



## MINUTES

**Town of Weaverville  
State of North Carolina**

**Town Council Regular Meeting  
Monday, July 27, 2020**

### **Remote Electronic Meeting**

**Zoom:** <https://us02web.zoom.us/j/85948891960>

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, July 27, 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/Clerk 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 7:04 p.m.*

#### **2. Approval/Adjustments to the Agenda**

*With no comment related to the agenda, Mayor Root declared the agenda adopted.*

#### **3. Approval of Minutes**

*Councilmember Nagle made the motion to approve the minutes from the June 22 Town Council meeting and the July 14 joint meeting of Town Council with the Planning and Zoning Board. Councilmember Fitzsimmons 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](mailto: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.

No public comments were received.

#### **5. Consent Agenda**

*Vice Mayor Jackson moved for the approval of the Consent Agenda. Councilmember Nagle 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. Tax Collector's Settlement – Information Only**
- B. Budget Amendments: FY 2019-2020 ABC Distribution and Fire Department Donation – Budget Amendment approved to reflect funds distributed to the town from the ABC system for alcohol education & law enforcement and a private donation made to the fire department.**
- C. FY 2020-2021 Pay & Classification Plan – Approval of the updated Pay and Position Classification Plan**
- D. Water Commitment Extension: The Holston Development at 135 Monticello Road – Water commitment extended for a period of one year as per section 30-77 of town code.**
- E. Appointment of Town Council Liaison to the Planning and Zoning Board – With consent of Town Council Mayor Root appointed Councilman Nagle as a non-voting liaison to the Planning and Zoning Board for a period of one year effective immediately.**

## **6. Town Manager's Report**

Town Manager Coffey presented her Manager's report to Council which included information related to coronavirus relief funds; executive orders concerning utility disconnections; summer concert series event cancellations; Community Center update; Police Department use of force policy review; new waterline construction progress; recycling carts; and upcoming Town Council workshops.

Councilman Nagle requested that, in light of the cancelled concerts, the Town host virtual musical performances and post to social media. Consensus was achieved for Town Manager Coffey to explore the possibility.

## **7. Discussion and Action Items**

### **A. Fox Lair Crossings Streets: Request for Reconsideration**

On May 18, 2020 Town Council considered a public street commitment application for Fox Lair Crossings and took action to deny said application. Representatives from Fox Lair Crossings have requested reconsideration of this denial citing a willingness to remove the present gate and to undertake the testing and inspections recommended by Public Works Director Pennell as conditions for a public street commitment.

*Councilmember Fitzsimmons motioned to reconsider the application for a public street commitment for Fox Lair Crossings. Councilmember Sherrill seconded the motion and in a roll call vote the motion for reconsideration passed 4-1. Councilmember Nagle cast the dissenting vote.*

Fabrizio Corte spoke to Town Council on behalf of the home owners association. Mayor Root called for a member of Council to make a motion on any proposed action related to the public street commitment application.

*No motion was made for action of any kind related to the Fox Lair Crossings public street commitment application, so Town Council's previous action on May 18, 2020, to deny the application for public street commitment stands.*

### **B. Waterline Acceptance: Fairfield Inn**

Public Works Director Pennell recommended that Town Council accept the waterline extension and related improvements for Fairfield Inn into the Town's water system subject to staff level approval by the Public Works Director, Town Manager and Town Attorney. Public Works Director Pennell also recommended that Town Council set a waterline repair guarantee of \$3,000 to cover any defects discovered within three years of acceptance.

*Vice Mayor Jackson moved to accept the waterline extension and related improvements into the Town's water system subject to staff level approvals by the Town Manager, Town Attorney and Public Works Director and to set a repair guarantee in the amount of \$3,000. Councilmember Nagle seconded the motion and in a roll call vote all voted to approve the waterline extension and repair guarantee. Motion passed 5-0.*

**C. Water Treatment Plant Expansion Resolution of Intent**

Town Manager Coffey presented to Town Council a resolution of intent to expand the Town’s water treatment plant on the Ivy River. Town Manager Coffey also spoke to the monitoring of the production of water at the plant, a 2017 study on the expansion of the water plant by McGill & Associates and WithersRavenel, and the monitoring of water usage and allocations which support the expansion of the water treatment plant to 3 million gallons of water per day to double the plant’s production capacity. It was also noted that the Towns of Marshall and Mars Hill have been granted funds to engage in a joint study on individual water supplies and possible regionalization of water production and distribution.

*Councilmember Nagle moved to adopt a Resolution of Intent to Expand the Ivy River Water Treatment Plant and authorize staff to begin steps of estimating project costs, securing financing and engineering for the project and participating in discussions with neighboring jurisdictions concerning the provision of public water in the region. Vice Mayor Jackson seconded the motion and in a roll call vote all voted to approve the authorization. Motion passed 5-0.*

**D. Labor Day Fireworks Event**

Town Manager Coffey noted that the Town’s annual fireworks display on July 4<sup>th</sup> was cancelled with a potential makeup date of Labor Day on September 5. However no improvement has been experienced related to the COVID-19 crisis. Town Manger Coffey presented council with the following options for discussion and direction to staff.

Option 1: Hold the fireworks event on Labor Day and look for alternative locations and ways of displaying the fireworks.

Option 2: Request a second postponement to July 4, 2021 with a 15% (\$2,925) postponement fee to remain on the schedule for fireworks distribution.

Option 3: Cancellation of the fireworks order for 2020 and forfeiture of \$10,750 already deposited with the fireworks distributor. If Town Council elects to cancel, there may be difficulties rescheduling due to the number of jurisdictions who have cancelled in 2020.

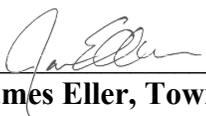
*Councilmember Sherrill made a motion to proceed with Option #2 and request a second postponement to July 4, 2021, with the understanding that a postponement fees will be owed by the Town. Council Member Fitzsimmons seconded the motion and in a roll call vote all voted in support of Option #2. Motion passed 5-0.*

**E. Quarterly Report: Planning**

Planning Director Eller presented Town Council with the quarterly report for the Planning Department.

**8. Adjournment**

*Mayor Root declared the meeting adjourned at 8:09 p.m.*

  
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**James Eller, Town Clerk**

**TOWN OF WEAVERVILLE  
RESOLUTION APPROVING THE SETTLEMENT OF THE TAX COLLECTOR  
FOR THE 2019-2020 TAX YEAR**

**WHEREAS**, NCGS § 105-352 requires that settlement be made with the Tax Collector for the taxes charged to the Tax Collector in the previous tax year prior to delivery of the tax receipts to the Tax Collector for the current tax year, said settlement being conducted in accordance with NCGS § 105-373; and

**WHEREAS**, NCGS § 105-373 requires that settlement be made for both taxes charged to the Tax Collector in the previous tax year, and for all delinquent taxes charged to the Tax Collector, there being a specified format for current year settlements, but not delinquent taxes; and

**WHEREAS**, the Weaverville Town Council has received a proposed settlement for the 2019-2020 tax year taxes, and all delinquent taxes charged to the Tax Collector for prior tax years;

Now, therefore, **BE IT RESOLVED** as follows:

1. The Settlement for the 2019-2020 taxes charged to the Tax Collector is hereby approved. The Board finds:
  - a. All prepayments received by the Tax Collector were properly deposited;
  - b. The settlement is in proper form; and
  - c. A diligent effort was made to collect from the persons who were legally obligated to pay their taxes for the 2019-2020 fiscal year.
2. The Settlement for the delinquent taxes charged to the Tax Collector for the previous fiscal years is hereby approved. The Town Council finds that the settlement for the delinquent taxes is in an appropriate form.

**THIS** the 27th day of July, 2020.

**TOWN OF WEAVERVILLE**

  
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Allan P. Root, Mayor

**ATTESTED BY:**

  
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James Eller, Town Clerk



**TOWN OF WEAVERVILLE  
RESOLUTION OF INTENT TO EXPAND  
THE IVY RIVER WATER TREATMENT PLANT**

**WHEREAS**, the Town owns and operates a water treatment plant that was completed in 1997 and has a permitted design capacity which allows the withdrawal of up to 1.5 million gallons of raw water per day from the Ivy River; and

**WHEREAS**, the plant was designed to be expanded as the demand for water grew and was permitted for a withdrawal of up to 4 million gallons of raw water per day; and

**WHEREAS**, the Town has and continues to monitor the actual usage of water, committed allocations of water, and the capacity of the water treatment plant to produce treated water;

**WHEREAS**, consistent with professional engineering reports, the Town Council finds that an expansion of its water treatment plant to allow withdrawal of up to 3 million gallons of water per day (a doubling of the plant's capacity) is needed in order to continue to meet the anticipated growth in the demand for water over the next five years;

Now, therefore, **BE IT RESOLVED** that the Weaverville Town Council intends to expand its Ivy River Water Treatment Plant in order to increase its withdrawal capacity to up to 3 million gallons of raw water per day from the Ivy River, and, to that end, authorize staff as follows:

1. To continue to monitor the actual usage of water, committed allocations of water, and the capacity of the water treatment plant to produce treated water and to report such data to Town Council on a quarterly basis;
2. To determine the estimated project cost;
3. To consult with the USDA and other possible funding sources concerning grant funds, loans, or other financing that might reasonably be available for the project;
4. To propose a financing plan for the project;
5. To determine and take the next steps for engaging an engineer on the project, including compliance with NCGS § 143-64.31 which requires the Town to proceed with a qualifications based selection process for engineering services;
6. To update a water rate study in order to include this project and its timeline;
7. To continue discussions with the Town of Mars Hill on the Town's continued reservation of emergency water for the Town of Mars Hill and recommend a comprehensive interlocal agreement concerning that reservation and any potential revenue associated with the reservation and actual water usage;
8. To participate in the joint study on individual water supplies and possible regionalization that is being conducted by Towns of Mars Hill and Marshall in order to determine the role of Weaverville's water treatment plant in the provision of

public water in the region and the willingness of others to participate in the expansion of the water treatment plant;

9. To perform any and all other tasks necessary to move this project forward; and
10. To report to Town Council on the status of the project periodically and when requested.

**THIS** the 27th day of July, 2020.

**TOWN OF WEAVERVILLE**



Allan P. Root, Mayor



**ATTESTED BY:**



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James Eller, Town Clerk