	\$750.00
10 + Acres.....	\$1,000.00

Text Amendment Fees..... \$500.00

Conditional Zoning District Application Fees:

Less Than 1 Acre	\$250.00
1 - 3 Acres.....	\$500.00
4 - 9 Acres.....	\$750.00
10 + Acres.....	\$1,000.00

Subdivision Fees:

Minor Subdivision.....	\$100.00 plus \$25 per lot
Major Subdivision	\$300.00 plus \$25 per lot

Public Street Commitment Application Fee \$200.00

Miscellaneous Planning, Zoning & Code Enforcement Fees:

Zoning Verification Letter	\$25.00
Gaming Terminal Fees (per machine).....	\$1,000.00
Variance.....	\$250.00

Appeal of an Administrative Decision..... No Charge
 Nuisance Violation (which requires Town abatement)..... \$100.00
 Violations of General Provisions \$100.00
*Unless otherwise specifically provided, \$100.00 charge for each separate and distinct violation;
 additional civil penalties may be assessed pursuant to Town Code or other applicable law*

WATER DEPARTMENT

Administrative Water Fees

Account Establishment Service Charge \$25.00
 Seasonal Reconnect Fee \$20.00
 Reconnect Fee \$60.00
 Flow Test Fee..... \$40.00
 Meter Testing at Customer Request (Charged only if meter is operational) \$40.00

Water System Account Deposits

Size of Connection	Inside Town Limits Amount	Outside Town Limits Amount
5/8" and 3/4"	\$80.00	\$160.00
1"	\$100.00	\$200.00
1 1/2"	\$180.00	\$360.00
2"	\$300.00	\$600.00
3"	\$600.00	\$1,200.00
4"	\$1,000.00	\$2,000.00

Water Leak Protection

The following respective monthly fee shall be assessed on all water customers with water lines that are 2-inches or less in diameter, subject to opt-out provisions of the water leak protection policy.

Type of Meter	Monthly Fee
Residential – Single Meter	\$1.25
Commercial – Single Meter	\$3.45
Commercial – Master Meter	\$6.90

Water Rates

Water rates for water used INSIDE the Corporate limits of the Town:

The first 3,000 Gallons or fraction thereof used monthly..... \$8.87 per 1,000 gallons
 The next 22,000 Gallons or fraction thereof used monthly \$9.78 per 1,000 gallons
 The next 175,000 Gallons or fraction thereof used monthly..... \$10.62 per 1,000 gallons
 The next 300,000 Gallons or fraction thereof used monthly..... \$11.48 per 1,000 gallons
 All over 500,000 Gallons or fraction thereof used monthly..... \$12.32 per 1,000 gallons

Water rates for water used OUTSIDE the Corporate limits of the Town:

The first 3,000 Gallons or fraction thereof used monthly..... \$17.74 per 1,000 gallons
 The next 22,000 Gallons or fraction thereof used monthly \$19.56 per 1,000 gallons
 The next 175,000 Gallons or fraction thereof used monthly..... \$21.24 per 1,000 gallons
 The next 300,000 Gallons or fraction thereof used monthly..... \$22.96 per 1,000 gallons
 All over 500,000 Gallons or fraction thereof used monthly..... \$24.64 per 1,000 gallons

Minimum Monthly Water Charges

The minimum monthly charge for water service shall be according to the size of the meter through which water is delivered to each customer in accordance with the following schedule:

Meter Size	Minimum Monthly Usage	Inside Town	Outside Town
5/8"	2,000 gallons	\$17.74	\$35.48
3/4"	4,000 gallons	\$36.39	\$72.78
1"	6,000 gallons	\$55.95	\$111.90
1 1/2"	11,200 gallons	\$106.81	\$213.62
2"	18,200 gallons	\$175.27	\$350.54
3"	36,200 gallons	\$363.23	\$726.47
4"	58,500 gallons	\$600.06	\$1,200.12
6"	112,000 gallons	\$1,168.23	\$2,336.46
8"	180,000 gallons	\$1,890.39	\$3,780.78
10"	258,000 gallons	\$2,718.75	\$5,437.50

Bulk Water Rates.....\$0.05 per gallon subject to a minimum charge of \$25.00

Tap Charges Including Re-Taps (Inside & Outside Customers)

Meter Size	Tap Fee
5/8" and 3/4"	\$1,050.00
1"	\$1,575.00
1 1/2"	\$3,400.00
2"	\$4,200.00

Water System Development Fees (Inside & Outside Customers)

Size of Connection	Rated Maximum Capacity	System Development Fees
5/8" and 3/4"	20 gallons	\$2,232.00
1"	50 gallons	\$5,580.00
1 1/2"	100 gallons	\$11,160.00
2"	160 gallons	\$17,856.00
3"	300 gallons	\$35,712.00
4"	500 gallons	\$55,800.00
6"	1,000 gallons	\$111,600.00

Water System Availability/Commitment Fees (Inside & Outside Customers)

Non-Refundable Application Fee (for 1" or larger meters and multi-lot/multi-unit development).....\$100.00

For all multi-lot or multi-unit developments, the availability/commitment fee shall apply to each meter to be set based upon connection size.

Approved Size of Connection	Inside Town Limits	Outside Town Limits
5/8" and 3/4"	\$35.00	\$70.00
1"	\$50.00	\$100.00
1 1/2"	\$100.00	\$200.00
2"	\$160.00	\$320.00
3"	\$300.00	\$600.00
4"	\$500.00	\$1,000.00
6"	\$1,000.00	\$2,000.00

Charges for Fire Line Connection

Monthly Charge for Fire Connection

All fire line connections on the water system for the Town of Weaverville shall be subject to a monthly charge based upon the square inch size of the line at the following rates:

- INSIDE** Corporate limits of the Town: \$2.00 per square inch/month
- OUTSIDE** Corporate limits of the Town: \$4.00 per square inch/month

Fire line charges shall be levied by the Water Department according to the following schedule:

Diameter of Fire Line	Square Inch Size	Inside Town	Outside Town
2" and smaller	3.14	\$6.28	\$12.56
3"	7.07	\$14.14	\$28.28
4"	12.56	\$25.12	\$50.24
6"	28.26	\$56.52	\$113.04
8"	50.24	\$100.48	\$200.96
10"	78.50	\$157.00	\$314.00

Consumption of Water from Fire Line

If during any month the detector-check valve meter for the fire line shows consumption of more than 200 gallons of water on the fire line and the consumption is not related to testing of fire lines or firefighting activity, the customer (owner) shall be billed, in addition to the monthly fire connection charge, according to the following schedule:

Water rate for water used INSIDE the Corporate limits of the Town:

0-200 Gallons or fraction thereof used monthly.....\$0.00 per gallon
 The next 2,800 Gallons (up to 3,000 total) or fraction thereof used monthly..... \$35.48 per 1,000 gallons
 The next 22,000 Gallons or fraction thereof used monthly \$39.10 per 1,000 gallons
 The next 175,000 Gallons or fraction thereof used monthly..... \$42.47 per 1,000 gallons
 The next 300,000 Gallons or fraction thereof used monthly..... \$45.93 per 1,000 gallons
 All over 500,000 Gallons or fraction thereof used monthly..... \$49.30 per 1,000 gallons

Water rate for water used OUTSIDE the Corporate limits of the Town:

0-200 Gallons or fraction thereof used monthly.....\$0.00 per gallon
 The next 2,800 Gallons (up to 3,000 total) or fraction thereof used monthly..... \$70.96 per 1,000 gallons
 The next 22,000 Gallons or fraction thereof used monthly \$78.20 per 1,000 gallons
 The next 175,000 Gallons or fraction thereof used monthly..... \$84.94 per 1,000 gallons
 The next 300,000 Gallons or fraction thereof used monthly..... \$91.86 per 1,000 gallons
 All over 500,000 Gallons or fraction thereof used monthly..... \$98.60 per 1,000 gallons

**TOWN OF WEAVERVILLE
RESOLUTION APPOINTING AN INTERIM TAX COLLECTOR**

WHEREAS, NCGS § 105-349 requires the governing body of each municipality to appoint a tax collector to serve for a term to be determined by the appointing body and until his or her successor has been appointed and qualified; and

WHEREAS, a person selected to serve as tax collector is required to be a person of character and integrity whose experience in business and collection work is satisfactory to the governing body;

WHEREAS, due to the recent resignation of its tax collector, the Town of Weaverville finds that Jennifer Jackson possesses those qualities and wishes to appoint Jennifer Jackson to serve as tax collector and to carry out all of the duties of that office until such time as a successor can be appointed and qualified;

NOW, THEREFORE BE IT RESOLVED, that the Weaverville Town Council hereby appoints Jennifer Jackson as the Weaverville Tax Collector and directs her to carry out the duties of the office of tax collector, including specifically the preparation and presentation of the tax settlement for FY 2019-2020, and to serve in this office until Town Council can appoint a qualified successor.

ADOPTED this the 22nd day of June, 2020.



ALLAN P. ROOT, Mayor



JAMES ELLER, Interim Town Clerk

