AGENDA

Monday, December 21, 2020
Meeting at 7:00 pm

1. Call to Order ................................................................. Mayor Root

2. Public Hearing: Rezoning of 16 Reems Creek Road from I-1 to R-3 ...................................................... Planning Director

3. Approval/Adjustments to the Agenda ................................................................. Mayor Root

4. Approval of Minutes ........................................................................ Mayor Root
   A. November 23, 2020 Town Council Regular Meeting Minutes ..................................................... 11
   B. December 8, 2020 Town Council Regular Workshop Minutes ....................................................... 14

5. General Public Comments (see below for submission instructions) ...................................................... Town Clerk

6. Consent Agenda ........................................................................ Town Manager
   A. Monthly Tax Report ........................................................................ 16
   B. Budget Amendments: CRF, Cops for Kids, Police Grant, Pink Patch Project .......................... 20
   C. Budget Amendment: Community Center Capital Project Fund ....................................................... 22
   E. Waterline Acceptance - Northridge Commons Townhouses .......................................................... 30

7. Town Manager’s Report ........................................................................ 32 Town Manager

8. Discussion & Action Items ........................................................................ Planning Director
   A. Manufactured Home Overlay District ........................................................................ 34
   B. MS4 Stormwater Program Compliance .................................................................................. 53
   C. Town Charter Amendments .................................................................................................. 61
   D. 2021 Meeting & Holiday Calendar ......................................................................................... 65
   E. Quarterly Report – Public Works & Water Department ................................................................. 67

9. Closed Session ......................................................................................... Mayor Root
   • Pursuant to N.C.G.S. § 143-318.11(a)(5) to establish or instruct the public body’s staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the amount of compensation and other material terms of an employment contract or proposed employment contract
   • Pursuant to N.C.G.S. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment of an individual public officer or employee

10. Adjournment ......................................................................................... Mayor Root

On a temporary basis, 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. General public comments will be limited to 18 minutes and only comments that are timely received will be read into the record during the general public comment period. All comments timely received will be provided to Town Council and included as part of the minutes of the meeting. Public comments can be submitted as follows: (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, (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. For assistance in providing public comments, please call (828)645-7116.
NOTICE OF WEAVERVILLE TOWN COUNCIL REGULAR MEETING
REMOTE ELECTRONIC MEETING ON DECEMBER 21, 2020

The State of North Carolina, Buncombe County and the Town of Weaverville have all declared States of Emergency in response to the COVID-19 public health crisis. Because of the risks to the public that would arise from in-person meetings, the Town's regular meeting on December 21, 2020, will be conducted via remote electronic format.

This NOTICE OF REMOTE ELECTRONIC MEETING is to inform the public that the Weaverville Town Council will hold its regularly scheduled meeting on Monday, December 21, 2020 at 7:00 p.m. as an electronic video/audio meeting via Zoom Meeting. Access to the meeting will begin at 6:45 p.m. and the meeting will start at 7:00 p.m. The instructions to access this public meeting are:

To join the meeting by computer, go to this link: https://us02web.zoom.us/j/85948891960. You may be asked for permission to access your computer’s video and audio. If so, click “allow.” You will then be asked for the Meeting ID which is: 859 4889 1960

To join the meeting by phone, call: (253)215-8782 or (301)715-8592
You will then be asked for the Meeting ID which is: 859 4889 1960

To listen to an audio recording of the meeting call Town Hall at (828)645-7116. An audio recording of the meeting will be available upon request beginning approximately 24 hours after the meeting and until the minutes of the meeting have been approved by Town Council. To view related materials, please visit the Town’s website at https://www.weavervillenc.org.

General Public Comments – On a temporary basis, 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. Submit public comments by:

Emailing to public-comment@weavervillenc.org at least 6 hours prior to the meeting

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

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

For questions or additional assistance in how to participate in this meeting or in providing public comments, please call (828)645-7116.

Allan P. Root, Mayor
12/14/2020
TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

PUBLIC HEARING

Date of Meeting: Monday, December 21, 2020
Subject: Proposed Zoning Map Amendment, 16 Reems Creek Road
Presenter: Planning Director
Attachments: Zoning Map Amendment Application, GIS Image, Property Deed, Planning and Zoning Board Recommendation, Staff Report

Description:
Staff is in possession of an executed zoning map amendment application for the property commonly known as 16 Reems Creek Road. The subject property is currently zoned I-1 and a zoning of R-3 is desired. The Planning and Zoning Board reviewed the application and has offered a unanimous recommendation in favor of the desired zoning change.

Tonight’s public hearing has been duly advertised in accordance with state law and municipal ordinance and affidavits to this effect are available upon request.

Action Requested:
Due to new regulations placed upon public hearings held during remote meetings, a governing board must also allow public comment to occur an additional 24 hours after the public hearing. Therefore, action is not eligible at this time.

Town Council may take action during their regularly scheduled meeting on Monday, January 25, 2021.
On Tuesday, December 1, 2020 the Planning and Zoning Board reviewed and unanimously recommended to Town Council a proposed rezoning from I-1 to R-3 of the property commonly known as 16 Reems Creek Road and also known by the parcel identification number 9732-92-8381.

It has been found that the proposed initial zoning is consistent with the Town’s Comprehensive Plan in that the plan calls for a balance of residential uses. The Planning and Zoning Board considers approval both reasonable and in the public interest due to the desire of the property owner to further develop for residential purposes and finding that adjacent parcels of land under common ownership are also being used for residential purposes creating contiguity of uses.

__________________________
Gary Burge
Chairman, Planning and Zoning Board
TOWN OF WEAVERVILLE APPLICATION FOR
A ZONING MAP OR TEXT AMENDMENT
Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002 --- fax (828) 645-4776 --- jeller@weavervillenc.org

OWNER/APPLICANT NAME: BEAME & LINDA GAACE CONRAD
APPLICATION DATE: 10/29/20

PHONE NUMBER: 828/231-1142
MAILING ADDRESS: PO Box 695
WEAVERVILLE, NC 28787

Application is made to the Town Council of Weaverville to amend:

☑ The Zoning Map

☐ The text of the Zoning Ordinance (Ch 36 of Code of Ordinances)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: 16 AFREN CREEK RD.

PIN: 973272830100000
LOT AREA (acres): 7.84

CURRENT ZONING DISTRICT: I-1
PROPOSED ZONING DISTRICT: R3

APPLICATION IS NOT COMPLETE WITHOUT A BOUNDARY SURVEY DEPICTING:

☐ Total acreage
☐ Current owner(s) and date of survey
☐ Property location relative to streets
☐ North arrow
☐ Existing easements, rights of way, or other restrictions on the property
☐ Areas located within the floodplain
☐ Adjoining property owners, addresses, and Buncombe County PINs

APPLICATION TO AMEND TEXT

SECTION(S) OF CHAPTER 36 TO AMEND:

PROPOSED CHANGE TO TEXT (attach additional documentation if necessary):

JUSTIFICATION OF PROPOSED AMENDMENT(S):
TOWN OF WEAVERVILLE APPLICATION FOR
A ZONING MAP OR TEXT AMENDMENT
Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002 --- fax (828) 645-4776 --- jeller@weavervillenc.org

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner.

[Signature]

10/29/20

SIGNATURE OF APPLICANT DATE

It is the applicant’s responsibility to obtain a copy of the Town of Weaverville Zoning Ordinance and to be fully aware of the regulations detailed therein.

REZONING FEE SCHEDULE:

<table>
<thead>
<tr>
<th>1 Lot &lt; 1 acre</th>
<th>$350.00</th>
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<tr>
<td>2-4 Lots or 1-3 acres</td>
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<tr>
<td>4-9 acres</td>
<td>$550.00</td>
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<tr>
<td>10-25 acres</td>
<td>$750.00</td>
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<tr>
<td>25+ acres</td>
<td>$900.00</td>
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Text Amendment
Fees................................. $500.00

OFFICE USE ONLY

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<td>DATE OF PLANNING BOARD MEETING:</td>
<td>ACTION TAKEN:</td>
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<tr>
<td>DATE OF PUBLIC HEARING &amp; COUNCIL DECISION:</td>
<td>FINAL ACTION:</td>
</tr>
</tbody>
</table>
This document prepared by Steven J. Goldstein - Paula Strauss-Robinson & Moore, P.A.
29 North Market — Asheville, North Carolina 28807

State of North Carolina
County of Buncombe,

This Indenture, made this 4th day of June, 1980 by and between

Edward C. Coleman and wife, Bobby C. Coleman

hereinafter called Grantors, and

Bernard Conrad and wife, Linda Grace Conrad

hereinafter called Grantees, (said designations shall include the respective parties, whether one or more, individual or corporate, and their respective successors in interest or assigns).

Witnesseth: That the Grantors, for and in consideration of the sum of Ten Dollars, and other good and valuable considerations to them in hand paid by the Grantees, the receipt whereof is hereby acknowledged, have given, granted, bargained, sold and conveyed, and by these presents do give, grant, bargain, sell, convey and confirm unto the Grantees their heirs and/or successors and assigns subject, however, to any conditions, restrictions, limitations, reservations or exceptions appearing after the description below, the following particularly described real estate, located in Buncombe County, North Carolina, to wit:

Lying and being in Reems Creek Township.

BEGINNING at an iron pin in the Eastern edge of the pavement of U. S. Highway 19-23, said iron pin being the Western corner of Cheney Bigelow, Inc., said iron pin also being the Westernmost point of the boundary line between the Edward C. Coleman Tract, and the Cheney Bigelow, Inc. tract as established by Agreement recorded in the Buncombe County Registry in Deed Book 1051, at page 325, and running thence with the Cheney Bigelow, Inc. line, the following seven courses and distances, to wit: South 74 deg. 31 min. East 52.95 feet to a locust hub in the fence line; on a curve to the right in a Southwesterly direction with a radius of 200.8 feet, a distance of 121.24 feet to an iron pin in the fence line; South 45 deg. 40 min. East 142.89 feet to an iron pin; on a curve to the right in the fence line with a radius of 359.04 feet a distance of 123.95 feet to an iron pin; South 25 deg. 54 min. East 210.56 feet to an iron pin; on a curve to the left in a Southeasterly direction with a radius of 98.01 feet a distance of 92.3 feet to an iron pin in the fence line and South 79 deg. 14 min. East 137 feet to a 40-inch oak; thence leaving the Cheney Bigelow, Inc. line and running South 71 deg. 56 min. West 117.39 feet to an iron pin; thence South 50 deg. 10 min. West 195 feet to an iron pin; thence South 64 deg. 50 min. West 213 feet to a nail at the base of a 60-inch oak; thence South 25 deg. 25 min. West 20 feet to an iron pin; thence South 35 deg. 15 min. East 168 feet to an iron pin, the Northeast corner of the tract conveyed to Edward C. Coleman by deed recorded in the aforesaid Registry in Deed Book 928, at page 235; thence with the lines of that tract South 40 deg. East 63.85 feet to a railroad spike in the center of Reems Creek Road; with the center of said road, South 69 deg. 33 min. West 307.9 feet to an iron pin; and leaving said road, North 43 deg. West 50.04 feet to an iron pin; thence South 64 deg. 10 min. West 127.43 feet to a stake; thence South 46 deg. 50 min. West 162.67 feet to a stake; thence South 55 deg. 2 min. West 61.39 feet to a stake, said stake being the beginning corner of the property described in Deed Book 637, at page 196; and running thence with the line of the tract described in such deed and with the Eastern edge of the pavement of U. S. Highway 19-23 the following seven courses and distances, to wit: North 25 deg. 29 min. East 74.7 feet to a stake; North 25 deg. 32 min. East 100 feet to a stake; North 22 deg. 23 min. East 600 feet to a stake; North 19 deg. 59 min. East 100 feet to a stake; North 19 deg. East 100 feet to a stake; North 18 deg. 8 min. East 100 feet to a stake, and North 17 deg. 21 min. East 270 feet to the BEGINNING. Containing 7.84 acres, more or less, and being shown on that plat of survey entitled "Bernard & Linda Grace Conrad", dated April 14, 1980, prepared by Ray E. Anderson, R.L.S. Together with all rights of the Grantees in and to all roadways abutting and adjoining or included within the above described property, and further together with such interests as the Grantees may have in any gaps or land between the above described tract and the Northern and Western boundary lines of the property shown on Buncombe County Plat Book 24, at page 49.

Subject to easements and rights of way of record, to 1980 taxes and to the use provisions of any governmental ordinance affecting the above.
To Have and to Hold the above described land and premises, with all the appurtenances thereunto belonging, or in any wise appurtenant, unto the Grantees, their heirs and/or successors and assigns forever.

And the Grantors covenant to and with the Grantees, their heirs and/or successors and assigns, that the Grantors are lawfully seized in fee simple of said land and premises, and have full right and power to convey the same to the Grantees in fee simple, and that said land and premises are free from any and all encumbrances (with the exceptions above stated, if any), and that they will and their heirs, executors, administrators and/or successors shall forever warrant and defend the title to the said land and premises, with the appurtenances, unto the Grantees, their heirs and/or successors and assigns, against the lawful claims of all persons whatsoever.

In Witness Whereof, the Grantors have hereunto set their hands and seals, or, if corporate, has caused this Deed to be executed by its duly authorized officers and its seal to be hereunto affixed, the day and year first above written.

Edward C. Coleman
Bobby C. Coleman

STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

I, Fletcher R. Adams, a Notary Public of said State and County, do hereby certify that Edward C. Coleman personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal, this 25th day of January, 1964.

My commission expires: 2/25/64

Notary Public.

STATE OF NORTH CAROLINA COUNTY OF BUNCOMBE

I, Fletcher R. Adams, a Notary Public of said State and County, do hereby certify that Bobby C. Coleman personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal, this 25th day of January, 1964.

My commission expires: 2/25/64

Notary Public.

STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

... a Notary Public of the State and County designated is certified to be correct.

This 25th day of January, 1964.

Filed for registration on the 25th day of January, 1964.

Copyright 1967 - Buncombe County Bar Association
Staff Report: Proposed Initial Zoning of 16 Reems Creek Road

Zoning Analysis

Town Council is set to consider a rezoning of the property commonly known as 16 Reems Creek Road. The parcel consists of 7.8 acres and a rezoning from I-1 to R-3 is desired. Zoning of the subject property to R-3 would provide contiguity of land use regulations applicable with the neighboring property under common ownership which was voluntarily annexed and zoned R-3.

Comprehensive Land Use Plan Compliance

When considering compliance with the Town’s Comprehensive Land Use Plan (CLUP), often the analysis begins with a consultation of the future land use map (pg. A-2). Here it is found that this property exists in a gap between the defined areas shown for the future uses of Industrial and Residential. These gaps are intentional and are addressed within the CLUP on page 25 as follows:

“Gaps have been intentionally provided between defined areas on the future land use map as there is a need for flexibility to allow for the uncertainty of the future. Defined areas do not necessarily follow property boundaries. The boundaries and gaps should be viewed as flexible rather than fixed lines and the final decisions on land use types in these transitional areas should be left to the discretion and good judgement of the appointed and elected officials that are charged with establishing policy and regulations in the Town.”

Given the aforementioned statement, it is the opinion of staff that the proposed initial zoning would not conflict with the Town’s CLUP.
The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, November 23, 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 members remotely present were: 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 7:02 p.m.

2. Approval/Adjustments to the Agenda
Without objection Mayor Root declared the agenda adopted by consent.

3. Approval of the Minutes
With no comment related to the minutes and no objection, Mayor Root declared the minutes adopted.

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.

No public comments were received.

5. Consent Agenda
Councilmember Nagle moved for the approval of the Consent Agenda. Vice-Mayor Jackson 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 – submitted by Buncombe County Tax Department.
B. Zoning Map Amendment Request, 16 Reems Creek Road – Set Public Hearing for December 21 at 7pm via a remote electronic meeting and referred to the Planning and Zoning Board for review and recommendation.
C. Budget Amendment: Cops for Kids, CRF Funds and ABC Funds – Approved budget amendment reflective of amendments to cops for kids, coronavirus relief funds and the ABC system.
D. Change Order #2 for the Community Center Project – Approved change order #2 representing a net decrease.

6. Town Manager’s Report
Ms. Coffey presented her Manager’s report to Council which included information related to election polling sites, bike-ped planning application, Town Christmas decorations, grant for body cameras, disposal of police department service weapons and public WiFi.

7. Discussion and Action Items
A. Town Financial Audit Presentation.
Travis Keever of Gould Killian CPA Group presented the Town’s financial audit to Town Council. The audit reported that no material weaknesses were discovered, no significant deficiencies were identified and no noncompliance material to financial statements were noted.

B. ABC Board Financial Audit Presentation.
Rob Chason, Chair of the Weaverville ABC Board presented the Board’s financial audit to Town Council which had been prepared by Burleson & Earley. Likewise, the audit reported that no material weaknesses were discovered, no significant deficiencies were identified and no noncompliance material to financial statements were noted.

C. Woodfin Annexation Agreement.
Mayor Root described the proposed annexation agreement with the Town of Woodfin which would identify annexation areas for future voluntary annexation for each municipal jurisdiction. Following conversation with Council, Mayor Root noted consensus with Council to table the issue to be discussed again during the upcoming workshop on December 8, 2020.

D. Discussion of Employee Pay Increases.
Ms. Coffey presented Council with a report related to how other jurisdictions were handling pay increases during COVID-19. It was also noted that the Town was in a better position than forecasted due to sales tax revenue being higher than expected, and that Council had previously agreed to revisit the issue of pay increases once the sales tax information became clearer. Town Council discussed the competing interests of acknowledging the level of service the employees of the Town have been provided during these challenging times, while at the same time acknowledging that struggles continue in the private sector as a result of COVID-19.

Vice-Mayor Jackson moved to approve a 1.5% cost of living adjustment and 2% pay increase for Town employees. Councilmember Sherrill seconded the motion and in a roll call vote Jackson, Sherrill and Fitzsimmons voted in favor of the motion. In the same roll call vote McKenna and Nagle cast dissenting votes. Motion passed 3-2.

E. Water Treatment Plant Expansion Project – Engineering Firm Selection.
Staff reported that it conducted a qualifications based selection process for professional engineering services on the Water Treatment Plant Expansion Project. The outcome of that process was the unanimous conclusion of staff that WithersRavenel appeared to be the most qualified firm to provide the engineering services on this project. Mr. Pennell and Mr. Duncan spoke to Council regarding WithersRavenel’s qualifications and encouraged their selection as the professional engineers on the water treatment plant expansion project. If selected staff will work with WithersRavenel on a professional services contract which will be brought back before Council for approval in an upcoming meeting. Council Member Nagle moved to approve WithersRavenel as the engineering firm for
the water treatment plant expansion project. Vice-Mayor Jackson seconded the motion and in a roll call vote all voted to approve the selection of the engineering firm. Motion passed 5-0.

F. Quarterly Report – Fire Department
   Fire Chief Williams presented Town Council with the quarterly report for the Fire Department

G. Quarterly Report – Police Department
   Police Chief Davis presented Town Council with the quarterly report for the Police Department

8. Adjournment
   Mayor Root declared the meeting adjourned at 8:57 p.m.

James Eller, Town Clerk
The Town Council for the Town of Weaverville met for its regularly scheduled regular workshop on Tuesday, December 8, 2020 at 6:00 p.m. as an electronic video meeting via Zoom Meeting.

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

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

1. Call to Order.
   Mayor Root called the meeting to order at 6:00 p.m.

2. Discussion of Possible Charter Amendments.
   Mayor Root noted that possible amendments to the Town’s charter could be adopted by ordinance pursuant to NCGS 160A-101 and 160A-102 which could increase the number of councilmembers on Town Council and provide the elected mayor the ability to vote on all matters before Council. After discussion, Council achieved consensus on providing the elected mayor the ability to vote on all matters and adding a councilmember to provide for an opportunity to increase diversity and to ensure an odd number of voting members. There was also consensus that these changes should occur with the municipal election in 2021 and not before such that the newly created council seat be filled by the voters and not appointed by council and that the voting rights of the mayor not be changed until a mayor is elected in 2021.

3. Continued Discussion of Possible Annexation Agreement with the Town of Woodfin.
   As a follow-up to Town Council’s discussion on November 23, 2020, Mayor Root indicated that he had recently met with two members of Council and staff to discuss the proposed annexation agreement with the Town of Woodfin. The outcome of that meeting was a revised proposed annexation agreement map. Mr. Eller described areas on the periphery of the Town of Weaverville which should be protected for future annexation and applicable land use regulations. Ms. Jackson noted that language preventing the Town of Woodfin from establishing an extraterritorial jurisdiction within areas shown for future growth for the Town of Weaverville was added to the proposed ordinance. There was consensus that the proposed revisions to the annexation map and ordinance were acceptable to Town Council and staff was directed to communicate with the Town of Woodfin concerning these changes and to put this on an upcoming Town Council agenda so that a public hearing can be set.
4. **Discussion of Participation in Tree City USA.**
   Mayor Root and staff discussed the Town’s history of participating in the Tree City USA program and the requirements for that participation. Consensus was achieved for the Town to continue work toward Tree City USA designation and for Council to revisit the Town’s various responsibilities as a participating member, including reestablishment of a separate tree board, at a future date.

5. **Adjournment.**
   Noting the consensus of Council, Mayor Root declared the meeting adjourned at 6:55.

_____________________________________________
James Eller, Town Clerk
MEETING DATE: December 21, 2020

SUBJECT: Monthly Tax Report

PRESENTER: Finance Director

ATTACHMENTS: Monthly Tax Report

DESCRIPTION/SUMMARY OF REQUEST:

Buncombe County provides the following monthly tax report for November 2020. This report is provided for information only.

No action is requested or required.
Town of Weaverville  
MONTHLY TAX REPORT  
FY 2020-2021

Tax Year 2020  
Summary for YTD November 2020:

<table>
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<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Original Billed Amts</td>
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<tr>
<td>Abs Adj (Adjustments by Assessor)</td>
<td>$(4,036)</td>
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<tr>
<td>Bill Releases</td>
<td>$(43)</td>
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<tr>
<td>Discovery Levy</td>
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<td>Additional Levy</td>
<td>$2,727</td>
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<tr>
<td>Net Levy</td>
<td>$3,375,715</td>
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<tr>
<td><strong>Total Current Year Collections</strong></td>
<td>$1,556,850</td>
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<tr>
<td><strong>% Collected</strong></td>
<td><strong>46.12%</strong></td>
</tr>
<tr>
<td><strong>Total Left to be Collected:</strong></td>
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### Fiscal Year Activity from July 1, 20XX to November 30, 2020

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<th>Abs. Adj ($)</th>
<th>Bill Releases ($)</th>
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<th>Net Levy ($)</th>
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<th>% Coll.</th>
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### Activity from November 1, 2020 to November 30, 2020

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<th>Abs. Adj ($)</th>
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<th>Wire Amt</th>
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### Fiscal Year Activity from November 1, 2020 to November 30, 2020

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Sub. 3,495,679.03 4,035.54 3,164.01 22,850.56 3,514,056.80 1,695,190.90 1,181,865.90 883,352.97 1,293.52 0.00 17,057.01 13,250.29 870,102.68

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Sub. 3,495,679.03 4,035.54 3,164.01 22,850.56 3,514,056.80 1,695,190.90 1,181,865.90 883,352.97 1,293.52 0.00 17,057.01 13,250.29 870,102.68

Signature (Tax Collector) _____________________________________________________

TAX DISTRICT: WEAVERVILLE LEVY TYPE: TAX

TAX DISTRICT: WEAVERVILLE LEVY TYPE: WEAVERVILLE TAX
Date of Meeting: December 21, 2020
Subject: Budget Amendment
Presenter: Town Finance Director
Attachments: Budget Amendment Form

Description:
North Carolina counties are receiving funds for local governments as part of the Coronavirus Relief Fund (CRF) established under the federal CARES Act. The initial and subsequent allocation of these funds to the Town and North Buncombe Fire District combined was $120,853. Funds must be used for COVID-19 related expenditures incurred between March-December 2020. In November 2020 the Town received approval for another $33,520 in reimbursements, bringing the total received to date to $88,119.40.

The Town received funds from a grant award of $33,880 in November 2020 for Police Department body cameras.

The Town collected an additional $6,910 in Cops for Kids donations from November - December 2020, as well as $10 for the Pink Patch Project.

The attached budget amendment is necessary in order to include these funds in the fiscal year 2020-2021 budget.

Action Requested:
Town Manager recommends approval of the attached Budget Amendment.
Budget Amendment FY 2020-2021
Town of Weaverville

What expense accounts are to be increased?

<table>
<thead>
<tr>
<th>Account</th>
<th>Account Description</th>
<th>Transfer Amount</th>
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</thead>
<tbody>
<tr>
<td>010-410-412-26000</td>
<td>Admin – Supplies/Materials</td>
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<td>010-470-471-26500</td>
<td>Sanitation-Safety Materials</td>
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<td>010-470-471-12100</td>
<td>Sanitation – Salaries</td>
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<td>030-700-713-12100</td>
<td>Water Maint – Salaries</td>
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<td>030-700-712-35100</td>
<td>Water Prod – Building Repair</td>
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<td>010-430-434-35100</td>
<td>Fire – Building Repair/Maint</td>
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<td>010-430-434-26000</td>
<td>Fire - Supplies</td>
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<td>010-430-434-12100</td>
<td>Fire - Salaries</td>
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<tr>
<td>010-430-431-19000</td>
<td>Police – Professional Svcs</td>
<td>$33,880.32</td>
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<tr>
<td>010-430-431-26608</td>
<td>Cops for Kids (Expenditure)</td>
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<tr>
<td>010-430-431-26609</td>
<td>Pink Patch Project (Expenditure)</td>
<td>$10.00</td>
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What expense account(s) are to be decreased or additional revenue expected to offset expense?

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<tr>
<th>Account</th>
<th>Account Description</th>
<th>Transfer Amount</th>
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<tbody>
<tr>
<td>010-004-300-07070</td>
<td>Grant Funds (Revenue)</td>
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<td>010-004-300-07050</td>
<td>Police Dept Grants</td>
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<td>010-004-300-09028</td>
<td>Cops for Kids (Revenue)</td>
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<tr>
<td>010-004-300-09029</td>
<td>Pink Patch Project (Revenue)</td>
<td>$10.00</td>
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</table>

Justification: Please provide a brief justification for this budget amendment. Coronavirus Relief Funds received from the County November 2020; Police Dept Grant for Body Cameras; Cops for Kids donations received November-December 2020; Pink Patch Donation November 2020

Authorized by Finance Officer
Date

Authorized by Town Manager
Date

Authorized by Town Council (if applicable)
Date

Budget Ordinance Section 7:
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.
TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: December 21, 2020
Subject: Budget Amendment
Presenter: Town Finance Director/Town Manager
Attachments: Budget Amendment Form

Description:
The community center capital budget ordinance does not currently include funds for the following items:

- $32,107.37 for the construction and installation of (6) display cabinets in the gallery corridor.
- $2,250.00 to furnish and install lobby wall with reclaimed wormy chestnut wood.
- $8,549.27 for IT wiring and installation.

A budget amendment totaling $42,901.64 is needed to transfer funds from the contingency line item to Fixtures & Equipment to cover the cost of these three items.

Action Requested:

Town Manager recommends approval of the attached Budget Amendment.
## Budget Amendment FY 2020-2021
### Town of Weaverville

### What expense accounts are to be increased?

<table>
<thead>
<tr>
<th>Account</th>
<th>Account Description</th>
<th>Transfer Amount</th>
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<tbody>
<tr>
<td>070-300-000-19003</td>
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### What expense account(s) are to be decreased or additional revenue expected to offset expense?

<table>
<thead>
<tr>
<th>Account</th>
<th>Account Description</th>
<th>Transfer Amount</th>
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<tr>
<td>070-300-000-90000</td>
<td>Community Center - Contingency</td>
<td>$42,901.64</td>
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</tbody>
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### Justification: Please provide a brief justification for this budget amendment.  
*To include the cost of display cabinets in the gallery corridor, installation of wormy chestnut wood, and cost of IT wiring and installation.*

Authorized by Finance Officer  
Date

Authorized by Town Manager  
Date

Authorized by Town Council (if applicable)  
Date

### Budget Ordinance Section 7:

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.

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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.
TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

MEETING DATE: December 21, 2020

SUBJECT: Annexation Agreement with Town of Woodfin – Setting Public Hearing for January 25, 2021 at 7pm

PRESENTER: Mayor Root

ATTACHMENTS: Proposed Ordinance with Attached Map
Proposed Public Hearing Notice

DESCRIPTION/SUMMARY OF REQUEST:
The Town of Weaverville has been considering an annexation agreement with the Town of Woodfin in order to establish certain areas for potential voluntary annexation for each jurisdiction.

Town Council reviewed a revised ordinance and map at its regular workshop on December 8, 2020, and asked that this matter be placed back on for the purpose of setting a public hearing on the proposed annexation agreement. January 25, 2021, at 7pm is suggested for that purpose.

TOWN COUNCIL ACTION REQUESTED:
A motion to set a public hearing for January 25, 2021, at 7pm is suggested as follows:

I move that we set a public hearing on the proposed An Ordinance Establishing an Annexation Agreement Between the Town of Woodfin, North Carolina and the Town of Weaverville, North Carolina for the Mutual Boundary Lines Between These Two Municipalities for the Town’s regular meeting on January 25, 2021, at 7pm which will be held as a remote electronic meeting via Zoom and to advertise the public hearing as required by GS 160A-58.24(c).
An Ordinance Establishing an Annexation Agreement Between the Town of Woodfin, North Carolina and the Town of Weaverville, North Carolina for the Mutual Boundary Lines Between These Two Municipalities

Whereas, North Carolina General Statutes (NCGS) Chapter 160A, Article 4A, Part 6 (NCGS 160A-58.21 et seq.) authorizes two (2) or more municipalities to enter into binding agreements regarding future annexations in or to enhance orderly planning by such cities; and

Whereas, the governing boards of the Town of Woodfin, North Carolina and the Town of Weaverville, North Carolina seek to carry out plans for future land uses, provision of important public facilities, and the protection of greenspace and the environment; and

Whereas, potential conflict and confusion may occur along the interface between two (2) jurisdictions when the future municipal boundaries between the two (2) are unclear; and

Whereas, the governing board and its staff of both municipalities desire to foster good intergovernmental relations; and

Whereas, the governing boards and staff of both municipalities have engaged in a process of discussion that has led to the determination of an ultimate municipal boundary between the two (2) communities; and

Whereas, this ordinance has been adopted following independent public hearings by the Town of Woodfin on __________________ and the Town of Weaverville on January 25, 2021, with notice provided in accordance with NCGS 160A-31(c);

NOW, THEREFORE IT BE ORDAINED by the Board of Commissioners of the Town of Woodfin, North Carolina and the Town Council of the Town of Weaverville, North Carolina:

Section 1: Establishment of Annexation Boundary Line. Both governing bodies agree to the annexation boundaries as shown on the attached map entitled
“Boundary Agreement,” the contents of which are incorporated herein by reference.

Section 2: Town of Weaverville Annexation Area. That the areas inside of the Blue lines and shown as Sections 1-A and 1-B on the attached map, are located within Buncombe County, North Carolina and will be subject to future annexation by the Town of Weaverville and no portion of said area is subject to annexation or extraterritorial jurisdiction by the Town of Woodfin during the term of this agreement.

Section 3: Town of Woodfin Annexation Area. That the area inside of the Red line and shown as Section 2 on the attached map, is located within Buncombe County, North Carolina and will be subject to future annexation by the Town of Woodfin and no portion of said area is subject to annexation or extraterritorial jurisdiction by the Town of Weaverville during the term of this agreement.

Section 4: Notice of Annexations. That each participating municipality which proposes any annexation within the annexation areas identified in this agreement must give written notice, in the form of a “Notice of Intent to Annex,” to the other municipality of such annexation at least (60) days before the adoption of such annexation ordinance. The notice shall be in compliance with NCGS 160A-58.24(a) and (b) and shall be sent by mail to the chief appointed official of the other municipality.

Section 5: Effective Date. That this agreement shall become effective immediately following its adoption by ordinance of the governing body of both the Town of Woodfin and the Town of Weaverville.

Section 6: Modification of Amendments. That this ordinance may be modified or amended with a subsequent agreement entered into by both participating Towns pursuant to NCGS 160A-58.24(d). All modifications and amendments to this agreement shall be approved by ordinance and adopted after public hearings by both municipalities.

Section 7: Term of this Agreement. The term of this agreement shall be for a period of five (5) years. In order to comply with this agreement, a “Notice of Intent to Annex” must be approved by the governing body before the end of the five (5) year term.
Section 8: Termination of Agreement. That this agreement may be terminated by the consent of both jurisdictions as evidenced by an amendment to the agreement. This agreement shall be effective until such termination occurs or five (5) years, whichever comes first.

Adopted by the Town of Woodfin this the___ day of__________ 2021.

_________________________________________                    _____________________________
M. Jerry Vehaun, Mayor                                           Woodfin Town Clerk
Town of Woodfin

Adopted by the Town of Weaverville this___ day of January 2021.

_________________________________________                    _____________________________
Allan P. Root, Mayor                                              James Eller, Weaverville Town Clerk
Town of Weaverville
NOTICE OF PUBLIC HEARING AND
NOTICE OF REMOTE ELECTRONIC MEETING

PUBLIC NOTICE is hereby given that the Weaverville Town Council will hold a public hearing during its regularly scheduled monthly meeting on Monday, January 25, 2021, at 7:00 pm, or as soon thereafter as the matter can be reached, for the purpose of holding a Public Hearing on an Ordinance Establishing an Annexation Agreement Between the Town of Woodfin and the Town of Weaverville for the Mutual Boundary Lines Between These Two Municipalities.

This public hearing will occur as an electronic audio/video meeting via Zoom Meeting. Access to the meeting and hearing will begin at 6:45 pm and the meeting and hearing will start at 7:00 pm, or as soon thereafter as the matter can be reached. WRITTEN PUBLIC COMMENTS can also be submitted in advance of the public hearing and will be read into the record of the public hearing. Written public comments can be submitted as follows: (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 on January 25) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. The INSTRUCTIONS TO ACCESS THE REMOTE ELECTRONIC PUBLIC MEETING are:

To join the meeting BY COMPUTER, use this link: https://us02web.zoom.us/j/85948891960 . You may be asked for permission to access your computer’s video and audio. If so, click “allow.” You will then be asked for the Meeting ID which is: 859 4889 1960 .

To join the meeting BY PHONE, call: (253) 215-8782 or (301) 715 8592. You will then be asked for the Meeting ID which is: 859 4889 1960 .

If you would like ADDITIONAL INFORMATION or to review the content related to the Public Hearing, or have questions regarding how to submit a comment or join the meeting, you may contact Planning Director and Town Clerk James Eller at 828-484-7002 or jeller@weavervillenc.org.

James Eller
Weaverville Town Clerk
MEETING DATE: December 21, 2020
SUBJECT: Waterline Acceptance – Northridge Commons Townhouses
PRESENTER: Public Works Director
ATTACHMENTS: Approved Easement Plat

DESCRIPTION/SUMMARY OF REQUEST:

The Northridge Commons Townhouses project behind Walmart is nearing completion. As a part of that project the property owner, Northridge Commons Investors, LLC, has constructed the water infrastructure necessary to provide this development with public water. A water easement plat is attached showing the lines and the easement area.

Although there are still some punchlist items outstanding, the Public Works Director is requesting that Town Council accept the waterline extension and related improvements into the Town’s water system subject to staff level approval by the Public Works Director, Town Manager and Town Attorney. The Public Works Director also urges Town Council to set a waterline repair guaranty at $15,000 to cover any defects that might be discovered within three years of our acceptance. The Town Attorney has been working with the owner to get the necessary easement documents in place pending Town Council approval.

The recording of a final plat of the project is required before the development can begin selling lots. A final plat will be undergoing review and recommendation by staff and the Planning and Zoning Board prior to it coming to Town Council for approval in January 2021. To ensure that all outstanding punchline items on the water system are completed, final plat approval should be withheld if the Public Works Director has not issued a final approval of the water system.

ACTION REQUESTED:

Council action to (1) accept the waterline extension and related improvements into the Town’s water system subject to staff level approval by the Town Manager, Town Attorney and Public Works Director, and (2) set the repair guaranty amount at $15,000. The following is suggested as a motion:

I move that we accept the waterline extension and related improvements for the Northridge Commons Townhouses project into the Town’s water system subject to staff level approval by the Town Manager, Town Attorney and Public Works Director, and to set the repair guaranty amount at $15,000.
NORTH RIDGE COMMONS
TOWNHOUSES

DEVELOPMENT DATA
PROJECT DATA
WATER AS-BUILT RECORD
DRAWING

DEVELOPMENT DATA
PROJECT DATA
WATER AS-BUILT RECORD
DRAWING
Town of Weaverville

Town Council Agenda Item

Date of Meeting: Monday, December 21, 2020
Subject: Town Manager’s Monthly Report
Presenter: Town Manager
Attachments: Manager’s Monthly Report

Description:
Attached you will find the Town Manager’s monthly report to be presented during the upcoming Town Council meeting.

Action Requested:
No action required.
December 2020

Elections Polling Site
We have been notified that the County Board of Elections is planning for the 2021 elections and they need to bring the Town’s request forward for their Board approval if we wish to move the election site from Town Hall to the new Community Center. I will be asking for Council consensus at this meeting to formally request that the election polling site be moved from Town Hall to the new Community Center in 2021.

USDA Bond Closing
As an update, we closed on the USDA bond totaling $2.5 million on December 14, 2020. Our rate is 2.125% as opposed to the originally planned 4.0%, which will result in a substantial savings in financing costs over the 40-year loan term.

Sales Tax Update
We continue to see positive increases in our sales tax revenue, with a 2.5% increase from October of last year to this year.

Coronavirus Relief Funds
To update Town Council, we have received $88,119 in CRF funds as of this month, from the total allocated of $120,853 for the Town and the North Buncombe Fire District. I anticipate that we will spend and be reimbursed for our full allocation.

Red Cross Blood Drive
Weaverville is hosting a blood drive with the American Red Cross on December 24 from 10:30am-2:30pm at Town Hall. I encourage anyone who can, to donate blood if possible.
TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, December 21, 2020
Subject: Manufactured Home Overlay District

Presenter: Planning Director
Attachments: Notice of Public Hearing, Proposed Ordinances, Staff Report
Description:

At the direction of Council staff, in conjunction with the Planning and Zoning Board, has been preparing language related to the establishment and implementation of a manufactured home overlay district as per the priorities contained within the comprehensive land use plan. Following its deliberation on the matter on November 5 and December 1 the Planning and Zoning Board is nearing an official recommendation to Council on the proposed zoning map and text amendment. This recommendation will be finalized at the January 5, 2021 meeting of the Board in advance of the public hearing before Town Council.

Staff will provide an overview of the proposed amendments at tonight's meeting.

Action Requested:

Staff is seeking the setting of a public hearing before Town Council on Monday, January 25, 2021 at 7:00 pm, or at such time as Council reaches the matter, on these matters. The following motion is proposed:

I move that we set a public hearing for Monday, January 25, 2021 at 7:00 pm, or as soon thereafter as the matters can be reached, to be held as a remote electronic meeting, on the ordinance amending the Town's zoning text concerning the R-3 zoning district and the establishment of a manufactured home overlay district, and zoning map amendments to apply the manufactured home overlay district to certain properties.
NOTICE OF PUBLIC HEARING AND
NOTICE OF REMOTE ELECTRONIC MEETING

PUBLIC NOTICE is hereby given that the Weaverville Town Council will hold a public hearing during its regularly scheduled monthly meeting on **Monday, January 25, 2021, at 7:00 pm** or as soon thereafter as the matter can be reached, for the purpose of holding a Public Hearing on an ordinance amending the Town’s zoning text concerning the R-3 zoning district and the establishment of a manufactured home overlay district, and zoning map amendments to apply the manufactured home overlay district to certain properties. The following parcels of land are proposed for the manufactured home overlay district.

<table>
<thead>
<tr>
<th>Parcel Identification Number</th>
<th>Physical Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>9743-43-0246</td>
<td>N. Buncombe School Rd</td>
</tr>
<tr>
<td>9743-43-0162</td>
<td>30 Red Cole Drive</td>
</tr>
<tr>
<td>9743-33-9113</td>
<td>21 Red Cole Drive</td>
</tr>
<tr>
<td>9743-33-8364</td>
<td>N. Buncombe School Rd</td>
</tr>
<tr>
<td>9743-33-6380</td>
<td>N. Buncombe School Rd</td>
</tr>
<tr>
<td>9743-33-4367</td>
<td>15 N. Buncombe School Rd</td>
</tr>
<tr>
<td>9743-33-4513</td>
<td>23 N. Buncombe School Rd</td>
</tr>
<tr>
<td>9743-33-6553</td>
<td>N. Buncombe School Road</td>
</tr>
<tr>
<td>9743-33-3697</td>
<td>31 N. Buncombe School Rd</td>
</tr>
<tr>
<td>9743-33-5799</td>
<td>41 N. Buncombe School Rd</td>
</tr>
<tr>
<td>9743-31-5384</td>
<td>25 Coleman Hensley Drive</td>
</tr>
<tr>
<td>9743-31-5585</td>
<td>4 Coleman Hensley Drive</td>
</tr>
<tr>
<td>9732-80-0678</td>
<td>341 Merrimon Avenue</td>
</tr>
</tbody>
</table>

This public hearing will occur as an electronic audio/video meeting via Zoom Meeting. Access to the meeting and hearing will begin at 6:45 p.m. and the meeting and hearing will start at 7:00 pm, or as soon thereafter as the matter can be reached. WRITTEN PUBLIC COMMENTS can also be submitted in advance of the public hearing and will be read into the record of the public hearing. Written public comments can be submitted as follows: (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 on **January 25**) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. The INSTRUCTIONS TO ACCESS THE REMOTE ELECTRONIC PUBLIC MEETING are:

To join the meeting BY COMPUTER, use this link: [https://us02web.zoom.us/j/85948891960](https://us02web.zoom.us/j/85948891960). You may be asked for permission to access your computer’s video and audio. If so, click “allow.” You will then be asked for the Meeting ID which is: 859 4889 1960.
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If you would like ADDITIONAL INFORMATION or to review the content related to the Public Hearing, or have questions regarding how to submit a comment or join the meeting, you may contact Planning Director and Town Clerk James Eller at 828-484-7002 or jeller@weavervillenc.org.

James Eller
Weaverville Town Clerk
TOWN OF WEAVERVILLE
AN ORDINANCE AMENDING THE TOWN’S ZONING MAP TO ESTABLISH A MANUFACTURED HOME OVERLAY DISTRICT ON CERTAIN PROPERTIES

WHEREAS, Town Council wishes to amend its zoning map to zone the following parcels of land with the manufactured home overlay district (MHO):

<table>
<thead>
<tr>
<th>Parcel Identification Number</th>
<th>Physical Address</th>
<th>Current Property Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>9743-43-0246</td>
<td>N. Buncombe School Rd</td>
<td>David Cole</td>
</tr>
<tr>
<td>9743-43-0162</td>
<td>30 Red Cole Drive</td>
<td>David Cole</td>
</tr>
<tr>
<td>9743-33-9113</td>
<td>21 Red Cole Drive</td>
<td>Lamar Cole</td>
</tr>
<tr>
<td>9743-33-8364</td>
<td>N. Buncombe School Rd</td>
<td>Lamar Cole</td>
</tr>
<tr>
<td>9743-33-6380</td>
<td>N. Buncombe School Rd</td>
<td>James Cole</td>
</tr>
<tr>
<td>9743-33-4367</td>
<td>15 N. Buncombe School Rd</td>
<td>Michael Boles</td>
</tr>
<tr>
<td>9743-33-4513</td>
<td>23 N. Buncombe School Rd</td>
<td>Norman Bradford</td>
</tr>
<tr>
<td>9743-33-6553</td>
<td>N. Buncombe School Road</td>
<td>Raymond Cole</td>
</tr>
<tr>
<td>9743-33-3697</td>
<td>31 N. Buncombe School Rd</td>
<td>Heidi Cole</td>
</tr>
<tr>
<td>9743-33-5799</td>
<td>41 N. Buncombe School Rd</td>
<td>Isabel Cole</td>
</tr>
<tr>
<td>9743-31-5384</td>
<td>25 Coleman Hensley Drive</td>
<td>Michael Hensley</td>
</tr>
<tr>
<td>9743-31-5585</td>
<td>4 Coleman Hensley Drive</td>
<td>Jack Hensley</td>
</tr>
<tr>
<td>9732-80-0678</td>
<td>341 Merrimon Avenue</td>
<td>Jones Family Properties, LLC</td>
</tr>
</tbody>
</table>

WHEREAS, the Weaverville Planning and Zoning Board reviewed this map amendment on December 1, 2020, found that the establishment of the MHO on the above properties is reasonable and in the public interest in that it is consistent with the future land use map, provides a balance of residential uses, and is compatible with the current uses on those properties and with the uses in the surrounding area, and, by a unanimous vote, recommended that Council approve the zoning map amendment;

WHEREAS, Town Council held a public hearing on this map amendment on ____ as required by law and by Town Code;

WHEREAS, Town Council finds that the map amendment is consistent with the Town’s Comprehensive Land Use Plan, is reasonable and in the public interest in that it is consistent with the future land use map, provides a balance of residential uses, is compatible with the current uses on those properties and with the uses in the surrounding area, will allow the highest and best use of the property, and is in the best interest of the public;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Weaverville, North Carolina, that the official Weaverville Zoning Map is hereby amended to reflect that the manufactured home overlay district applies to the above-referenced properties effective immediately.
ADOPTED THIS the ____ day of ____________, 2021, by a vote of ___ in favor and ___ against.

_____________________________________________________
ALLAN P. ROOT, Mayor

ATTESTED BY:                          APPROVED AS TO FORM:

________________________________________________  ____________________________________________
JAMES ELLER, Town Clerk  JENNIFER O. JACKSON, Town Attorney
ORDINANCE AMENDING WEAVERVILLE TOWN CODE
CHAPTER 36 CONCERNING THE R-3 ZONING DISTRICT AND
THE ESTABLISHMENT OF A MANUFACTURED HOME OVERLAY DISTRICT

WHEREAS, N.C. Gen. Stat. 160D-910 authorizes the adoption of appearance and
dimensional standards for manufactured homes and the use of a manufactured home
overlay district to provide such regulation as long as such regulations do not have the effect
of excluding manufactured homes from the entire zoning jurisdiction;

WHEREAS, consistent with the priorities established in the Comprehensive Land
Use Plan and at the direction of Town Council, the Planning and Zoning Board met on
November 5, 2020, and December 1, 2020, and in those meetings studied and reviewed the
Town’s existing regulations and proposed new regulations concerning the establishment of
a manufactured home overlay district;

WHEREAS, the Planning and Zoning Board has found such amendments consistent
with the Town’s comprehensive land use plan, reasonable, and in the best interest of the
public in that the overlay district, if established, adds to the balance of residential uses and
allows for a closer analysis on the compatibility of manufactured homes with surrounding
developed properties prior to the application of the district, and with a majority unanimous
vote of the Planning and Zoning Board, recommends such amendments;

WHEREAS, after proper notice the Town Council held a public hearing on ________,
2021, in order to receive input from the public on these proposed amendments;

WHEREAS, Town Council adopts the findings and recommendations of the Planning
and Zoning Board presented during the public hearing;

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

1. The findings and recommendations of the Planning and Zoning Board are hereby
incorporated by reference and adopted by Town Council.

2. All amendments adopted in this Ordinance are shown in red with added language
underlined and deleted language shown with strike-throughs.

3. Section 36-56 is hereby amended as follows:

Sec. 36-56. - Use and overlay districts.
The following standard use districts and overlay districts are hereby established:

(a) R-1. The primary residential district is established in which the principal use of the land is
for single family residential purposes and the regulations for the R-1 district are
established in order to protect the existing residential development and protect and
promote a suitable environment for family life.
(b) R-2. The transitional residential district is established in which the principal use of the land is for residential purposes and the regulations for the R-2 district are established in order to protect the existing residential development and protect and promote a suitable environment for family life.

(c) R-3. The general residential district is established in order to provide a location for manufactured homes on individual lots in which the principal use of the land is for residential purposes and the regulations for the R-3 district are established in order to protect the existing residential development and protect and promote a suitable environment for family life with a higher allowable density than the R-1 and R-2 districts.

(d) R-12. The multi-unit residential district is established in which the principal use of the land is for residential purposes and the regulations for the R-12 district are established in order to provide a location for multi-unit residential development such as apartments and to provide regulations to minimize the effects of higher density residential uses.

(e) C-1. The central business district is established in which the principal use of the land is for retail and food service businesses and the regulations for the C-1 district are established in order to protect the present retail businesses and service development within the district and promote future development within the district of businesses compatible with a vibrant, walkable main street.

(f) C-2. The general business district is established in which the principal use of the land is for commercial development and the regulations for the C-2 district are established in order to promote current and future development of businesses which are required to serve the needs of residents of the town with convenience shopping, goods and services.

(g) I-1. The light industrial district is established in which the principal use of the land is for light industrial development and the regulations for the I-1 district are established in order to promote industrial development but provide that the noise, dust, glare, and odor of each such industrial operation be kept to a minimum.

(h) MHO. The manufactured home overlay district is established and intended for application to those areas of the zoning jurisdiction where the use or development of manufactured homes on individual lots is consistent with the character of the area and compatible with surrounding developed properties.

…

4. The table of uses established in Section 36-105 is hereby amended to remove manufactured homes as a use permitted with standards in R-3 and to add a MHO district which permits manufactured homes with standards as follows:

Sec. 36-105. - Table of uses.

<table>
<thead>
<tr>
<th>USES</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-12</th>
<th>C-1</th>
<th>C-2</th>
<th>I-1</th>
<th>MHO</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufactured Home</td>
<td>-</td>
<td>-</td>
<td>PS</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>PS</td>
</tr>
</tbody>
</table>
5. Section 36-106 is hereby amended to establish dimensional requirements for the MHO district as follows:

Sec. 36-106. - Table of dimensional requirements.

| Zoning District                      | R-1 | R-2 | R-3         | R-12 | C-1 | C-2 | I-1 | MHO¹²
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area (sq. Ft.)</td>
<td>10,000 ²⁷</td>
<td>7,500 ²,³,⁴,⁷</td>
<td>5,445 ¹,²,³,⁴,⁷</td>
<td>7,500 ³,⁴,⁷ ⁸</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5,445 ¹²,³,⁴,⁷</td>
</tr>
<tr>
<td>Minimum Lot Width(ft.)</td>
<td>100</td>
<td>75</td>
<td>75</td>
<td>75</td>
<td>0</td>
<td>50</td>
<td>0</td>
<td>75</td>
</tr>
<tr>
<td>Minimum Front Yard (ft.)</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>30</td>
</tr>
<tr>
<td>Major Thoroughfare</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>0</td>
<td>60</td>
<td>35</td>
<td>³⁰</td>
</tr>
<tr>
<td>Minor Thoroughfare</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>0</td>
<td>25</td>
<td>35</td>
<td>³⁰</td>
</tr>
<tr>
<td>With Parking in Front</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>60</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Without Parking in Front</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>40</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum Side Yard (ft.) Abutting Residential District</td>
<td>10</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>0</td>
<td>30</td>
<td>40</td>
<td>10 ⁶</td>
</tr>
<tr>
<td>Minimum Side Yard (ft.) Abutting Commercial or Industrial District</td>
<td>10</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>0</td>
<td>0</td>
<td>40</td>
<td>10 ⁶</td>
</tr>
<tr>
<td>Minimum Rear Yard (ft.) Abutting Residential District</td>
<td>10</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>0</td>
<td>30</td>
<td>40</td>
<td>10 ⁶</td>
</tr>
<tr>
<td>Minimum Rear Yard (ft.) Abutting Commercial or Industrial District</td>
<td>10</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>0</td>
<td>0</td>
<td>40</td>
<td>10 ⁶</td>
</tr>
<tr>
<td>Height Limit (ft.)</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>45 and no more than 3 stories</td>
<td>Note 10 75</td>
<td>75</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>Buffer if Abutting a Residential District (ft.)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>20</td>
<td>Note 9 20</td>
<td>20</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

6. Section 36-107 is hereby amended to add the following note:

Sec. 36-107. - Notes for table of dimensional requirements.

Notes:

11. The dimensional standards for the MHO district only apply to manufactured homes. To the extent that a dimensional requirement for a manufactured home in the MHO district is inconsistent with the corresponding dimensional requirement of the underlying use district, the more restrictive dimensional requirement shall apply to that manufacture home.
7. Section 36-129 is hereby amended to add additional standards for manufactured homes:

Sec. 36-129. - Manufactured home.
(a) No new manufactured home shall be permitted within floodways and non-encroachment areas as determined by the Floodplain Administrator of Buncombe County.
(b) Each new manufactured home shall be placed on an individual lot.
(c) A manufactured home must be built to or exceed the Manufactured Home Construction Safety Standards as developed by the Housing and Urban Development Code of June 15, 1976.
(d) Manufactured homes must not be more than a single story measured from front ground level and may not be stacked.
(e) Manufactured homes must either be properly tied down with underpinning/skirting installed and maintained or must be placed on a permanent foundation. If piers are used they must be engineered and skirting must be installed.

8. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining paragraphs or sections of this Ordinance, since they would have been enacted by Town Council without the incorporation in this Ordinance of any such unconstitutional or invalid section or paragraph.

9. These amendments shall be effective immediately upon adoption and immediately codified.

ADOPTED THIS the ___ day of ____________, 2021, by a vote of ___ in favor and ___ against.

__________________________________________________
ALLAN P. ROOT, Mayor

ATTESTED BY:                                      APPROVED AS TO FORM:

_________________________________________________
JAMES ELLER, Town Clerk                          JENNIFER O. JACKSON, Town Attorney
Town of Weaverville, North Carolina

Staff Report: Proposed Manufactured Home Overlay Zoning District

Prepared November 2020

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; North Carolina General Statutes; UNCSOG Legal Summaries

Comprehensive Land Use Plan Stated Goal and Background Information

The current goals of the Comprehensive Land Use Plan (CLUP), last updated in August 2020, call for the consideration of the implementation of a manufactured home overlay district. Said goal was also given the highest priority within the CLUP giving staff the direction to accomplish or address the stated goal within 12 months.

As some may recall, this conversation started months ago in relation to a general inquiry from the Planning and Zoning Board regarding large tracts of land within municipal borders which are zoned for further residential development. For those of you not on the Board at that time staff provided the following report in February.

<table>
<thead>
<tr>
<th>Address</th>
<th>PIN</th>
<th>Zoning District</th>
<th>Acres</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>105 Church</td>
<td>9742-08-0900</td>
<td>R-1</td>
<td>3.55</td>
<td>15</td>
</tr>
<tr>
<td>11 Lakeshore</td>
<td>9742-16-0551</td>
<td>R-2</td>
<td>5.51</td>
<td>32</td>
</tr>
<tr>
<td>123 Highland</td>
<td>9732-95-2862</td>
<td>R-1</td>
<td>12.22</td>
<td>53</td>
</tr>
<tr>
<td>210 Aiken</td>
<td>9732-83-623       ;</td>
<td>9732-83-8176</td>
<td>R-3</td>
<td>5.96</td>
</tr>
<tr>
<td>300 Aiken</td>
<td>9732-82-3831</td>
<td>R-3</td>
<td>12.66</td>
<td>101</td>
</tr>
<tr>
<td>41 N. Buncombe School</td>
<td>9743-33-5799</td>
<td>R-3</td>
<td>3.47</td>
<td>28</td>
</tr>
<tr>
<td>68 Highland</td>
<td>9742-06-4501</td>
<td>R-1</td>
<td>7.11</td>
<td>31</td>
</tr>
<tr>
<td>93 Church</td>
<td>9742-08-6733</td>
<td>R-1</td>
<td>2.93</td>
<td>13</td>
</tr>
<tr>
<td>96 Church</td>
<td>9742-98-9331</td>
<td>R-1</td>
<td>4.87</td>
<td>21</td>
</tr>
<tr>
<td>99 Church</td>
<td>9742-08-3833</td>
<td>R-1</td>
<td>3</td>
<td>13</td>
</tr>
<tr>
<td>Unaddressed Central</td>
<td>9742-06-9911</td>
<td>R-1</td>
<td>6.5</td>
<td>28</td>
</tr>
<tr>
<td>Unaddressed Church</td>
<td>9742-28-1340;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>9742-27-2925</td>
<td>R-1</td>
<td>2.56</td>
<td>11</td>
</tr>
<tr>
<td>Unaddressed College</td>
<td>9742-17-9929</td>
<td>R-1</td>
<td>2.1</td>
<td>9</td>
</tr>
</tbody>
</table>
Listed units are a theoretical maximum based solely upon the minimum lot area of the zoning district and the acreage present on the subject parcel. Other variables such as minimum lot width, minimum street frontage, setbacks, existing easements, road construction or topography have not been accounted for. Hence the need for preliminary plat engineering. For instance, 108 Church Street recently before the Board carried a theoretical maximum of 12 lots but was only able to achieve 5. 50% of the units listed probably represents a more accurate assessment of units that may translate to the ground.

Properties previously subject to some form of development approval have not been included.

Even if by accident, it was this report which illustrated a large amount of land on which manufactured housing could be established by right on properties within the R-3 zoning district. A conversation between staff and the Board ensued which was reflected in the minutes of the Board meeting as follows.

“Mr. Eller further described the report on undeveloped or underutilized parcels of size within municipal borders originally presented to the Board at their previous meeting and asked the Board if they would support the creation of an overlay district to further restrict the permitting of mobile homes by right in the R-3 zoning district given the number of mobile homes which could be permitted by right. The Board affirmed.”

In February the Board identified the volume of manufactured homes which could be permitted as a concern and in August Town Council adopted the aforementioned stated goal with the advice of the Board and staff. Now staff has prepared this information for the Board to produce an informed opinion in their recommendation to Town Council on the matter. Staff is available to supply any further information or material which the Board may request for their consideration.
Definition of Manufactured Home

The Town’s code of ordinances currently defines a manufactured home as follows...

Manufactured home or mobile home. A structure as defined in G.S. 143-145(7).

North Carolina General Statute provided the following definition...

Manufactured home. – A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of HUD and complies with the standards established under the Act.

For manufactured homes built before June 15, 1976, "manufactured home" means a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semipermanent foundation having a measurement of over 32 feet in length and over eight feet in width. "Manufactured home" also means a double-wide manufactured home, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semipermanent foundation having a measurement of over 32 feet in length and over eight feet in width.

Manufactured vs. Modular

Staff’s experience in communicating with the general public on the matter suggests that there is usually some confusion over how a manufactured home is differentiated from a modular home. Coupled with the aforementioned definition of manufactured home the following is the definition of modular home from the Town’s code of ordinances...

Modular home. A dwelling unit constructed in accordance with the construction standards of the North Carolina Uniform Residential Building Code for One- and Two-Family Dwellings, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly and placement on a permanent foundation. Without limiting the generality of the foregoing, a modular home may consist of two or more sections transported to the site on each’s own
chassis or steel frame, or a series of panels or room sections transported to the site on a truck and erected, assembled, or joined there. This unit is deeded, and not titled by the state department of motor vehicles.

The differences of manufactured and modular housing provided by a combination of municipal ordinance and state statute are reflected in the following chart...

<table>
<thead>
<tr>
<th></th>
<th>Manufactured</th>
<th>Modular</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject to the North Carolina Building Code</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Assembled entirely off-site</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Place on a permanent foundation</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Portable after placement</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Deeded ownership</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Titled by NCDMV</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

**Zoning Analysis**

Under current zoning regulations the Town permits with standards a manufactured home on an individual lot within the R-3 zoning district and a manufactured home park is not permissible in any zoning district.

Sec. 36-104. - Notes on table of uses.
Notes:
3. The abbreviations and symbols shown in the Table of Uses have the following meanings:
"PS" = Permitted with Standards
"-" = Not Permitted

Sec. 36-105. - Table of uses.

<table>
<thead>
<tr>
<th>USES</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-12</th>
<th>C-1</th>
<th>C-2</th>
<th>I-1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESIDENTIAL</strong></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufactured Home</td>
<td></td>
<td></td>
<td>PS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufactured Home Park</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The additional standards applicable to manufactured homes were established by a text amendment related to the implementation of the table of uses in August 2017 and are as follows...

Sec. 36-129. - Manufactured home.
(a)  No new manufactured home shall be permitted within floodways and nonencroachment areas as determined by the Floodplain Administrator of Buncombe County.
(b)  Each new manufactured home shall be placed on an individual lot.
(c)  A manufactured home must be built to or exceed the Manufactured Home Construction Safety Standards as developed by the Housing and Urban Development Code of June 15, 1976.

**Statutory Limits: 160D-910 Manufactured Homes**

NCGS 160D-910 establishes that a local government may adopt and enforce regulations related to the location, dimensions and appearance of manufactured homes. However, within the same statute is stated that “a local government may not adopt or enforce zoning regulations or other provisions that have the effect of excluding manufactured homes from the entire zoning jurisdiction or that exclude manufactured homes based on the age of the home.”

Also stated is that “in accordance with the local government’s comprehensive plan and based on local housing needs, a local government may designate a manufactured home overlay district within a residential zoning district. Such overlay district may not consist of an individual lot or scattered lots, but shall consist of a defined area within which additional requirements or standards are placed upon manufactured homes.”

**Proposed Manufactured Home Overlay District (MH)**

The creation of a mobile home overly district will take the form of both a text amendment (enumeration of the district; other standards in addition to the current additional standards, if any, applicable to manufactured homes) and a map amendment.

A proposed manufactured home overlay district could be slotted into an existing portion of municipal ordinance as follows...

*Sec. 36-56. - Use districts.*
*The following standard use districts are hereby established:*
(a) **R-1.** The primary residential district is established in which the principal use of the land is for single family residential purposes and the regulations for the R-1 district are established in order to protect the existing residential development and protect and promote a suitable environment for family life.

(b) **R-2.** The transitional residential district is established in which the principal use of the land is for residential purposes and the regulations for the R-2 district are established in order to protect the existing residential development and protect and promote a suitable environment for family life.

(c) **R-3.** The general residential district is established in order to provide a location for manufactured homes on individual lots in which the principal use of the land is for residential purposes and the regulations for the R-3 district are established in order to protect the existing residential development and protect and promote a suitable environment for family life.

(d) **R-12.** The multi-unit residential district is established in which the principal use of the land is for residential purposes and the regulations for the R-12 district are established in order to provide a location for multi-unit residential development such as apartments and to provide regulations to minimize the effects of higher density residential uses.

(e) **C-1.** The central business district is established in which the principal use of the land is for retail and food service businesses and the regulations for the C-1 district are established in order to protect the present retail businesses and service development within the district and promote future development within the district of businesses compatible with a vibrant, walkable main street.

(f) **C-2.** The general business district is established in which the principal use of the land is for commercial development and the regulations for the C-2 district are established in order to promote current and future development of businesses which are required to serve the needs of residents of the town with convenience shopping, goods and services.

(g) **I-1.** The light industrial district is established in which the principal use of the land is for light industrial development and the regulations for the I-1 district are established in order to promote industrial development but provide that the noise, dust, glare, and odor of each such industrial operation be kept to a minimum.

The following overlay district is hereby established:

(a) **MH.** The manufactured home overlay district is established and intended for application to those areas of the zoning jurisdiction where the use or development of manufactured homes on individual lots is consistent with the character of the area and compatible with surrounding developed properties.

In addition to the standard use districts, conditional zoning districts may be established in accordance with section 36-84 of this chapter.
Sec. 36-105. - Table of uses.

<table>
<thead>
<tr>
<th>USES</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-12</th>
<th>C-1</th>
<th>C-2</th>
<th>I-1</th>
<th>MH</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufactured Home</td>
<td>-</td>
<td>-</td>
<td>PS</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>PS</td>
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</table>

Sec. 36-106. - Table of dimensional requirements.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>R-12</th>
<th>C-1</th>
<th>C-2</th>
<th>I-1</th>
<th>MH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area (sq. Ft.)</td>
<td>10,000²,³</td>
<td>7,500 ²,³</td>
<td>7,500 ³,⁴</td>
<td>7,500 ³,⁴</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5,445 ³,⁴,⁷</td>
</tr>
<tr>
<td>Minimum Lot Width(ft.)</td>
<td>100</td>
<td>75</td>
<td>75</td>
<td>75</td>
<td>0</td>
<td>50</td>
<td>0</td>
<td>75</td>
</tr>
<tr>
<td>Minimum Front Yard (ft.)</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>30</td>
</tr>
<tr>
<td>Major Thoroughfare</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30 ⁵</td>
<td>0</td>
<td>60</td>
<td>35 ⁵</td>
<td>30</td>
</tr>
<tr>
<td>Minor Thoroughfare</td>
<td>30</td>
<td>30</td>
<td>30 ⁵</td>
<td>30 ⁵</td>
<td>0</td>
<td>25</td>
<td>35 ⁵</td>
<td>30</td>
</tr>
<tr>
<td>With Parking in Front</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>60</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Without Parking in Front</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>40</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum Side Yard (ft.)</td>
<td>10</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>0</td>
<td>30</td>
<td>40</td>
<td>10 ⁶</td>
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<tr>
<td>Abutting Residential District</td>
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<td></td>
</tr>
<tr>
<td>Minimum Side Yard (ft.)</td>
<td>10</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>0</td>
<td>0</td>
<td>40</td>
<td>10 ⁶</td>
</tr>
<tr>
<td>Abutting Commercial or Industrial District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Yard (ft.)</td>
<td>10</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>10 ⁶</td>
<td>0</td>
<td>30</td>
<td>40</td>
<td>10 ⁶</td>
</tr>
<tr>
<td>Abutting Residential District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
Town of Weaverville, North Carolina

Staff Report: Proposed Manufactured Home Overlay Zoning District

Prepared November 2020

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; North Carolina General Statutes; UNCSOG Legal Summaries

<table>
<thead>
<tr>
<th>Minimum Rear Yard (ft.)</th>
<th>10</th>
<th>10^6</th>
<th>10^6</th>
<th>10^6</th>
<th>0</th>
<th>0</th>
<th>40</th>
<th>10^6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abutting Commercial or Industrial District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>0</td>
<td>40</td>
<td>0</td>
</tr>
</tbody>
</table>

| Height Limit (ft.) | 35 | 35  | 35  | 45 and no more than 3 stories | Note 10 | 75 | 75 | 35 |

| Buffer if Abutting a Residential District (ft.) | 0 | 0 | 0 | 20 | Note 9 | 20 | 20 | 0 |

Sec. 36-107. - Notes for table of dimensional requirements.

See sections: dwelling setbacks, sections 36-13 to 36-15; nonconforming lots, section 36-21; right-of-way, section 36-8;

Notes:

1. 10,000 square feet if no public sewerage is available.
2. 20,000 square feet if neither public water or sewerage is available.
3. 5,000 additional square feet for each additional dwelling unit when public water and/or sewer is available.
4. 10,000 additional square feet for each additional dwelling unit when public water and/or sewer is not available.
5. 40 feet if property directly across the right-of-way is zoned residential.
6. 15 feet for duplexes; 25 feet for all other multi-family dwelling units.
7. Additional square footage may be required by the authority having jurisdiction over private water and/or sewerage systems located on individual lots.
8. 3,280 additional square feet for each additional dwelling unit when public water and/or sewer is available.
9. Where a lot in C-1 central business district abuts a residential district, either directly or across a street (on the side of the C-1 lot), and any use is hereafter established on the C-1 lot by the construction of a new building thereon or by the enlargement of an existing building on the C-1 lot which enlargement exceeds by 25 percent the floor area of the existing building, such building and such lot shall be screened from the lot in the residential district by a vegetative screen (as defined in section 36-5) on the side of the building or lot facing the residential lot shall require screening. Exceptions to this buffering requirement in C-1 are as follows:
   (a) These provisions shall not apply to any lot which is used for a use which would be permitted in the adjacent residentially zoned district.
   (b) The vegetative screen required shall be omitted along the street where the C-1 lot fronts.
   (c) The board of adjustment shall have the authority to alter or eliminate the required vegetative screen where the lot requiring the vegetative screen and the adjacent lot zoned
residential are in single ownership or upon receipt of a notarized statement waiving or modifying the screening provisions of this section, between the owner of the lot requiring the vegetative screen and the owner of the adjacent lot zoned residential. Any such agreements shall be attached to the application for zoning permit and retained by the town.

10. In the C-1 central business district, every building or structure hereafter erected or structurally altered to exceed 35 feet in height, shall, above such 35-foot height, be set back from the front line of the property on which the building or structure is located on the ratio of one set back foot for each two-foot rise above such 35-foot height. In no case shall the height be greater than 57 feet (which would require a setback of 11 feet).

Where more than one-half of the street frontage in a particular street block is zoned residential and the remaining frontage on the same side of that street block is zoned C-1, the height regulations for the residential district shall apply to the lots zoned for commercial uses on that side of the street block.

Sec. 36-129. - Manufactured home.

(a) No new manufactured home shall be permitted within floodways and nonencroachment areas as determined by the Floodplain Administrator of Buncombe County.

(b) Each new manufactured home shall be placed on an individual lot.

(c) A manufactured home must be built to or exceed the Manufactured Home Construction Safety Standards as developed by the Housing and Urban Development Code of June 15, 1976.

Once the district is enumerated, it will be the responsibility of staff and the Board to identify where such an overlay district should be in place and make such a recommendation to Town Council. The text and map amendments could run concurrently through the legislative process but staff would strongly advise against the passing of any map amendment prior to the desired regulations, in the form of a text amendment, being in place.

NCGS 160D-910 also provides some guidance to this regard and states “a local government may adopt and enforce appearance dimensional criteria for manufactured homes. Such criteria shall be designed to protect property values, to preserve the character and integrity of the community or individual neighborhoods within the community, and to promote the health, safety and welfare of area residents. The criteria shall be adopted by ordinance.”

Overlay districts are often shown as “hatched” on zoning maps so the underlying zoning district remains discernable. For instance the following is a depiction of the Town owner property on the west side of the interstate with a hatched pattern outlining the property and proposed overlay zoning district.
Additional Resources

Manufactured Housing, Modular Housing, and Zoning
https://www.sog.unc.edu/resources/legal-summaries/manufactured-housing-modular-housing-and-zoning
MEETING DATE: December 21, 2020

SUBJECT: MS4 Stormwater Program Compliance

PRESENTER: Town Attorney and Public Works Director

ATTACHMENTS: Proposed Resolution
Notice of Violation
Letter dated December 10, 2020
Budget Amendment

DESCRIPTION/SUMMARY OF REQUEST:

The federal Clean Water Act requires National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharge from municipal separate storm sewer systems (MS4) in order to protect water quality. North Carolina Department of Environmental Quality (NCDEQ) administers this program and issues NPDES permits in North Carolina. The Town was most recently issued an MS4 Permit on February 20, 2017.

NCDEQ was recently audited by the EPA for compliance which has resulted in much closer scrutiny of MS4 permits issued to North Carolina jurisdictions. Along with many other jurisdictions across the State and our region, the Town has recently participated in a compliance audit of the Town’s MS4 Permit. Consistent with the vast majority of the other jurisdictions, deficiencies were found with certain components of the MS4 permit which constitute a violation of the Clean Water Act. A Notice of Violation was issued to the Town on November 16, 2020, which sets out certain actions to gain compliance.

Staff has developed a plan to gain compliance as outlined in the November 16th letter. The majority of this work will be to draft a stormwater management plan that will serve as a transition plan which will yield compliance within a 5 year period. The Town Attorney will be taking the leading on this project but will also be relying on assistance from staff and WithersRavenel as a consulting engineer on the remaining self-audit requirements. This audit and compliance were unexpected and all of the compliance deadlines fall within FY 2020/2021, therefore a budget amendment in the amount of $5,000.00 is requested for professional engineering services (see attached budget amendment form).

TOWN COUNCIL ACTION REQUESTED:

Town Council is asked to declare support for a compliant stormwater management program by adopting the attached resolution entitled Resolution Affirming the Weaverville Town Council’s Support Regarding Implementation of a Compliant NPDES MS4 Stormwater Program and approving the attached budget amendment.
RESOLUTION AFFIRMING THE WEAVERVILLE TOWN COUNCIL’S
SUPPORT REGARDING IMPLEMENTATION OF A COMPLIANT
NPDES MS4 STORMWATER PROGRAM

WHEREAS, Section 402(p) of the federal Clean Water Act requires National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges from municipal separate storm sewer systems (MS4) in order to protect water quality; and

WHEREAS, in North Carolina, NPDES permits are issued by the North Carolina Department of Environmental Quality (NCDEQ); and

WHEREAS, NCDEQ issued the Town of Weaverville its second NPDES MS4 Permit for discharge of stormwater on February 20, 2017; and

WHEREAS, the Town of Weaverville was issued Notice of Violation number NOV-2020-PC-0479 on November 16, 2020, for noncompliance with the issued NPDES MS4 Permit; and

WHEREAS, the Town of Weaverville acknowledges the specific Notice of Violation requirement to obtain a new individual NPDES MS4 Permit; and

WHEREAS, the Town of Weaverville acknowledges the specific Notice of Violation requirement to conduct a self-audit of permit compliance for the balance of permit requirements not specifically audited by NCDEQ and to develop a draft stormwater management plan to comply with Section 402(p)(3)(B)(iii) of the Clean Water Act, 40 CFR 122.34(b) and NPDES MS4 permit requirements, and to submit its draft stormwater management plan to the NCDEQ no later than 120 days from November 16, 2020, for review and approval; and

WHEREAS, the Town of Weaverville acknowledges the specific Notice of Violation requirement to adopt a Council resolution to implement a compliant and enforceable stormwater management program as defined by both the NPDES MS4 Permit #NCS000448 and the required new stormwater management plan, and said resolution is to be submitted to NCDEQ no later than 60 days from November 16, 2020; and

WHEREAS, the Town of Weaverville acknowledges the requirement to provide adequate funding and staffing to implement a stormwater management program that complies with its NPDES MS4 Permit and approved stormwater management plan; and

WHEREAS, the Town of Weaverville acknowledges that NCDEQ enforcement action and penalties could result from non-compliance with the specific requirements in Notice of Violation number NOV-2020-PC-0479; and
WHEREAS, the Town of Weaverville acknowledges that any NCDEQ enforcement action and penalties may not prohibit the US Environmental Protection Agency (EPA) from taking its own enforcement action for non-compliance with the issued NPDES MS4 Permit.

NOW, THEREFORE BE IT RESOLVED, that the Weaverville Town Council hereby affirms its support for development and implementation of a compliant stormwater management program that meets the requirements of the Town of Weaverville’s National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit #NCS000448 to discharge stormwater, inclusive of a required stormwater management plan to be prepared by the Town of Weaverville and approved by the North Carolina Department of Environmental Quality.

ADOPTED this the 21st day of December, 2020.

ALLAN P. ROOT, Mayor

JAMES ELLER, Interim Town Clerk
November 16, 2020

CERTIFIED MAIL 7017 1070 0000 1775 8104
RETURN RECEIPT REQUESTED

Town of Weaverville
Attn: Selena D. Coffey, Town Manager
Post Office Box 338
Weaverville, North Carolina 28787

Subject: NOTICE OF VIOLATION (NOV-2020-PC-0479)
Town of Weaverville
NPDES MS4 Permit No. NCS000448
Buncombe County

Dear Ms. Coffey:

On November 12, 2020, staff from the North Carolina Department of Environmental Quality (DEQ) conducted a compliance audit of the Town of Weaverville National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit. For your reference, a copy of the MS4 Program Audit Report issued by DEQ is enclosed with this notice. This report lists and describes the serious deficiencies with certain components of the MS4 permit, which constitutes a violation of the Clean Water Act and is grounds for enforcement action.

In accordance with Part VI of the permit and DEQ policy, a new 5-year MS4 permit will be issued in response to the audit. To address the MS4 permit deficiencies, the Town of Weaverville is required to complete the following actions:

1. Respond in writing within thirty (30) calendar days from the date of receipt of this notice to acknowledge these requirements and the intent to comply.

2. Adopt a Council Resolution within sixty (60) calendar days from the date of receipt of this notice. The resolution must declare support for a compliant stormwater management program. A sample council resolution with the minimum requirements is enclosed with this letter. An original signed document must be submitted to DEQ.

3. Submit documentation for review and comment within one hundred twenty (120) calendar days from the date of receipt of this letter.
a. Conduct a self-audit which includes, at a minimum, an evaluation of compliance with the permit conditions found in Part II Section F: Post-Construction Site Runoff Controls; Section H: Total Maximum Daily Loads. The self-audit must be documented utilizing the DEQ standard MS4 Permit Compliance Audit Report Template.

b. Develop a Draft Stormwater Management Plan (SWMP) which details specific actions, measurable goals, and implementation timelines to bring the stormwater management program into compliance with NPDES MS4 requirements over the new 5-year permit term. The SWMP must be documented utilizing the DEQ Phase II MS4 SWMP Template. The SWMP must address all known compliance deficiencies including, at a minimum, the items detailed in the DEQ MS4 Program Audit Report and the Town of Weaverville self-audit.

(4) Submit an NPDES MS4 permit application within thirty (30) days of receiving written DEQ concurrence that the submitted Draft SWMP documents a compliant stormwater management program. A new 5-year NPDES MS4 permit will be public noticed along with the submitted SWMP.

(5) Respond to public comments on the Draft SWMP and submit a Final SWMP for DEQ approval and final permit issuance. The final DEQ-approved SWMP shall become an enforceable component of the NPDES MS4 permit.

Required documentation shall be submitted via e-mail to Isaiah.reed@ncdenr.gov, or to:

DEQ-DEMLR Stormwater Program
Attn: Isaiah Reed
2090 U.S. Highway 70
Swannanoa, North Carolina 28778

If the Town fails to meet the aforementioned requirements and/or submits a significantly noncompliant Draft SWMP, DEQ may proceed with enforcement. As is stated in Part V, Section A.1(c) of the permit:

Under state law, a daily civil penalty of not more than twenty-five thousand dollars ($25,000) per violation may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of a permit [North Carolina General Statute 143-215.6A]. Please note that compliance with the requirements of this notice and/or issuance of civil or criminal penalties levied by DEQ does not preclude the EPA from carrying out its own enforcement case against the permittee.
Thank you for your attention to this matter. Should you have any questions, please contact Isaiah Reed at (828) 296-4614 or Isaiah.Reed@ncdenr.gov.

Sincerely,

Stanley Aiken, Regional Engineer
Division of Energy, Mineral and Land Resources

Enclosures:
- DEQ MS4 Program Audit Report (November 12, 2020, Town of Weaverville)
- Example Council Resolution
- NPDES MS4 Permit NCS000448

Electronic Copy:
- Dale Pennell, Public Works Director Dale.Pennell@weavervillenc.org
- Annette Lucas, PE, DEMLR Stormwater Program Supervisor
- Jeanette Powell, DEMLR MS4 Program Coordinator
- Alaina Morman, DEMLR Stormwater Compliance & Enforcement
- DEMLR NPDES MS4 Permit Laserfiche File
December 10, 2020

DEQ-DEMLR Stormwater Program
ATTN: Isaiah Reed
2090 US Highway 70
Swannanoa, NC 28778

VIA USPS FIRST CLASS MAIL AND
EMAIL TO: Isaiah.reed@ncdenr.gov

Re: Notice of Violation (NOV-2020-PC-0479)
NCDES MS4 Permit No. NCS000448

Dear Mr. Reed:

Thank you for taking time during the compliance audit conducted on November 12, 2020, to answer the Town’s questions regarding this program.

This letter is to acknowledge receipt of your Notice of Violation letter dated November 16, 2020. Please be assured that the Town of Weaverville intends to take the action outlined in your November 16 letter in an expeditious manner and within the deadlines indicated.

To that end the Weaverville Town Council will consider and is expected to adopt a resolution declaring support for a compliant stormwater management program on December 21, 2020, and, upon adoption, will provide a copy to you.

Sincerely,

Selena D. Coffey, MPA, ICMA-CM
Town Manager

cc: Dale Pennell, Public Works Director
Jennifer Jackson, Town Attorney
## Budget Amendment
### Town of Weaverville

**What expense accounts are to be increased?**

<table>
<thead>
<tr>
<th>Account</th>
<th>Account Description</th>
<th>Transfer Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>010-450-451-19000</td>
<td>Streets – Professional Services</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>

**What expense account(s) are to be decreased or additional revenue expected to offset expense?**

<table>
<thead>
<tr>
<th>Account</th>
<th>Account Description</th>
<th>Transfer Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>00-004-310-09900</td>
<td>Appropriated Fund Bal (General)</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>

**Justification:** Please provide a brief justification for this budget amendment.

*MS4 Stormwater Program Compliance.*

---

**Authorized by Finance Officer**

Date

**Authorized by Town Manager**

Date

**Authorized by Town Council (if applicable)**

Date

---

*Budget Ordinance Section 7:*

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.
TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

MEETING DATE: December 21, 2020

SUBJECT: Town Charter Amendments – Resolution of Intent and Setting Public Hearing for January 25, 2021 at 7pm

PRESENTER: Town Attorney

ATTACHMENTS: Proposed Resolution of Intent
Notice of Public Hearing
Proposed Ordinance

DESCRIPTION/SUMMARY OF REQUEST:
At its regular workshop meeting on December 8, 2020, there was Town Council consensus to consider amendments to the Town Charter to increase the number of councilmembers from five to six and to provide the elected mayor with the right to vote on all matters coming before Town Council. Should Town Council wish to proceed with these amendments it is appropriate to consider the attached proposed Resolution of Intent.

This resolution sets a public hearing for Monday, January 25, 2021, and anticipates action to adopt the proposed ordinance at Town Council’s regular monthly meeting on February 22, 2021.

TOWN COUNCIL ACTION REQUESTED:
For these amendments to proceed Town Council must adopt a resolution such as the attached **RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF WEAVERVILLE TO CHANGE THE NUMBER OF COUNCILMEMBERS FROM FIVE TO SIX AND TO PROVIDE THE ELECTED MAYOR THE RIGHT TO VOTE ON ALL MATTERS, AND SETTING THE DATE FOR A PUBLIC HEARING THEREON.**
RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF WEAVERVILLE TO CHANGE THE NUMBER OF COUNCILMEMBERS FROM FIVE TO SIX AND TO PROVIDE THE ELECTED MAYOR THE RIGHT TO VOTE ON ALL MATTERS, AND SETTING THE DATE FOR A PUBLIC HEARING THEREON

WHEREAS, pursuant to G.S.160A-101 and 160A-102, the Town Council of the Town of Weaverville may adopt an ordinance to amend the Charter of the Town to implement any of the optional forms set out in G.S. 160A-101; and

WHEREAS, G.S. 160A-102 requires that proposed Charter amendments first be submitted to a public hearing and that due notice thereof be published not less than ten (10) days prior to the date fixed for the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Weaverville that:

1. The Town Council hereby intends to consider an ordinance amending the Charter of the Town of Weaverville, as set forth in Chapter 335 of the 1909 Private Laws of North Carolina, as amended, to change the number of councilmembers from five to six, as authorized by G.S. 160A-101(5), beginning with the 2021 municipal elections, and to provide the elected mayor with the right to vote on all matters before Town Council as authorized by G.S. 160A-101(8), beginning with the organizational meeting of Town Council following the 2021 municipal elections.

2. A public hearing on the proposed ordinance is hereby called as a remote electronic meeting to be held at 7:00 pm on Monday, January 25, 2021, or as soon thereafter as the matter can be reached.

3. Following the public hearing called hereby, the Town Council shall consider passage of the ordinance at its regular meeting on Monday, February 22, 2021.

4. The Town Clerk is hereby directed to cause to be published in the Weaverville Tribune a proper notice of the public hearing called, which notice shall contain a summary of the proposed Charter amendments.

ADOPTED this 21st day of December, 2020.

__________________________________________
ALLAN P. ROOT, Mayor

ATTESTED BY:

__________________________________________
JAMES ELLER, Town Clerk
NOTICE OF PUBLIC HEARING AND REMOTE ELECTRONIC MEETING ON PROPOSED CHARTER AMENDMENT ORDINANCE

The public will take notice that the Town Council of the Town of Weaverville will conduct a public hearing as a remote electronic meeting on Monday, January 25, 2021 at 7:00 pm, or as soon thereafter as the matter can be reached, concerning a proposed ordinance amending the Charter of the Town of Weaverville, as set forth in Chapter 335 of the 1909 Private Laws of North Carolina, as amended, to change the number of Councilmembers from five to six and to provide the elected mayor with the right to vote on all matters before Town Council. Following the public hearing, the Town Council will consider passage of the ordinance at its regular meeting to be held on Monday, February 22, 2021.

This public hearing will occur as an electronic audio/video meeting via Zoom Meeting. Access to the meeting and hearing will begin at 6:45 p.m. and the meeting and hearing will start at 7:00 pm, or as soon thereafter as the matter can be reached. WRITTEN PUBLIC COMMENTS can also be submitted in advance of the public hearing and will be read into the record of the public hearing. Written public comments can be submitted as follows: (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 on January 25) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. The INSTRUCTIONS TO ACCESS THE REMOTE ELECTRONIC PUBLIC MEETING are:

To join the meeting BY COMPUTER, use this link: https://us02web.zoom.us/j/85948891960.

You may be asked for permission to access your computer’s video and audio. If so, click “allow.” You will then be asked for the Meeting ID which is: 859 4889 1960.

To join the meeting BY PHONE, call: (253) 215-8782 or (301) 715 8592. You will then be asked for the Meeting ID which is: 859 4889 1960.

If you would like ADDITIONAL INFORMATION or to review the content related to the Public Hearing, or have questions regarding how to submit a comment or join the meeting, you may contact Planning Director and Town Clerk James Eller at 828-484-7002 or jeller@weavervillenc.org.

James Eller
Weaverville Town Clerk
AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF WEAVERVILLE TO CHANGE THE NUMBER OF COUNCILMEMBERS FROM FIVE TO SIX AND TO PROVIDE THE ELECTED MAYOR WITH THE RIGHT TO VOTE ON ALL MATTERS

WHEREAS, having adopted a resolution of intent to amend its charter on December 21, 2020, and, after proper notice, having held a public hearing on January 25, 2021, all in accordance with N.C.G.S. 160A-102;

BE IT ORDAINED by the Town Council of the Town of Weaverville:

SECTION 1. Pursuant to G.S.160A-101 and 160A-102, the Charter of the Town of Weaverville, as set forth in Chapter 335 of the 1909 Private Laws of North Carolina, as amended, is further amended as follows:

(a) to provide that the Town Council shall consist of six members beginning with the 2021 municipal elections such that three councilmembers and a mayor shall be elected in 2021, and every four years thereafter, and three councilmembers shall be elected in 2023, and every four years thereafter; and

(b) to provide the elected mayor with the right to vote on all matters coming before Town Council beginning with the organizational meeting following the 2021 municipal elections.

SECTION 2. The Town Clerk shall cause a notice to be duly published, stating that an ordinance amending the Charter to change the number of members of the Town Council from five to six and to provide the elected mayor with the right to vote on all matters has been adopted.

SECTION 3. This ordinance shall be in full force and effect from and after adoption.

ADOPTED THIS the ____ day of ______________, 2021, in a unanimous vote/majority vote of ____ in favor and ____ opposed.

____________________________________
ALLAN P. ROOT, Mayor

______________________________  ______________________________
ATTESTED BY:                  APPROVED AS TO FORM:

______________________________  ______________________________
JAMES ELLER, Town Clerk        JENNIFER O. JACKSON, Town Attorney
Town of Weaverville

Town Council Agenda Item

Date of Meeting: Monday, December 21, 2020
Subject: 2021 Town Council Meeting and Holiday Schedule
Presenter: Town Manager
Attachments: Meeting and Holiday Schedule

Description:
Attached you will find the 2021 Town Council Meeting and Holiday Schedule. This schedule reflects Town Council meetings regularly scheduled for the 4th Monday monthly, except for the December meeting, which is scheduled for the 3rd Monday of December due to the holiday. This schedule also reflects Town Council workshops on the 2nd Tuesday monthly and holidays as approved within the adopted Personnel Policy.

Action Requested:
The Town Manager recommends approval of the attached schedule for 2021.
2021 Town Council Meeting and Holiday Schedule

Meetings to be held in Town Council chambers at Town Hall (30 South Main Street, Weaverville) unless otherwise noticed publicly. During the COVID-19 pandemic, these meetings may be held remotely with proper notice provided.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday, January 1, 2021</td>
<td>New Year’s Day – Town Offices Closed</td>
</tr>
<tr>
<td>Tuesday, January 12, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, January 18, 2021</td>
<td>Martin Luther King Jr. Day – Town Offices Closed</td>
</tr>
<tr>
<td>Monday, January 25, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Tuesday, February 9, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, March 22, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Tuesday, March 9, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, March 22, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Friday, April 10, 2021</td>
<td>Good Friday – Town Offices Closed</td>
</tr>
<tr>
<td>Tuesday, April 13, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, April 26, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Tuesday, May 11, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, May 24, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Monday, May 31, 2021</td>
<td>Memorial Day – Town Offices Closed</td>
</tr>
<tr>
<td>Tuesday, June 8, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, June 28, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Monday, July 5, 2021</td>
<td>Independence Day Observance – Town Offices Closed</td>
</tr>
<tr>
<td>Tuesday, July 13, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, July 26, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Tuesday, August 10, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, August 23, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Monday, September 6, 2021</td>
<td>Labor Day – Town Offices Closed</td>
</tr>
<tr>
<td>Tuesday, September 14, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, September 27, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Tuesday, October 12, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, October 25, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Tuesday, November 9, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Thursday, November 11, 2021</td>
<td>Veterans Day – Town Offices Closed</td>
</tr>
<tr>
<td>Monday, November 22, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Thursday, November 25 – 26, 2021</td>
<td>Thanksgiving Holidays – Town Offices Closed</td>
</tr>
<tr>
<td>Tuesday, December 14, 2021</td>
<td>Town Council Workshop at 6:00pm</td>
</tr>
<tr>
<td>Monday, December 20, 2021</td>
<td>Regular Town Council Meeting at 7:00pm</td>
</tr>
<tr>
<td>Thursday, December 23, 24, 27 2021</td>
<td>Christmas Holidays – Town Offices Closed</td>
</tr>
</tbody>
</table>
TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: December 21, 2020

Subject: Departmental Quarterly Report

Presenter: Dale Pennell, Public Works Director

Attachments: Quarterly Report (September 2020 – November 2020)

Description: Attached please find the quarterly report from the Public Works Department.

Action Requested: No action requested.
### TOWN OF WEAVERVILLE PUBLIC WORKS ACTIVITY SHEET
#### SEPT 2020 - NOV 2020

### WATER MAINTENANCE DIVISION:

<table>
<thead>
<tr>
<th>Service</th>
<th>20-Aug</th>
<th>Sep-20</th>
<th>Oct-20</th>
<th>Nov-20</th>
<th>3 month average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Leaks Repaired</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>New Water Taps</td>
<td>0</td>
<td>9</td>
<td>1</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Total Active Water Meters</td>
<td>2974</td>
<td>2,974</td>
<td>2,983</td>
<td>2,984</td>
<td>2980</td>
</tr>
<tr>
<td>Water Quality Complaints</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Meter Re-Read Service Calls</td>
<td></td>
<td>80</td>
<td>62</td>
<td>71</td>
<td>71</td>
</tr>
<tr>
<td>General Service Calls</td>
<td>100</td>
<td>123</td>
<td>127</td>
<td></td>
<td>117</td>
</tr>
<tr>
<td>Water Door Tags Delivered</td>
<td>0</td>
<td>12</td>
<td>46</td>
<td></td>
<td>19</td>
</tr>
<tr>
<td>Water Line Locate Utility Service Calls (811)</td>
<td>166</td>
<td>160</td>
<td>102</td>
<td></td>
<td>143</td>
</tr>
<tr>
<td>Water Meter Change Outs to Radio Read</td>
<td></td>
<td>2</td>
<td>83</td>
<td>37</td>
<td>41</td>
</tr>
<tr>
<td>Reservoir-Pump Station Site Checks</td>
<td>154</td>
<td>140</td>
<td>3</td>
<td></td>
<td>99</td>
</tr>
</tbody>
</table>

*Water Line Construction Inspections:*
**WATER PRODUCTION DIVISION:**
(Gallons per month)

1A. Raw water pumped from river to Water Treatment Plant (daily average vs. 1.5 MGD plant capacity)

<table>
<thead>
<tr>
<th></th>
<th>Sep-20</th>
<th>Oct-20</th>
<th>Nov-20</th>
<th>3 month average</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>19,387,000</td>
<td>18,870,000</td>
<td>17,083,000</td>
<td>18,446,667</td>
</tr>
<tr>
<td>(daily average)</td>
<td>42%</td>
<td>42%</td>
<td>37%</td>
<td>41%</td>
</tr>
<tr>
<td>1B.</td>
<td>2,007,000</td>
<td>2,055,000</td>
<td>1,966,000</td>
<td>2,009,333</td>
</tr>
<tr>
<td>1C.</td>
<td>17,380,000</td>
<td>16,815,000</td>
<td>15,117,000</td>
<td>16,437,333</td>
</tr>
<tr>
<td>2.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>A1.</td>
<td>17,380,000</td>
<td>16,815,000</td>
<td>15,117,000</td>
<td>16,437,333</td>
</tr>
<tr>
<td>3.</td>
<td>625,680</td>
<td>605,340</td>
<td>544,212</td>
<td>591,744</td>
</tr>
<tr>
<td>A2.</td>
<td>16,754,320</td>
<td>16,209,660</td>
<td>14,572,788</td>
<td>15,845,589</td>
</tr>
<tr>
<td>B.</td>
<td>12,628,500</td>
<td>13,563,900</td>
<td>11,774,400</td>
<td>12,655,600</td>
</tr>
<tr>
<td>C.</td>
<td>2,750,000</td>
<td>2,600,000</td>
<td>1,200,000</td>
<td>2,183,333</td>
</tr>
<tr>
<td>D.</td>
<td>15,378,500</td>
<td>16,163,900</td>
<td>12,974,400</td>
<td>14,838,933</td>
</tr>
<tr>
<td>E.</td>
<td>2,001,500</td>
<td>651,100</td>
<td>2,142,600</td>
<td>1,598,400</td>
</tr>
<tr>
<td>F.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>11.5%</td>
<td>3.9%</td>
<td>14.2%</td>
<td>9.7%</td>
</tr>
</tbody>
</table>

3. Finish Water used at WTP

A1. TOTAL WATER PRODUCTION (1.C. + 2)

A2. TOTAL WATER AVAILABLE FOR SALES

B. TOTAL METERED FOR BILLING

C. Metered, Non-Metered & Non-Billed Use by Town

D. Total Accounted For Water (B+C)

E. TOTAL UNACCOUNTED (A-D)

F. MONTHLY UNACCOUNTED WATER (E/Ax100)
WATER CAPACITY VS PRODUCTION:
(Gallons per day)
Water Plant Design Capacity

<table>
<thead>
<tr>
<th></th>
<th>Sep-20</th>
<th>Oct-20</th>
<th>Nov-20</th>
<th>3 month average</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,500,000</td>
<td>1,500,000</td>
<td>1,500,000</td>
<td>1,500,000</td>
</tr>
<tr>
<td>Net Sellable Production Capacity (80%)</td>
<td>1,200,000</td>
<td>1,200,000</td>
<td>1,200,000</td>
<td>1,200,000</td>
</tr>
</tbody>
</table>

Average Daily Production
Total Water Production (A above) / 30 days in month

<table>
<thead>
<tr>
<th></th>
<th>Sep-20</th>
<th>Oct-20</th>
<th>Nov-20</th>
<th>3 month average</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>579,333</td>
<td>560,500</td>
<td>503,900</td>
<td>547,911</td>
</tr>
<tr>
<td>AVERAGE USE RELATIVE TO DESIGN CAPACITY</td>
<td>38.6%</td>
<td>37.4%</td>
<td>33.6%</td>
<td>36.5%</td>
</tr>
</tbody>
</table>

Current Water Commitments for future development

<table>
<thead>
<tr>
<th></th>
<th>Sep-20</th>
<th>Oct-20</th>
<th>Nov-20</th>
<th>3 month average</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>435,428</td>
<td>435,428</td>
<td>438,528</td>
<td>436,461</td>
</tr>
</tbody>
</table>

MONTHLY USAGE & FUTURE USAGE VS 1,500,000 GPD

STREET MAINTENANCE DIVISION:

Street/Sidewalk/Drainage/Sign Repairs Completed
Roads paved

<table>
<thead>
<tr>
<th></th>
<th>Sep-20</th>
<th>Oct-20</th>
<th>Nov-20</th>
<th>3 month average</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>

|       | na | na | na |

PARKS, RECREATION, & FACILITY MAINTENANCE DIVISION:

P&R Special Projects/Repairs Completed

<table>
<thead>
<tr>
<th></th>
<th>Sep-20</th>
<th>Oct-20</th>
<th>Nov-20</th>
<th>3 month average</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>
### SANITATION DIVISION:

<table>
<thead>
<tr>
<th></th>
<th>Aug-20</th>
<th>Sep-20</th>
<th>Oct-20</th>
<th>Nov-20</th>
<th>3 month average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Collection Points</td>
<td>1844</td>
<td>1875</td>
<td>1875</td>
<td>1875</td>
<td>1875</td>
</tr>
<tr>
<td>Monthly Residential Collections (4/month)</td>
<td>7500</td>
<td>7500</td>
<td>7500</td>
<td>7500</td>
<td></td>
</tr>
<tr>
<td>Business Pick Ups</td>
<td>76</td>
<td>76</td>
<td>76</td>
<td>76</td>
<td>76</td>
</tr>
<tr>
<td>Business Pick Ups (4/month)</td>
<td>304</td>
<td>304</td>
<td>304</td>
<td>304</td>
<td></td>
</tr>
<tr>
<td>Residential Set-Outs</td>
<td>84</td>
<td>84</td>
<td>87</td>
<td>104</td>
<td>92</td>
</tr>
<tr>
<td>Residential Set-Outs (4/month)</td>
<td>336</td>
<td>348</td>
<td>416</td>
<td>367</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL points picked up per month</strong></td>
<td>8140</td>
<td>8152</td>
<td>8220</td>
<td>8171</td>
<td></td>
</tr>
<tr>
<td>Total Tons to Landfill</td>
<td>134.74</td>
<td>112.20</td>
<td>125.25</td>
<td>124.06</td>
<td></td>
</tr>
<tr>
<td>Average Pounds Per Collection Point (per week)</td>
<td>33.1</td>
<td>27.5</td>
<td>30.5</td>
<td>30.4</td>
<td></td>
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<tr>
<td>Cubic Yards - Yard Debris</td>
<td>49.5</td>
<td>45.0</td>
<td>58.5</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>Cubic Yards - Brush Chipped</td>
<td>192.5</td>
<td>93.5</td>
<td>126.5</td>
<td>138</td>
<td></td>
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<tr>
<td>Cubic Yards - Leaf Collection</td>
<td>0</td>
<td>297.5</td>
<td>857.5</td>
<td>385</td>
<td></td>
</tr>
</tbody>
</table>

### MISC

1. USDA water line project construction continues (approx. 14,792 LF installed thru November, 2020 of 17,150 LF total or 86%)
2. Community Center project began in March and continues on schedule (estimated date 5/17/2021)
3. 42 toter garbage cans were sold during the quarter; first shipment of recycling carts received Oct 19; first delivery to residents Nov 20.
4. Annual sludge removal at WTP completed in September with 106 tons taken to landfill.
## TOWN OF WEAVERVILLE - PUBLIC WORKS DEPARTMENT - WATER COMMITMENTS

Prepared by: Dale Pennell, Public Works Director

**REVISED 12/14/2020**

<table>
<thead>
<tr>
<th>Water Line Status</th>
<th>Project with current commitment</th>
<th>Address</th>
<th>Description</th>
<th>Number of Units</th>
<th>Gallons per Connection</th>
<th>Projected Demand (GPD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>828 North (aka Blue Ridge Crossing)</td>
<td>Garrison Branch Road</td>
<td>174 Unit Apartment Project</td>
<td>176</td>
<td>229</td>
<td>40,304</td>
</tr>
<tr>
<td>Construction</td>
<td>Ambler's Chase Subdivision</td>
<td>Reems Creek Road</td>
<td>22 homes</td>
<td>21</td>
<td>400</td>
<td>8,400</td>
</tr>
<tr>
<td>Construction</td>
<td>Northridge Commons Townhomes</td>
<td>Monticello and Northcrest Dr</td>
<td>35 units</td>
<td>53</td>
<td>400</td>
<td>21,200</td>
</tr>
<tr>
<td>Expired</td>
<td>Brown Street Apartments</td>
<td>37 Brown St</td>
<td>16 apartments</td>
<td>16</td>
<td>300</td>
<td>0</td>
</tr>
<tr>
<td>Construction</td>
<td>Holston (Stump Dump) Apartments</td>
<td>135 Monticello Road</td>
<td>234 apartments</td>
<td>234</td>
<td>400</td>
<td>93,600</td>
</tr>
<tr>
<td>Construction</td>
<td>All Ways Storage</td>
<td>597 Old Mars Hill Highway</td>
<td>Storage Facility</td>
<td>1</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>Pending</td>
<td>Brigan Group</td>
<td>11 Moss Road</td>
<td>4 homes</td>
<td>4</td>
<td>500</td>
<td>2,000</td>
</tr>
<tr>
<td>Pending</td>
<td>Monticello Office near Epsilon</td>
<td>16 Monticello Village</td>
<td>3 story office building</td>
<td>1</td>
<td>2400</td>
<td>2,400</td>
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<tr>
<td>Pending</td>
<td>Greenwood Park (Dorf)</td>
<td>Governor Thomson Terrace</td>
<td>73 homes</td>
<td>73</td>
<td>400</td>
<td>29,200</td>
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<tr>
<td>Pending</td>
<td>Ward Single Family Home</td>
<td>121 Highland Street</td>
<td>1 home</td>
<td>1</td>
<td>2000</td>
<td>2,000</td>
</tr>
<tr>
<td>Pending</td>
<td>Stoney Knob Mixed Use Development</td>
<td>3 Garrison Road</td>
<td>2 buildings w 4 units/bldg</td>
<td>8</td>
<td>625</td>
<td>5,000</td>
</tr>
<tr>
<td>Under review</td>
<td>Palisades at Reems Creek</td>
<td>Weaverville Highway</td>
<td>132 apartments + clubhouse</td>
<td>1</td>
<td>55100</td>
<td>55,100</td>
</tr>
<tr>
<td>Under review</td>
<td>10-30 Garrison</td>
<td></td>
<td>3 commercial buildings</td>
<td>1</td>
<td>14824</td>
<td>14,824</td>
</tr>
<tr>
<td>Under review</td>
<td>Fiat Creek Village Dental-Ortho Clinic</td>
<td>Griffey Rd/Doan Road</td>
<td>1 commercial building</td>
<td>1</td>
<td>500</td>
<td>600</td>
</tr>
<tr>
<td>Under review</td>
<td>Hobby Lobby at Northridge Commons</td>
<td>49 Northridge Commons Pkwy</td>
<td>1 commercial building</td>
<td>1</td>
<td>1100</td>
<td>1,100</td>
</tr>
<tr>
<td>Under review</td>
<td>22,000 SF Retail at Northridge Commons</td>
<td>49 Northridge Commons Pkwy</td>
<td>1 commercial building</td>
<td>1</td>
<td>1100</td>
<td>1,100</td>
</tr>
<tr>
<td>Under review</td>
<td>6,000 SF Retail at Northridge Commons</td>
<td>49 Northridge Commons Pkwy</td>
<td>1 commercial building</td>
<td>1</td>
<td>600</td>
<td>600</td>
</tr>
</tbody>
</table>

**Subtotal Current Projects** | 277,528 |

**on-going**
- Existing but not active meter sets | 164 open meter sets | 164 | 250 | 41,000 |
- Projected inside-town vacant land development (rev 8/27/2020) | 250 | 400 | 100,000 |
- Projected Outside-town-limit residential units | 50 | 400 | 20,000 |

**Subtotal On-going Projections** | 161,000 |

**SUMMARY OF PROJECTED WATER DEMANDS (GPD)**

**Average metered and unmetered town usage per day**

- Average Unaccounted-for daily water
- Outstanding Commitments as of November 30, 2020
- Mars Hill agreement for emergency water (expired Oct. 20, 2016)
- Current usage and commitment
- WTP Capacity and permitted withdrawal
- Current % of WTP used or commited

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>547,911</td>
<td>53,280</td>
<td>438,528</td>
<td>0</td>
<td>1,038,719</td>
<td>1,500,000</td>
<td>69.31%</td>
</tr>
<tr>
<td>547,911</td>
<td>53,280</td>
<td>438,528</td>
<td>200,000</td>
<td>1,239,719</td>
<td>1,500,000</td>
<td>82.65%</td>
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</tbody>
</table>