

**TOWN OF WEAVERVILLE**  
**Weaverville Community Room at Town Hall**  
**30 South Main Street, Weaverville, NC 28787**

**TOWN COUNCIL AGENDA**  
**Monday, August 28, 2023**  
**Regular Meeting at 6:00 pm**

**Remote Access Option for General Public via Zoom (unless technical difficulties):**  
<https://us02web.zoom.us/j/85948891960> ; Meeting ID: 859 4889 1960

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| <b>1. Call to Order</b> .....  |             | Mayor Fitzsimmons                     |
| <b>2. Approval/Adjustments to the Agenda</b> .....   |             | Mayor Fitzsimmons                     |
| <b>3. Conflict of Interests Statement</b> .....  |             | Mayor Fitzsimmons                     |
| <b>4. Presentation of Proclamation Recognizing September as Childhood Cancer Awareness Month</b> ..... |             | Vice Mayor McKenna                    |
| <b>5. Consent Agenda</b> .....   |             | Town Manager Coffey                   |
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| <b>6. Town Manager’s Report</b> .....  | 32          | Town Manager Coffey                   |
| <b>7. General Public Comments</b> (see below for additional information) .....                         |             | Mayor Fitzsimmons                     |
| <b>8. Discussion &amp; Action Items</b>  |             |                                       |
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| D. Eller Cove Watershed Trail Design .....   | 47          | Town Manager Coffey<br>& Mark Endries |
| E. Fireworks Public Input .....  | 54          | Mayor Fitzsimmons                     |
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| I. Quarterly Report – Police .....   | 86          | Police Chief Davis                    |
| J. Quarterly Report – Fire .....   | 91          | Fire Chief Harris                     |
| <b>9. Adjournment</b> .....  |             | Mayor Fitzsimmons                     |

General public comments may be submitted during the meeting or in writing in advance on any meeting topic or any other item of interest related to the Town of Weaverville. Normal rules of decorum apply to all comments and duplicate comments are discouraged. The general public comments section of the meeting will be limited to 20 minutes. Comments during the meeting are generally limited to 3 minutes. You must be recognized before giving your comment. Written comments timely received will be provided to Town Council and read during the 20-minute general public comment period as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) 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, (2) by emailing to [public-comment@weavervillenc.org](mailto:public-comment@weavervillenc.org) at least 6 hours prior to the meeting, (3) by mailing your written comment (received not later than Monday’s mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For more information please call (828)645-7116.

## **WEAVERVILLE TOWN COUNCIL REGULAR MEETING REMOTE ELECTRONIC MEETING LOGIN CREDENTIALS**

The Weaverville Town Council has elected to continue to provide the general public with remote electronic access to its regular monthly meetings, unless technical issues prevent such access.

This **NOTICE OF REMOTE ELECTRONIC MEETING** is provided to inform the public that the **Weaverville Town Council regular monthly meeting will be held as an in-person meeting (Council Chambers/Community Room at Town Hall, 30 South Main Street) with remote attendance by the general public allowed via Zoom.** For those members of the public wishing to attend remotely via Zoom the following information is provided.

**A virtual waiting room will be enabled and participants will be allowed entry into the meeting just prior to the start of the meeting. The instructions to access this 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. You will first enter a virtual waiting room. The host will admit you into the meeting just prior to the start of the meeting.

**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 . There is no password for this meeting, so if asked for one just press the # button.

**Guidelines and Instructions for General Public Comment:** A portion of the meeting will be set aside for general public comments. Town adopted Rules for Public Comment will apply. Normal rules of decorum apply to all comments and duplicate comments are discouraged. Public comments may be submitted during the in-person meeting or in writing in advance, but will not be taken from those attending remotely. The public comments section of the meeting will be limited to approximately 20 minutes, but may be extended by Town Council if time allows. You must be recognized before giving your comment and must make comments from the podium. Individual comments during the meeting are generally limited to 3 minutes. Written comments timely received will be provided to Town Council and read into the record during the meeting as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) by emailing to [public-comment@weavervillenc.org](mailto:public-comment@weavervillenc.org) at least 6 hours prior to the meeting, (2) by putting your written comment in a drop box at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, (3) by mailing your written comment (received not later than with the mail delivery on the meeting day) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For more information please call (828)645-7116.

**To view the agenda and related materials,** please visit the Town's website at <https://www.weavervillenc.org>.

**Access to the Meeting Recording:** A recording of the meeting will be available for one or two months, depending on storage capacity, beginning about 24 hours after the meeting. To access the recording visit the Town's website at <https://www.weavervillenc.org> or the Town's YouTube channel at [https://www.youtube.com/channel/UckBK1doIGY\\_O6\\_vJiqimFUQ](https://www.youtube.com/channel/UckBK1doIGY_O6_vJiqimFUQ), or call the Town Clerk at (828)645-7116.

Patrick Fitzsimmons, Mayor

## MINUTES

**Town of Weaverville  
State of North Carolina**

**Town Council Workshop  
Tuesday, July 18, 2023**

The Town Council for the Town of Weaverville met for a regularly scheduled workshop on Tuesday, July 18, 2023, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via Zoom.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice Mayor Jeff McKenna and Councilmembers Doug Jackson, John Chase, Catherine Cordell, and Michele Wood. Councilmember Andrew Nagle was absent.

Staff members present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director James Eller, Police Chief Ron Davis, Public Works Director Dale Pennell, Town Clerk Tamara Mercer, and Zoom Room Coordinator Lauren Ward.

### **Call to Order**

*Mayor Fitzsimmons called the meeting to order at 6:00 p.m.*

### **Active Weaverville Committee**

Mayor Fitzsimmons noted that at the June 26, 2023, regular meeting, Town Council approved the Active Weaverville Plan (Bike-Ped). Town Manager Coffey reviewed the options moving forward starting with member appointments to a steering committee, consideration of staffing and budgeting for the Plan's implementation, the prioritization of projects, the consideration of limited resources as well as the identification of a long-term priority project list.

Further discussion regarding NCDOT priority project list, funding, timeline schedules, site areas, segment phases, grant awards and partial costs by the town was noted. Councilmember Cordell who serves on the MPO (Metropolitan Planning Organization), said there are fourteen greenway/ pedestrian projects prioritized on that project list, with the sidewalk and greenway project from Lake Louis to Brown Street identified as a number one priority on the ten-year plan. Councilmember Cordell added that they are working within the rating and scoring system, and the Woodfin/Weaverville interconnectivity study and Reems Creek greenway study is underway. If granted by the NCDOT and recommended by the MPO, the town would be required to pay 20% of an 80/20 grant split.

Town Manager Coffey recommended that the Active Weaverville Plan be included within a new strategic plan developed by Town Council.

Mayor Fitzsimmons re-stated the consensus to create an Active Weaverville Steering Committee, potentially utilizing those members that were on the original bike-ped planning committee that gave input on the Active Weaverville Plan.

### **Future of Fireworks at Independence Day Event**

Town Manager Coffey provided the Fourth of July report which included costs for the 2023 event and a five-year history of these expenditures. She pointed out that a comprehensive overview of all expenses includes the staff pre-planning and preparations such as placement of fire blankets on school building roofs, the light and sound systems, stage, tent, porta-potty rental, etc. Manager Coffey shared that these expenses add up to approximately \$70,000 annually.

Manager Coffey researched alternative options to fireworks shows, due to current and past complaints regarding noise and environmental impacts. While the Town has requested the elimination of the ‘salute’ and ‘pancake’ booms from the vendor, Pyrotecnico, producing the show, the cost also increases every year. Manager Coffey shared research regarding the alternatives to traditional fireworks, to include laser shows and drone shows, along with associated expenses. She reviewed the logistic issues with the alternative productions such as required area square footage for drone shows, and fog in the air or backgrounds for guaranteeing a good laser show. Drone light shows are the most expensive as it requires at least 200 drones for a fair show, said Ms. Coffey. FAA regulations, vendors, infrastructure lighting and staging, weather and other regional events happening around Weaverville, were also discussed as well as an earlier music festival option instead of a firework show.

In response to Mayor Fitzsimmons’ inquiry about complaints, Chief Davis responded that we do not have an exact number, as communication responders and dispatch at Buncombe County receives the calls. Mayor Fitzsimmons stated that Council can receive public comments on this issue at an upcoming meeting, as there may be a need to move away from fireworks in the future.

### **Food Trucks at Special Events**

Town Manager Coffey stated that food trucks/mobile food vendors are permitted as per Section 20-3315 of the code. For special events the Town receives applications, and the application is processed. Mr. Eller reviewed the zoning regulation in the code and the site-specific areas in zoning districts. Ms. Coffey noted that if a food truck is permitted by the County Health Department, the town allows mobile food vendors at events when they submit a special event application for her approval.

### **Social Districts**

Attorney Jackson reviewed ‘Social Districts’ legislation in the General Assembly and the background and status of the laws in North Carolina. Two years ago, the Town chose not to pursue implementing social districts but also to revisit the issue. The law allows for the creation of a social district in a jurisdiction by ordinance. Attorney Jackson explained the regulations and enforcement by the Weaverville Police Department. There was a lengthy question and answer period concerning events, ABC permits, alcohol consumption and signage, enforcement and security, and management procedures, with input by Police Chief Davis and Ms. Sarah Myers of the Weaverville Business Association.

Ms. Myers said the WBA and businesses also have concerns over security, participation, and costs. She suggested an Oktoberfest event in a small space to monitor control as a pilot event to gauge the voluntary participation from businesses. In response to Vice Mayor McKenna’s question, Ms. Myers said the benefit is increased commerce and to bring people downtown is WBA’s goal.

Councilmember Jackson requested the WBA to provide more statistics on social districts and the benefits to the Town before proceeding. Town Manager Coffey reiterated her concerns that the private sector pays for the event and not the Town, and to not allow volunteers but professional bartenders to ensure adherence to alcohol laws.

### **Recreation Complex Bids**

Attorney Jackson stated that at the June 26<sup>th</sup> meeting, Town Council approved the item to allow the Town Manager to evaluate and award the bid to the lowest responsive bidder. One contractor submission was not complete and deemed not responsive, and the other two quotes were overbudget. Both the Town Manager and Public Works Director, recommend awarding the contract to JLS Company, LLC at \$391,199.

Attorney Jackson reviewed the recreation complex specs and project timeline thus far. There was a further question-and-answer period regarding the bathrooms, storage space, landscaping, fundraising ideas,

grants and costs, and the contractor JLS Company, LLC. Vice Mayor McKenna volunteered to spearhead the committee and work with staff on developing rules for operations of the sports complex. Town Manager added that Staff is comfortable working with the lowest bidder as Mr. Pennell attested, the contractor previously completed projects on time and produce good work.

*Councilmember Doug Jackson made a motion to proceed with the Recreation Complex and adopt the Amended and Restated Capital Project Ordinance, to award the bid for the Recreation Complex Project to JLS Company, LLC, and authorize the Town Manager to continue to negotiate with JLS and execute a contract that is acceptable to Town staff and consistent with the adopted budget established by the Amended and Restated Capital Project Ordinance. All voted in favor of the motion. Motion passed 7-0. unanimously*

**Adjournment**

*There being no further business and without objection, Mayor Fitzsimmons declared the meeting adjourned at 7:12 p.m.*

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Tamara Mercer, Town Clerk

## MINUTES

**Town of Weaverville  
State of North Carolina**

**Town Council Regular Meeting  
Monday, July 24, 2023**

The Town Council for the Town of Weaverville held the regularly scheduled meeting on Monday, July 24, 2023, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via zoom.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice Mayor Jeff McKenna and Councilmembers Doug Jackson, John Chase, Catherine Cordell, Michele Wood and Andrew Nagle.

Staff members present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director James Eller, Police Chief Ron Davis, Public Works Director Dale Pennell, Town Clerk Tamara Mercer, and Zoom Room Coordinator Lauren Ward.

### **Call to Order**

*Mayor Fitzsimmons called the meeting to order at 6:00 p.m.*

### **Approval/Adjustments to the Agenda of Interests Statement**

Vice Mayor McKenna requested to add a candidates' forum for the upcoming November elections to be moderated by the League of Women Voters to which Mayor Fitzsimmons requested a motion to amend and approve the agenda.

*Councilmember Jackson moved to add a candidates' forum to be held at the Weaverville Community Center in October and to approve the agenda. The motion was approved unanimously. 7-0.*

### **Conflict of Interests Statement read by Mayor Fitzsimmons**

Mayor Fitzsimmons noted that it is the duty of the Mayor and every Town Council Member to avoid both conflicts of interest and appearances of conflicts. No member had any known conflict of interest or appearance of conflict with respect to any matters on the agenda for tonight's Town Council meeting.

### **Consent Agenda**

*Councilman Chase moved to approve and adopt the consent agenda items as follows:*

- A. June 26, 2023 Town Council Regular Meeting Minutes – approved as presented*
- B. Monthly Tax Report – information only*
- C. Budget Amendment – Police – approved as presented*
- D. Proclamation: September as Childhood Cancer Awareness Month – information only*
- E. Road Closure Ordinance: Art in Autumn – approved as presented*

*The motion was approved unanimously. 7-0.*

### **Town Manager's Report**

Town Manager Coffey provided the update and reported on various projects and programs. The Code-Red program is planned to be rolled out in August for emergency notifications, the Recreation ad-hoc committee has begun meetings, members include Earl Rohrback, Stuart Brown, Vice Mayor McKenna, Russ Kantner and staff members Dale Pennell, Jennifer Jackson, Shelby Stovall, and Ms. Coffey. The internship program developed by

Assistant Police Chief Oberlin, has new guidelines wherein the work is primarily with the Weaverville Police Department and is modeled on other state-wide jurisdictions to bring youth into local government. The intern hired is multi-lingual.

Ms. Coffey noted the Fire Station Solar Project at Weaverville Fire Department is underway in permitting. That is delayed but is expected to begin end-of-year. She provided an update on the Eller Cove Watershed Plans. The Town is moving forward with monitoring the property, securing the watershed, bridge construction engineering, and viewing platforms. Management plans include funding and staffing of the reservoir and the conservation area. This will be placed on the August Town Council agenda for further direction from Council.

### **General Public Comments**

Mayor Fitzsimmons read rules of procedure and inquired if there were any on-line or virtual public comments, to which the Clerk said there were none, and he opened the public comment portion of the meeting.

Mr. David King, HOA board member for Maple Trace Subdivision and resident of Maple Trace, said the submitted petition for voluntary annexation represents 100% of the homeowners' signatures. Mr. King said annexation by the Town would increase the tax base. The subdivision development began in 2016 and was completed in 2021. He said it benefits the residents to allow the town to take over the roads and substructures, and to receive services. This allows the Reems Creek Valley growth corridor to be brought into the town. Mr. King believes this planned growth and annexation is consistent with town's goals and benefits the Maple Trace residents for security and management by the Town instead of the HOA. He supports annexation of Maple Trace Subdivision into the Town of Weaverville.

Mr. Matt Allen Director of professional development at Land of Sky Association said his company represents realtors, members, employees, and hosts of short-term (STR) rentals. Mr. Allen requested to be included as the Town organizes input from stakeholders regarding short-term rental issues.

Ms. Jackie Fox 28 Central Ave said she is a lifelong resident, and she spoke in favor of the Fourth of July fireworks. The fireworks brings people to downtown and the event supports local businesses said Ms. Fox.

Mr. Allen Shepard 100 Central agreed and is in favor of the fireworks event. Mr. Shepard thanked the Fire and Police Departments for their professionalism as his guest apartment had a small fire. Mr. Shepard disagreed with the town office lunch-time closure between 12:30 and 1:30.

Mayor Fitzsimmons noted no other persons wished to speak.

### **Discussion & Action Items**

#### **A. Annexation Petition – Maple Trace Subdivision**

It was noted that David King's comments submitted in General Public Comment were relevant to this discussion item and Mr. King remained available to answer questions as needed..

Attorney Jackson provided an overview of the voluntary annexation petition as submitted by the Maple Trace Homeowners' Association, Inc and the property owners within the Maple Trace Subdivision which encompasses all the subdivision lots and common areas. As reviewed by staff, the application is complete. The area is approximately 65 acres, is located near the Reems Creek Road and Parker Cove Road intersection with approximately 1.4 miles of private roads. The roadways plus water infrastructure, are proposed to be accepted for municipal services and maintenance. This property is non-contiguous to

municipal limits of Weaverville but located approximately 650 feet from the Town's limits.

Consideration by Town Council is discretionary noted Attorney Jackson, and if Town Council wishes to proceed then the resolution should be considered. The resolution provides for the Clerk to investigate and then certify sufficiency of the petition and the Planning Board to recommend the most appropriate zoning district although vested rights are claimed due to the initial zoning through the County zoning review process. There would be an analysis by departments as to extension of town services and additional resources needed and a final recommendation by the Public Works Director evaluating the private street construction standards, condition of streets, and related stormwater system, before acceptance into the Town's public street system is considered.

There was a question-and-answer period regarding the Public Works analysis, inspections, and compliance standards, improvements to the stormwater drainage system, costs, and repairs, negotiations with the HOA, the timeline of large annexation cases, and discussion on ingress and egress over the bridge at Reems Creek. Previously a one-lane, Mr. King stated that NCDOT installed upgrades and is a 2-lane bridge. Emergency services, sidewalks and right-of-way and setbacks were reviewed by Mr. Eller and he explained current town regulations versus the county's which is the reason why the subdivision is declaring vested rights.

In response to Mayor Fitzsimmons question regarding a Pleasant Grove connection, Mr. King provided a letter of intent for the HOA to purchase a right-of-way from the adjacent property owner. Mr. King said that property owner wishes to receive utility sewer service and town water service. After further discussion, Mayor Fitzsimmons called for a motion on the matter.

*Vice Mayor Mckenna moved to proceed with the annexation request and adopt the Resolution concerning Voluntary Annexation Petition for Maple Trace Subdivision as presented. The motion was approved unanimously. 7-0.*

### **B. Code Amendment – Road/Park Closure Compliance**

Attorney Jackson reviewed the proposed code amendment to establish enforcement regarding a road closure. There have been safety issues with people moving road closure signage and State law does not address the issue. Staff proposes to address by ordinance with Code Amendment to Chapter 28: *'it is unlawful for any person to remove any traffic control device, marking, sign, or barrier...'* and staff recommends adding a violation fee of \$300.00 to the fee schedule for enforcement of the amendment.

There was discussion regarding the penalty, recent incidents and vehicle safety problems, Police Department procedures and enforcement. Chief Davis reviewed State traffic laws, traffic control and temporary road closures, signage, and safety protocols.

*Councilman Doug Jackson moved to adopt the code amendment to Chapter 28: Ordinance Concerning Road and Park Closure Compliance and to amend the fee schedule to provide a \$300.00 penalty for removal of traffic related signage and for violating the road and park closures and /or using the closed road or park. The motion was approved unanimously. 7-0.*

### **C. ADA Transition Plan Update**

Attorney Jackson summarized the Americans with Disabilities Act (ADA) Plan to improve the Town's facilities and infrastructure for accessibility which began in 2020. Attorney Jackson serves as the ADA Coordinator, who oversees plan implementation. Two complaints were received regarding the Lake Louise Park ramp being too steep, that is the rise-over-run calculation, which is a code violation. There are code violations on Florida Avenue, wherein tables and chairs are obstructing the sidewalk usage.

After discussion regarding compliance, wheelchair passage, ADA playground equipment, Town Hall parking lot reconfiguration, and funding additional handicap spaces, and other upgrades such as the Public Works street repaving program, *there was general consensus to support Staff's enforcement of the ADA plan and southside sidewalk regulations.*



#### **D. Planning Board Update**

Planning Director Eller updated Council on the Planning Board meeting regarding open space conservation design which is identified as a goal in the COMP Plan to encourage open space design. Mr. Eller explained protecting natural features with utilizing incentives versus regulatory requirements. Greenway conservation for a subdivision design could provide more density for a developer, such as reduced setbacks while protecting greenspace. Currently no regulations are in place at all to either use a 'carrot' approach to encourage open space or conservation measures or a 'stick' approach which would require such measures be incorporated into development.

In response to Councilmember Nagle's questions, Attorney Jackson reviewed the current development regulations and implementing guidelines to encourage conservation design similar to the County's and what other benchmark cities implement. There was discussion on conditional districts and special use permits and examples of clear cutting in sensitive environmental areas, watersheds, flood plains, nature trails, infill lots of large acreage, multi-family developments, and single-family residential districts.

*Mayor Fitzsimmons directed staff to schedule a Town Council and Planning Board joint meeting for September 19 at 6 pm to discuss conservation design incentives or stricter regulations and the CLUP plan goals related to this issue and future development.*

Attorney Jackson further reviewed the Planning Board's progress on short-term rentals, noting that Manager Coffey circulated an STR questionnaire to benchmark city colleagues and the Town received input from area cities on their progress addressing short-term rental and regulations. The Board is continuing to research the topic of STR's and will hold a stakeholders' meeting and form a subcommittee. This is a complicated issue and will take some time to study. *Town Council consensus was that all stakeholder's perspectives should be considered.*

#### **E. Quarterly Planning Department Report submitted**

#### **F. Quarterly Finance Department Report**

Finance Director Dozier presented the Quarterly Finance report highlights such as the revenues, the predictions, and expenditures budgeted. She explained the general fund and enterprise water fund, with the roadway paving funds to rollover as that program was funded through two years. The ARP (American Rescue Plan), SRO (School Safety Grants) and capital projects information was provided, noting that the fiscal year audit will begin in August.

#### **Adjournment. At 7:45**

*Without objection, Mayor Fitzsimmons declared the meeting adjourned at 7:45 p.m.*

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**Tamara Mercer, Town Clerk**

**TOWN OF WEAVERVILLE**  
**TOWN COUNCIL AGENDA ITEM**

**Date of Meeting:** August 28, 2023  
**Subject:** Budget Amendment – Police  
**Presenter:** Town Finance Director  
**Attachments:** Budget Amendment Form

**Description/Summary of Request:**

A portion of each quarterly distribution the Town receives from the ABC Store must be allocated to Alcohol Education, and Law Enforcement activities. For the quarter ending 6/30/2023 the Town received **\$16,760.68** for Alcohol Education and **\$11,971.92** for Law Enforcement.

The attached budget amendment is necessary in order to include these funds in the Fiscal Year 2022-2023 budget.

**Action Requested:**

Town Manager recommends approval of the attached Budget Amendment.

## Budget Amendment FY 2022-2023

### Town of Weaverville

What expense accounts are to be increased?

| <u>Account</u>    | <u>Account Description</u>       | <u>Transfer Amount</u> |
|-------------------|----------------------------------|------------------------|
| 010-430-431-26400 | Police - Alcohol Ed & Prevention | \$16,760.68            |
| 010-430-431-26450 | Police - ABC Law Enforcement     | \$11,971.92            |
|                   |                                  |                        |
|                   |                                  |                        |

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

| <u>Account</u>    | <u>Account Description</u>      | <u>Transfer Amount</u> |
|-------------------|---------------------------------|------------------------|
| 010-004-300-06045 | ABC Store - Alcohol Education   | \$16,760.68            |
| 010-004-300-06050 | ABC Store - Police Dept Revenue | \$11,971.92            |
|                   |                                 |                        |
|                   |                                 |                        |

**Justification:** Please provide a brief justification for this budget amendment. *ABC Store distribution for Q4 FY 2023 received in July 2023.*

|   |             |
|---|-------------|
| <b>Authorized by Finance Officer</b>              | <b>Date</b> |
| <b>Authorized by Town Manager</b>                 | <b>Date</b> |
| <b>Authorized by Town Council (if applicable)</b> | <b>Date</b> |

Budget Ordinance Section 14:

- 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:** August 28, 2023  
**Subject:** Budget Amendment - Re-appropriations from FY23  
**Presenter:** Town Finance Director  
**Attachments:** Budget Amendment Form

**Description:**

The Fiscal Year 2022-2023 Budget contained several items that were received and/or budgeted in Fiscal Year 2022-2023, but need to carryforward to Fiscal Year 2023-2024. These amounts reverted to Fund Balance at 6/30/2023 and must be re-appropriated in order to be spent in the current Fiscal Year.

Town Council is asked to approve a budget amendment to add the following expenditure items to the 2023-2024 Budget:

Police Department

ABC Law Enforcement: **\$16,971.92**; Alcohol Ed & Prevention: **\$23,760.68**; Cops for Kids: **\$418.26**; (All carryovers for unspent funds) and Salaries & Wages: **\$44,646.92** (for SRO Reimbursement)

Governing Body

Professional Services: **\$4,000** (for Municode contract)

Fire

Capital Equipment: **\$90,000** (for Stormwater Compliance)

Streets

Capital Improvements: **\$994,000.00** (for unspent paving project funds); Powell Bill: **\$291,385.00** (for unspent paving project funds)

Sanitation

Capital Equipment: **\$28,337.00** (for equipment ordered but not received by 6/30/23)

Stormwater Management

Capital Improvements: **\$85,000.** (for Stormwater Program unspent funds)

Grounds Maintenance

Capital Improvement: **\$67,855.99** (for equipment ordered but not received by 6/30/23); Supplies/Materials: **\$33,533.15** (for bear proof trash bins ordered but not received).

Water Production

Building Repair/Maintenance: \$2,343.00 (for material ordered but not received by 6/30/23); Small Equipment: **\$83,225.58** (for equipment ordered but not received by 6/30/23)

Water Maintenance

Capital Improvements: **\$166,967** (for waterline replacement project carried forward to current year); Capital Equipment: **\$29,036.30** (for air compressor ordered but not received) and Supplies/Materials **\$14,574.37** (for materials ordered but not received by 6/30/23).

**Action Requested:**

Town Manager recommends approval of the attached Budget Amendment.

## Budget Amendment FY 2023-2024

### Town of Weaverville

What expense accounts are to be increased?

| <u>Account</u>    | <u>Account Description</u>         | <u>Transfer Amount</u> |
|-------------------|------------------------------------|------------------------|
| 010-430-431-12100 | Police - Salaries & Wages          | 44,646.92              |
| 010-430-431-26450 | Police - ABC Law Enforcement       | 16,971.92              |
| 010-430-431-26400 | Police - Alcohol Ed & Prevention   | 23,760.68              |
| 010-430-431-26608 | Police - Cops for Kids             | 418.26                 |
| 040-430-434-50500 | Fire - Capital Equipment           | 90,000.00              |
| 010-410-411-19000 | Gov Body - Professional Services   | 4,000.00               |
| 010-450-451-50300 | Streets - Capital Improvements     | 994,000.00             |
| 010-450-459-50300 | Powell Bill - Capital Improvements | 291,385.00             |
| 010-470-471-50500 | Sanitation - Capital Equipment     | 28,337.00              |
| 010-470-473-50300 | Stormwater Mgmt - Capital Imp      | 85,000.00              |
| 010-600-612-50300 | Grounds Maint - Capital Improv     | 67,855.99              |
| 010-600-612-26000 | Grounds Maint - Supplies/Material  | 33,533.15              |
| 030-700-712-35100 | Water Prod - Bldg Repair/Maint     | 2,343.00               |
| 030-700-712-50100 | Water Prod - Small Equipment       | 83,225.58              |
| 030-700-713-50300 | Water Maint - Capital Improv       | 166,967.00             |
| 030-700-713-50500 | Water Maint - Capital Equipment    | 29,036.30              |
| 030-700-713-26000 | Water Maint - Supplies/Materials   | 14,574.37              |
| 010-004-320-60500 | Transfer to NBFD Special Rev Fund  | 90,000.00              |

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

| <u>Account</u>    | <u>Account Description</u>        | <u>Transfer Amount</u> |
|-------------------|-----------------------------------|------------------------|
| 010-004-310-09900 | Appropriated Fund Bal (General)   | 1,679,908.92           |
| 030-004-310-09900 | Appropriated Fund Bal (Water)     | 296,146.25             |
| 040-000-300-60010 | Transf from Gen Fund to Fire Fund | 90,000.00              |

**Justification:** Please provide a brief justification for this budget amendment. *Reappropriations from FY22 Budget to FY23 Budget for: ABC Distribution carryover; Cops for Kids carryover; Unfinished stormwater compliance in Fire Dept.; Unused paving project funds and Powell Bill funds; Equipment ordered but not received by year-end in Streets, Sanitation, Grounds Maintenance, Stormwater Management, and Water Dept; Transfer from General Fund to Fire Fund.*

\_\_\_\_\_  
Authorized by Finance Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized by Town Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized by Town Council (if applicable)

\_\_\_\_\_  
Date

## Budget Amendment FY 2023-2024

### Town of Weaverville

---

Budget Ordinance Section 13

- 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:** August 28, 2023  
**Subject:** Budget Amendment – Transfer for FY23  
**Presenter:** Town Finance Director  
**Attachments:** Budget Amendment Form

**Description/Summary of Request:**

Fiscal Year 2022-2023 included a transfer from the General Fund to the Capital Project Fund for the Recreation Complex that needs a budget amendment to properly record.

For the initial phase of the new Recreation Complex at the Community Center, **\$12,872.22** was transferred from the General Fund to the Capital Project Fund.

The attached budget amendment is necessary so that the funds can be properly transferred and recorded in FY 2022-2023.

**Action Requested:**

Town Manager recommends approval of the attached Budget Amendment.



**Budget Amendment FY 2022-2023**

**Town of Weaverville**

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

| <u>Account</u>    | <u>Account Description</u>                                  | <u>Transfer Amount</u> |
|-------------------|---|------------------------|
| 010-004-320-09964 | Transfer to Capital Project Fund - Recreation Complex (070) | \$12,872.22            |
|                   |   |                        |
|                   |   |                        |
|                   |   |                        |
|                   |   |                        |

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

| <u>Account</u>    | <u>Account Description</u> | <u>Transfer Amount</u> |
|-------------------|----------------------------|------------------------|
| 070-000-300-60010 | Transfer from General Fund | \$12,872.22            |
|                   |                            |                        |
|                   |                            |                        |
|                   |                            |                        |
|                   |                            |                        |

**Justification:** Please provide a brief justification for this budget amendment. *Transfer from General Fund to Capital Project Fund for the Recreation Complex in Fiscal Year 2022-2023.*

|  |                      |
|--|----------------------|
| _____<br><b>Authorized by Finance Officer</b>              | _____<br><b>Date</b> |
| _____<br><b>Authorized by Town Manager</b>                 | _____<br><b>Date</b> |
| _____<br><b>Authorized by Town Council (if applicable)</b> | _____<br><b>Date</b> |

Budget Ordinance Section 14:

- 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:** August 28, 2023  
**Subject:** Road Closure Ordinances:  
**Presenter:** Selena D. Coffey, Town Manager  
**Attachments:** Road Closure Ordinance

- North Buncombe Homecoming Parade September 29, 2023
- Holiday Parade December 2, 2023

**Description:**

Attached please find the Ordinance for the road closures for the respective events.

**Council Action Requested:**

The Town Manager recommends approval of the ordinances.

**Suggested Motion:**

*I move to approve the road closure ordinance for North Buncombe Homecoming Parade and Holiday Parade.*

# Weaverville North Carolina

## AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE NORTH BUNCOMBE HOMECOMING PARADE

**WHEREAS**, the Town Council of Weaverville acknowledges a long tradition of supporting the annual North Buncombe Homecoming Parade, that benefits the Weaverville and the North Buncombe community; and

**WHEREAS**, the Town Council of Weaverville acknowledges a long tradition of providing the North Buncombe Homecoming Parade for the pleasure of its citizens; and

**WHEREAS**, the Town Council of Weaverville acknowledges the North Buncombe Homecoming Parade celebration requires approximately one (1) hour to install signage, and also requires approximately one (1) hour for removing signage, litter, etc.

**NO THEREFORE BE IT ORDAINED** by the Town Council of Weaverville pursuant to the authority granted by G. S. 20-169, that we do hereby declare a temporary road closure on the day and times set forth below and the following described portion of a State Highway System route:

### North Buncombe Homecoming Parade

Date: September 29, 2023

Time: 4:00 pm until 5:30 pm

Road Closure: North Buncombe School Road  
North Main Street  
South Main Street

It shall be unlawful for any person to remove any barrier or sign stating that a street or roadway is closed to traffic. It shall be unlawful to drive on or over a street or roadway that is marked, signed or barricaded to indicate that it is closed to traffic. A person who violates any provision of this subsection may be subject to criminal and/or civil penalties.

This ordinance to become effective when signs are erected giving notice of the road closures and detour routes, the implementation of adequate traffic control.

*Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023*

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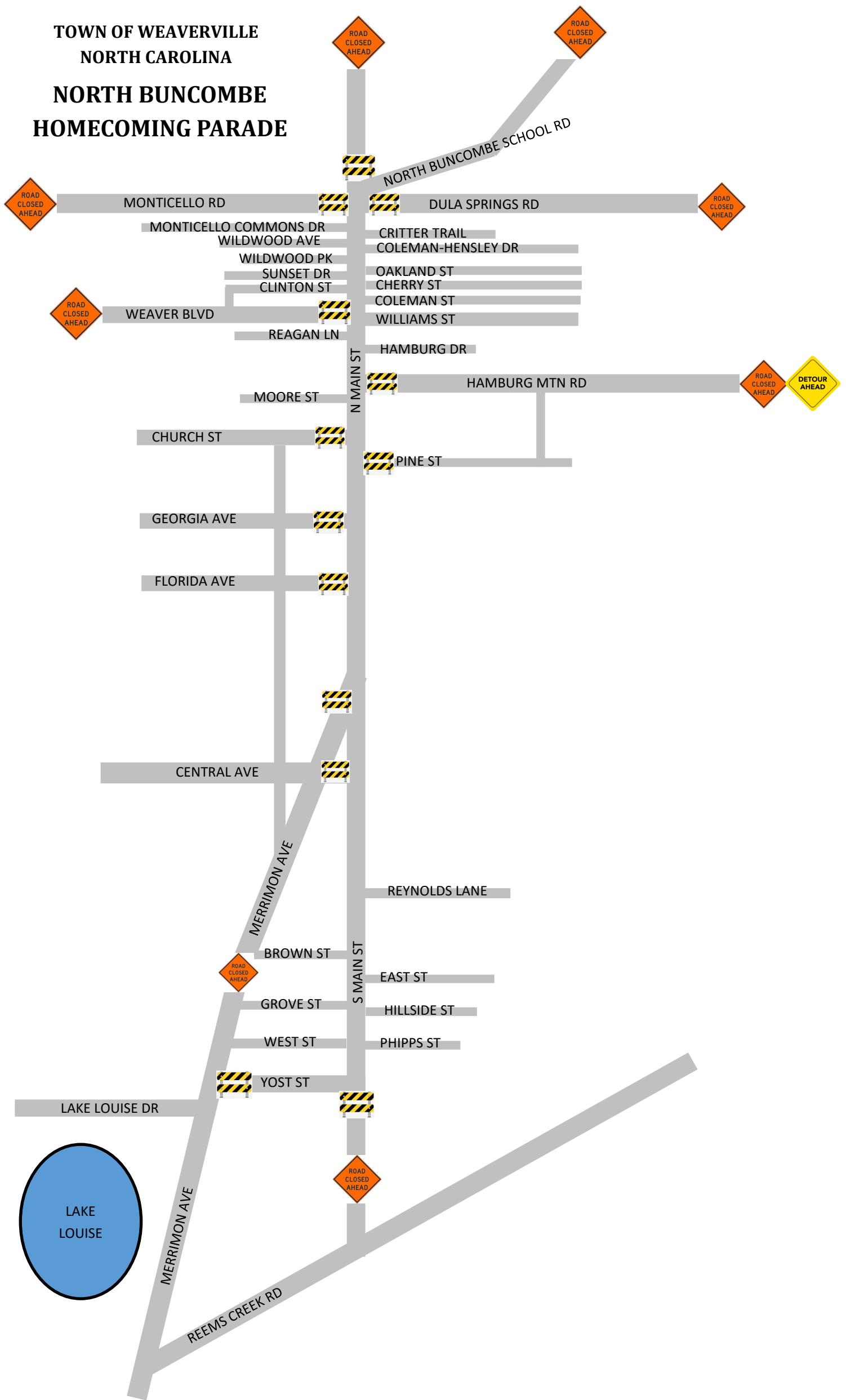
Patrick Fitzsimmons, Mayor

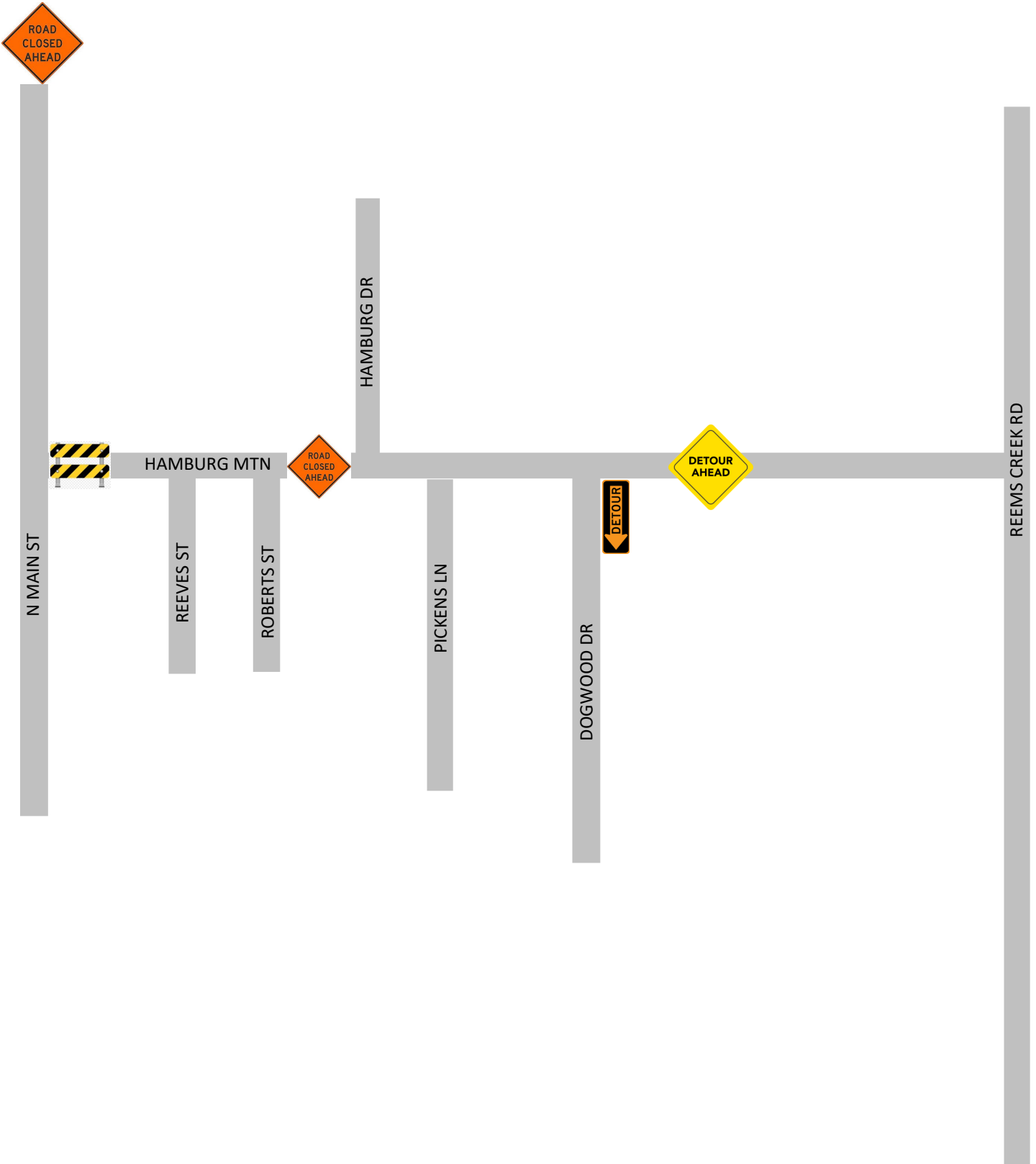
Attest:

---

Town Clerk, Tamara Mercer

**TOWN OF WEAVERVILLE  
NORTH CAROLINA  
NORTH BUNCOMBE  
HOMECOMING PARADE**





**AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE  
WEAVERVILLE HOLIDAY PARADE**

**WHEREAS**, the Town Council of Weaverville acknowledges a long tradition of supporting the annual Weaverville Holiday Parade, that benefits the Weaverville and the North Buncombe community; and

**WHEREAS**, the Town Council of Weaverville acknowledges a long tradition of providing the Weaverville Holiday Parade for the pleasure of its citizens; and

**WHEREAS** the Town Council of Weaverville acknowledges the Weaverville Holiday Parade celebration requires approximately one-half hour to install signage, approximately one hour fifteen minutes for parade event, and also requires approximately one-half hour for removing signage, litter, etc.

**WHEREAS**, The Town Council of Weaverville recognizes that the detour route will be appropriately marked with signage and personnel at various locations to ensure the motoring public travels safely and without unnecessary delay.

**THEREFORE, BE IT ORDAINED** by the Town Council of Weaverville pursuant to the authority granted by G. S. 20-169, that we do hereby declare a temporary road closure on the day and times set forth below and the following described portion of a State Highway System route:

**Weaverville Holiday Parade**

Date: December 2, 2023  
Begin time: 11:00 pm  
End time: 1:30 pm

**Description of closure:** 1.91 miles along SR2207, US 19 Bus, and SR2127 Main Street from North Buncombe Middle School to Weaverville Elementary School / Yost Street;

and, pursuant to Weaverville Code of Ordinances, it shall be (1) unlawful for any person to remove any barrier (traffic cone or barrel, barricade, caution tape, etc.) or sign stating that a street or roadway is closed to traffic, and (2) unlawful to drive on or over a street or roadway that is marked, signed or barricaded to indicate that it is closed to traffic. A person who violates any provision of this ordinance may be subject to criminal and/or civil penalties.

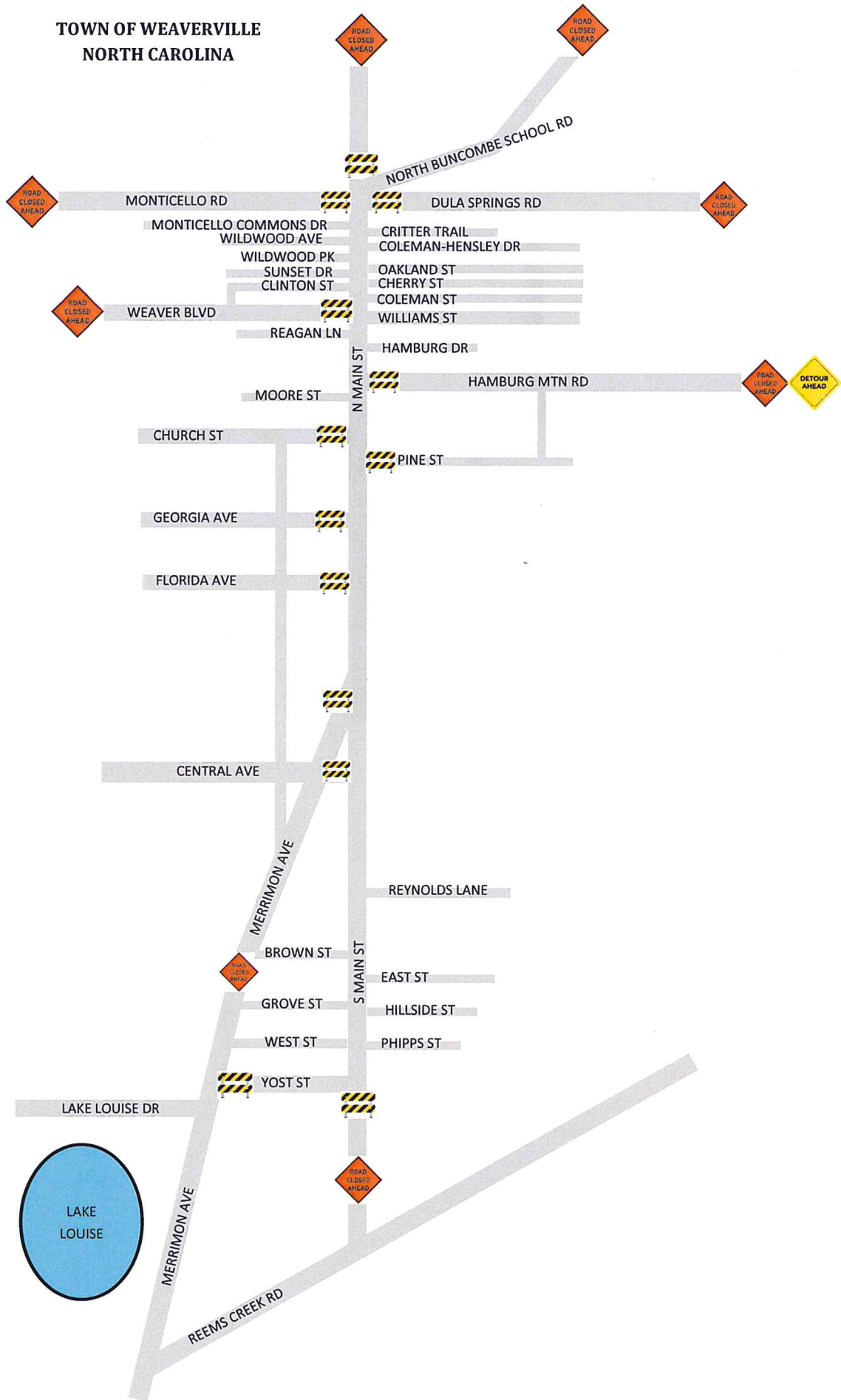
This ordinance is adopted this the \_\_\_\_ day of \_\_\_\_\_, 2023, and is to become effective when signs are erected giving notice of the road closures and detour routes and the implementation of adequate traffic control.

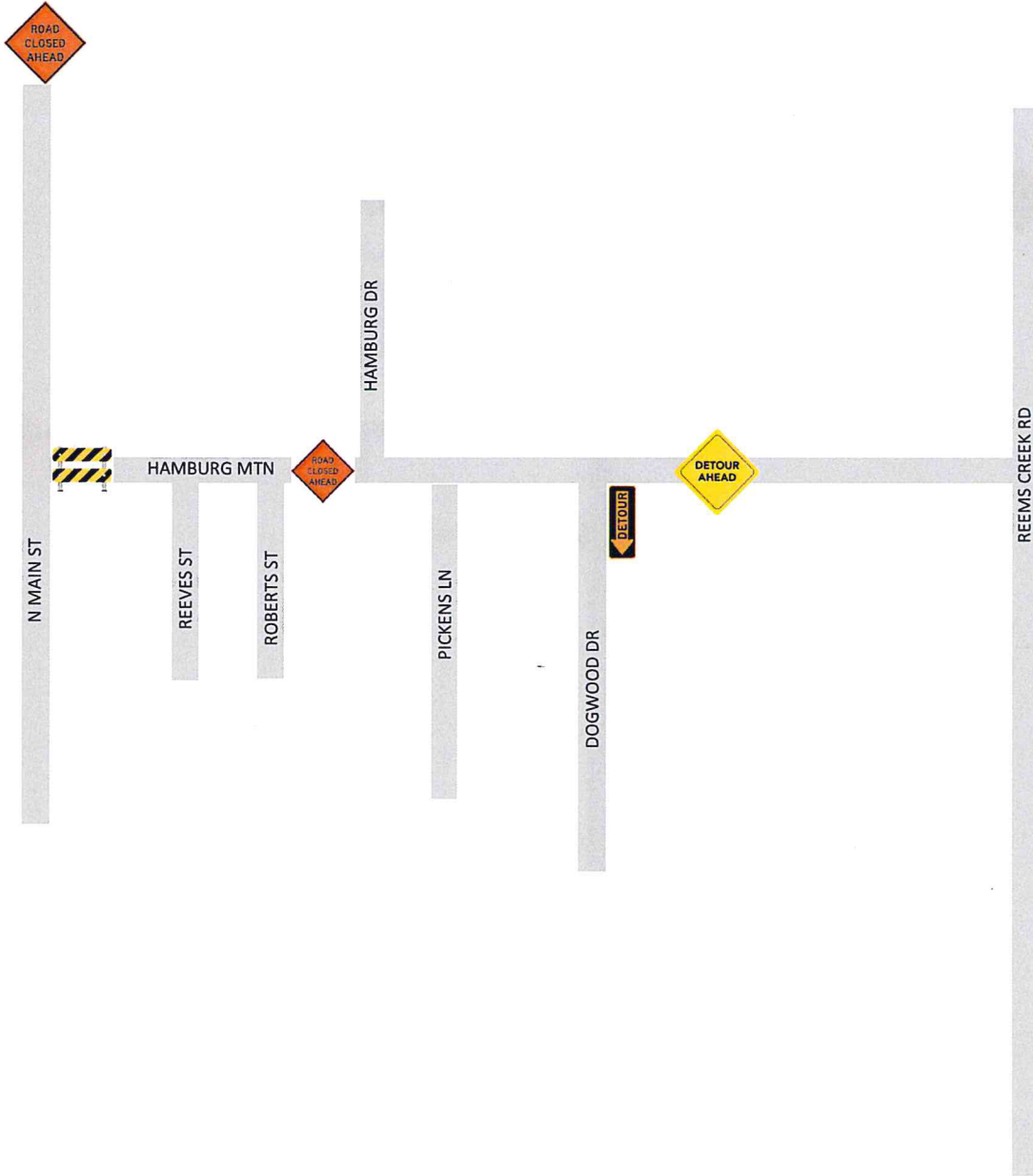
\_\_\_\_\_  
Patrick Fitzsimmons, Mayor

Attest:

\_\_\_\_\_  
Tamera Mercer, Town Clerk

**TOWN OF WEAVERVILLE  
NORTH CAROLINA**







**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** August 28, 2023  
**SUBJECT:** Board Appointments  
**PRESENTER:** Mayor Fitzsimmons  
**ATTACHMENTS:** Proposed Rosters

**DESCRIPTION/SUMMARY OF REQUEST:**

There are terms that are expiring in September on the Planning Board, Board of Adjustment and ABC Board and a vacancy needs to be filled on the Planning Board. Mayor Fitzsimmons has been working on these appointments and his recommendations are shown on the attached rosters and outlined below.

Mayor Fitzsimmons proposes that Planning Board regular members Jane Kelley and Donna Mann Belt be reappointed for an additional 3-year term and that Stefanie Pupkiewicz-Busch, who is currently serving as an alternate Planning Board member, be appointed to fill the regular seat vacancy created by Maggie Shroeders's recent resignation. The Mayor and Planning Board Chairman interviewed all Planning Board applicants and recommend that Michelle Rippon be appointed to fill the alternate seat vacancy.

The Board of Adjustment has terms expiring for Tycer Lewis and Roger Parkin, both holding regular seats, and alternate Larry Murray. Mayor Fitzsimmons recommends all be reappointed for another 3-year term.

The Mayor recommends that Rob Chason be appointed to the ABC Board for a new 3-year term and that he continue to be designated as Chairman of this Board. Mr. Chason has indicated a willingness to do so.

**COUNCIL ACTION REQUESTED:**

Suggested motion: *I move the approval of the following board reappointments/appointments:*

*Jane Kelley and Donna Mann Belt – reappointment as regular members of the Planning Board to serve new 3-year terms beginning in September 2023*

*Stefanie Pupkiewicz-Busch - appointment as a regular member of the Planning Board to serve an unexpired term that is due to expire September 2025*

*Michelle Rippon – appointment as an alternate member of the Planning Board to serve an unexpired term that is due to expire in September 2025*

*Tyker Lewis and Roger Parkin - reappointment as regular members of the Board of Adjustment to serve a new 3-year term beginning in September 2023*

*Larry Murray - reappointment as an alternate member of the Board of Adjustment to serve a new 3-year term beginning in September 2023*

*Rob Chason - appointment to the ABC Board to serve a new 3-year term beginning in September 2023 and designation as the ABC Board Chairman for a 1-year term beginning in September 2023*

| <b>WEAVERVILLE PLANNING BOARD</b>   |   |                   |                     |                                |
|---|---|-------------------|---------------------|--------------------------------|
| Regularly meets 1 <sup>st</sup> Tuesday of the month at 6 pm in<br>Community Room/Council Chambers at Town Hall |   |                   |                     |                                |
| <b>NAME AND POSITION</b>  | <b>CONTACT INFORMATION</b>  | <b>FIRST APPT</b> | <b>DATE OF APPT</b> | <b>TERM (3 YEARS)</b>          |
| Bob Pace<br>Regular Member<br>Chair   | 116 Mountain Meadow Circle<br>919-434-6938<br><a href="mailto:ncstman@gmail.com">ncstman@gmail.com</a>              | 2020              | September<br>2022   | September<br>2022 – 2025       |
| Jane Kelley<br>Regular Member<br>Vice Chair   | 31 Moore Street<br>843-801-5100<br><a href="mailto:jane.kelley2@yahoo.com">jane.kelley2@yahoo.com</a>               | 2021              | August<br>2023      | September<br>2023 – 2026       |
| Mark Endries<br>Regular Member  | 9 Grove Street<br>828-423-0035 (cell)<br><a href="mailto:markendries@hotmail.com">markendries@hotmail.com</a>       | 2021              | March<br>2022       | March 2022 -<br>Sept 2024      |
| Donna Mann Belt<br>Regular Member   | 53 Highland Street<br>903-530-2967 (cell)<br><a href="mailto:donnaleemann@gmail.com">donnaleemann@gmail.com</a>     | 2021              | August<br>2023      | September<br>2023 – 2026       |
| Stefanie<br>Pupkiewicz-Busch<br>Regular Member  | 11 Clinton Street<br>619-674-6021<br><a href="mailto:stefaniepupkiewicz@gmail.com">stefaniepupkiewicz@gmail.com</a> | 2023              | August<br>2023      | September<br>2023 – 2025       |
| Ryan Gagliardi<br>Alternate Member  | 21 Wildwood Avenue<br>919-649-3931<br><a href="mailto:ryanagagliardi@gmail.com">ryanagagliardi@gmail.com</a>        | 2022              | October<br>2022     | October<br>2022 – Sept<br>2024 |
| Michelle Rippon<br>Alternate Member   | 179 Holston View Drive, Apt 108<br>828 775-1677<br><a href="mailto:mrippon@constangy.com">mrippon@constangy.com</a> | 2023              | August<br>2023      | September<br>2023 – 2025       |
| <i>Michele Wood</i><br><i>Non-Voting Town</i><br><i>Council Liaison</i>   | 50 N. College Street<br>214-923-8083<br><a href="mailto:mwood@weavervillenc.org">mwood@weavervillenc.org</a>        | 2022              | December<br>2022    | TBD                            |
| James Eller<br>Town Planner   | 828-484-7002 (direct line)<br><a href="mailto:jeller@weavervillenc.org">jeller@weavervillenc.org</a>                |                   |                     |                                |
| Jennifer Jackson<br>Town Attorney   | 828-442-1858 (cell)<br><a href="mailto:jjackson@weavervillenc.org">jjackson@weavervillenc.org</a>                   |                   |                     |                                |

*Last updated August 2023*

| <b>WEAVERVILLE<br/>BOARD OF ADJUSTMENT</b>  |  |                   |                     |                          |
|---|--|-------------------|---------------------|--------------------------|
| Regularly meets 2 <sup>nd</sup> Monday of the month at 6:00 pm (subject to cancellation)<br>in Community Room/Council Chambers at Town Hall |  |                   |                     |                          |
| <b>NAME AND POSITION</b>  | <b>CONTACT INFORMATION</b>   | <b>FIRST APPT</b> | <b>DATE OF APPT</b> | <b>TERM (3 YEARS)</b>    |
| John "Tycer" Lewis<br>Chairman  | 14 South College Street<br>(cell) 279-4290<br><a href="mailto:tycerrenovations@gmail.com">tycerrenovations@gmail.com</a>   | 2017              | August 2023         | September 2023-2026      |
| Cynthia Wright<br>Vice-Chairman   | 88 Hillcrest Drive<br>(cell)703-862-8428<br><a href="mailto:wright.cindy2011@gmail.com">wright.cindy2011@gmail.com</a>   | 2014              | August 2021         | September 2021 - 2024    |
| Paul Clauhs<br>Regular Member   | P.O. Box 483<br>74 Hamburg Drive<br>828-768-6679<br><a href="mailto:weavervilleplumbing@hotmail.com">weavervilleplumbing@hotmail.com</a>                                   | 2011              | September 2022      | September 2022 - 2025    |
| Roger Parkin<br>Regular Member  | 57 Church Street<br>828-337-2868<br><a href="mailto:rdplimey@gmail.com">rdplimey@gmail.com</a>   | 2017              | August 2023         | September 2023 - 2026    |
| Peter McGuire<br>Regular Member   | 11 Whitetail Drive<br>828-230-1862<br><a href="mailto:pbm McGuire73@gmail.com">pbm McGuire73@gmail.com</a><br><a href="mailto:peter@strauslaw.com">peter@strauslaw.com</a> | 2021              | August 2021         | September 2021 - 2024    |
| Larry Murray<br>Alternate Member  | 7 Alexander Road<br>828-645-4285<br><a href="mailto:flurmur104@aol.com">flurmur104@aol.com</a>   | 2021              | August 2023         | September 2023 - 2026    |
| Brent Koenig<br>Alternate Member  | 7 Coleman Street<br>619-847-8528<br><a href="mailto:brentkoenig@gmail.com">brentkoenig@gmail.com</a>   | 2022              | October 2022        | October 2022 - Sept 2025 |
| James Eller, Zoning Administrator   | 828-484-7002<br><a href="mailto:jeller@weavervillenc.org">jeller@weavervillenc.org</a>   |                   |                     |                          |
| Jennifer Jackson<br>Town Attorney   | 828-442-1858<br><a href="mailto:jjackson@weavervillenc.org">jjackson@weavervillenc.org</a>   |                   |                     |                          |
| Tamara Mercer<br>Town Clerk/BOA Sec.  | 828-484-7003<br><a href="mailto:tmercerc@weavervillenc.org">tmercerc@weavervillenc.org</a>   |                   |                     |                          |

Last updated August 2023

**WEAVERVILLE  
ALCOHOL BEVERAGE CONTROL (ABC) BOARD**

Quarterly – 10 am on First Wednesday in March, June, September and December  
in Community Room/Council Chambers at Town Hall; and as needed

| <b>NAME AND POSITION</b>           | <b>CONTACT INFORMATION</b>  | <b>FIRST APPT</b> | <b>DATE OF APPT</b> | <b>TERM (3 YEARS)</b>    |
|------------------------------------|---|-------------------|---------------------|--------------------------|
| Robert Chason<br>Chairman          | 26 Scenic Mountain Drive<br>Weaverville, NC 28787<br>273-8510 (cell)<br><a href="mailto:homebrew7@charter.net">homebrew7@charter.net</a>  | 2011              | August 2023         | September<br>2023 - 2026 |
| Tonia Sheppard                     | 27 Central Avenue<br>Weaverville, NC 28787<br><b>MAILING ADDRESS IS<br/>1186 Patton Avenue<br/>Asheville, NC 28806</b><br>828-712-4259 (cell)<br><a href="mailto:funinfolly@gmail.com">funinfolly@gmail.com</a> | 2019              | September<br>2021   | September<br>2021 - 2024 |
| Thomas Destino                     | 2 Orchard Place<br>Weaverville, NC 28787<br>(828)551-7137<br><a href="mailto:tdestino15@gmail.com">tdestino15@gmail.com</a>   | 2022              | September<br>2022   | September<br>2022-2025   |
| Jennifer Jackson<br>Board Attorney | 828-442-1858 (cell)<br><a href="mailto:jjackson@weavervillenc.org">jjackson@weavervillenc.org</a>   |                   |                     |                          |

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** August 28, 2023  
**SUBJECT:** Water Commitment Renewal – Chapel Crossing Development  
**PRESENTER:** Public Works Director Dale Pennell  
**ATTACHMENTS:** Original Letter of Water Commitment dated July 19, 2022

**DESCRIPTION/SUMMARY OF REQUEST:**

The Town granted a water commitment for a 13-lot single-family subdivision located at 601 Clarks Chapel Road on July 19, 2022 for the development that is now known as Chapel Crossing. The applicant/developer has experienced unanticipated delays and, although they have begun grading, have not yet started construction of the water system improvements. In July the applicant/developer requested a one-year extension of the water commitment for the above project.

No conditions have changed from the original development plans and the requested water usage that is requested remains at 5,200 GPD. As with the original water request, the Public Works Director has found that, at this time, there is sufficient capacity within the Town’s water system to provide this project with water without affecting existing customers. The Town Manager recommends approval of this request.

**COUNCIL ACTION REQUESTED:**

Town Council is asked to consider approval of the renewed water request through the adoption of the following motion:

*I move that the water commitment and line extension request for 601 Clarks Chapel Road, PIN 9744-10-5111, for the Chapel Crossing Development be extended for an additional year upon payment of the associated fees as set out in the Town’s current fee schedule*

The Town of  
**Weaverville**  
NORTH CAROLINA

July 19, 2022

Mr. Liam Cahill  
Brooks Engineering Associates  
15 Arlington Street  
Asheville, NC 28801

Re: Water Commitment and Line Extension for 601 Clarks Chapel Road  
13 lot development for single family residential  
PIN 9744-10-5111

Dear Mr. Cahill:

This letter represents the Town of Weaverville's approval of the water commitment and line extension request made by you for a development of 13 single family residences adjoining the east side of Clarks Chapel Road, across from the intersection with Clarks Chapel Extension. Your request to construct and install approximately 600 LF of 6" water line to serve each lot with a standard ¾" water service is hereby approved, with an anticipated maximum flow of 545 GPM and maximum capacity of 5,200 GPD. The following represents the conditions that must be met in order for the Town to provide water to your project:

1. Please have your office and the utility contractor coordinate with Weaverville Public Works Director Dale Pennell on the approved plans, materials, and installation of these water services.
2. All water services must be installed in accordance with Town Code and Water Policies, Procedures, and Specifications. Component submittals must be provided to the Public Works Director for approvals. Work must be performed by a NC Licensed Utility Contractor and supervised by Town staff, if not installed by the Town's crews.
3. The Owner/Developer is to pay all costs associated with the installation of the water service, water service line, taps, meters, valves, and other related appurtenances.
4. Tap fees are not required where taps, meters, and associated appurtenances are provided and installed by Owner/Developer; otherwise, a Tap Fee must be paid if the tap is made by Town Staff. System Development Fees, Service Charges, and Deposits will be

30 South Main Street • Weaverville, NC 28787 (PO Box 338)  
(828) 645-7116 • Fax (828) 645-4776  
[www.weavervillenc.org](http://www.weavervillenc.org)

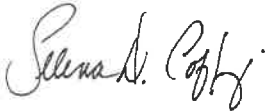
assessed at the time water service is to be turned on.

5. This water commitment is valid only for the project described in this letter. Installation of the water system improvements must begin on or before one year from the date of this letter, unless otherwise extended.
6. This water commitment does not constitute the Town's approval and acceptance of the proposed project.
7. This water commitment cannot be used to secure a building permit. To be eligible for a building permit your water tap(s) for the project must be installed.

Your Application for a Commitment Letter dated 4-27-22 did not include the required \$100 Water System Availability/Commitment Application Fee for multi-lot developments. This fee will need to be paid at town hall for this letter to be valid. Additional fees per the Town's FY 2022-23 Fee Schedule will be required to activate each individual account as follows:

- \$25 Account Establishment Service Charge
- \$160 Water System Account Deposit (3/4" connection outside town limits)
- \$1,200 Tap charges for 3/4" meter (unless installed by your contractor)
- \$2,232 Water System Development Fee for 3/4" meter

Sincerely,



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

cc: Dale Pennell, Public Works Director



*August 2023*

**Introduction of Sarah Myers, our New Recreation Coordinator & Community Center Manager**

I would like to publicly introduce our new Recreation Coordinator & Community Center Manager, Sarah Myers. Prior to accepting our position, Sarah was the Weaverville Business Association (WBA) Administrator and has built great rapport with our community. We are looking forward to the energy that Sarah will bring to the Town and her new position. Welcome, Sarah!

**Weaverville 9/11 Observance**

The Town's Patriotic Activities Committee will be hosting the Weaverville 9/11 Observance on Monday, September 11 at 11:00am at the Community Center. Please join us.

**CodeRED Implementation**

Staff is continuing our training on CodeRED and hope to have this pushed out to the public for enrollment by the end of this month or early September.

**Strategic Planning Retreat**

I would like to recommend that Town Council set a date in January 2024 for a strategic planning retreat. With all of the major projects that Town staff is currently working on, as well as those in the near future, a strategic plan would give staff a better understanding of Town Council's goals and priorities going into the new year. Please let me know of any extended periods of time when you will be unavailable in January if you will remain on Town Council.

**Recreation Complex Update**

The maintenance building has now been removed from the recreation complex area and grading is scheduled to begin within days at this point. Staff will continue to keep Council posted on progress!

**Street Improvements Program Bids**

Unfortunately, we were unable to open bids for our street improvements program for paving on the first bid deadline because we only received two bids. Because we did not receive the three bids required by law, we are opening the paving project(s) for bids again and expect to have the bid approval on the September Council agenda.



## **Electrifying Public Safety Training + Ride and Drive**

The Town and Weaverville Police Department are partnering with the Land of Sky Clean Vehicles Coalition to participate in a training and educational event at the Community Center on September 25 using the Town's EV patrol vehicles. Below is a snippet for the event:

*Get charged up for a safer future with our groundbreaking "Electric Vehicle Public Safety Training Workshop." As electric vehicles (EVs) become increasingly prevalent on our roads, it's crucial for first responders, emergency personnel, and public safety officials to be well-prepared and knowledgeable about the unique challenges and considerations associated with EV incidents.*

*This Event will include:*

*EV Technology Deep Dive: Engage in comprehensive sessions led by EV technology experts, providing an in-depth understanding of electric vehicle systems, battery technology, high-voltage components, and potential safety hazards.*

*Hands-On Demo with Ride and Drive: SACE will be joining us with the electric fleet to take you on a ride in an electric vehicle while learning about the vehicle technology.*

*Interdisciplinary Collaboration: Foster collaboration between fire departments, law enforcement, EMS personnel, and utility companies, enabling a coordinated and efficient response to EV-related incidents.*

*Cutting-Edge Resources: Access up-to-date reference materials, guidelines, best practices on upfitting the vehicles, preparing your community for an electric transition, and tools that will empower you to confidently handle EV-related emergencies.*

**TOWN OF WEAVERVILLE**  
**TOWN COUNCIL AGENDA ITEM**

**Date of Meeting:** August 28, 2023  
**Subject:** Tax Assessor Question and Answer Visit  
**Presenter:** Keith Miller, Buncombe County Tax Assessor  
**Attachments:** None

**Description:**

Keith Miller, the Buncombe County Tax Assessor, will be present at this meeting to discuss the future revaluation process and respond to questions that Town Council may have in that regard..

**Town Council Action Requested:**

No Town Council action requested.

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** August 28, 2023  
**SUBJECT:** Stormwater Program Update  
**PRESENTER:** Town Attorney Jackson  
**ATTACHMENTS:** None

**DESCRIPTION/SUMMARY OF REQUEST:**

The Town has an important role to play in protecting the area’s surface water from water quality impacts from stormwater runoff. As such the Town is required to have a permit and a stormwater management plan that addresses the following components or program areas:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Runoff Control
- Post-Construction Site Runoff Control
- Pollution Prevention and Good Housekeeping

The Town Attorney will update Town Council on the Town’s stormwater permit that was re-issued on August 1 by North Carolina’s Department of Environmental Quality. She will provide a brief overview of the work that the Town will be engaged in during FY2023-2024 to implement the Stormwater Management Plan that is incorporated into the permit, and highlight some of the work that was accomplished during FY2022-2023 through the assistance of Land of Sky Regional Council.

The newly renewed NPDES Permit and the approved Stormwater Management Plan are both lengthy documents and are not included with this agenda item but are available upon request.

**TOWN COUNCIL ACTION REQUESTED:**

This update is provided for information only and no Town Council action is requested or required at tonight’s meeting.

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** August 28, 2023

**SUBJECT:** Main Street Nature Park Stormwater Concepts/Visioning Presentation

**PRESENTER:** Mary Roderick, Land of Sky Regional Council

**ATTACHMENTS:** Weaverville Nature Park – Stormwater Management Concepts and Preliminary Visioning

**DESCRIPTION/SUMMARY OF REQUEST:**

Mary Roderick of the Land of Sky Regional Council was able to get some grant funding for the Town of Weaverville to assist with a couple of stormwater related projects, including the mapping of the stormwater system and an evaluation of the Main Street Nature Park and the stormwater control measures that are incorporated into that park.

Dr. Roderick will be at tonight’s meeting to provide a brief presentation concerning the Main Street Nature Park project and the findings, stormwater management concepts within the park, and some preliminary visioning for the park. The full report is attached.

**TOWN COUNCIL ACTION REQUESTED:**

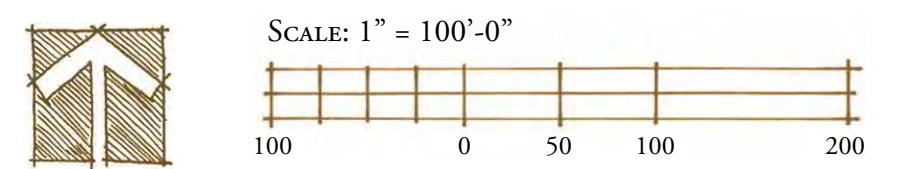
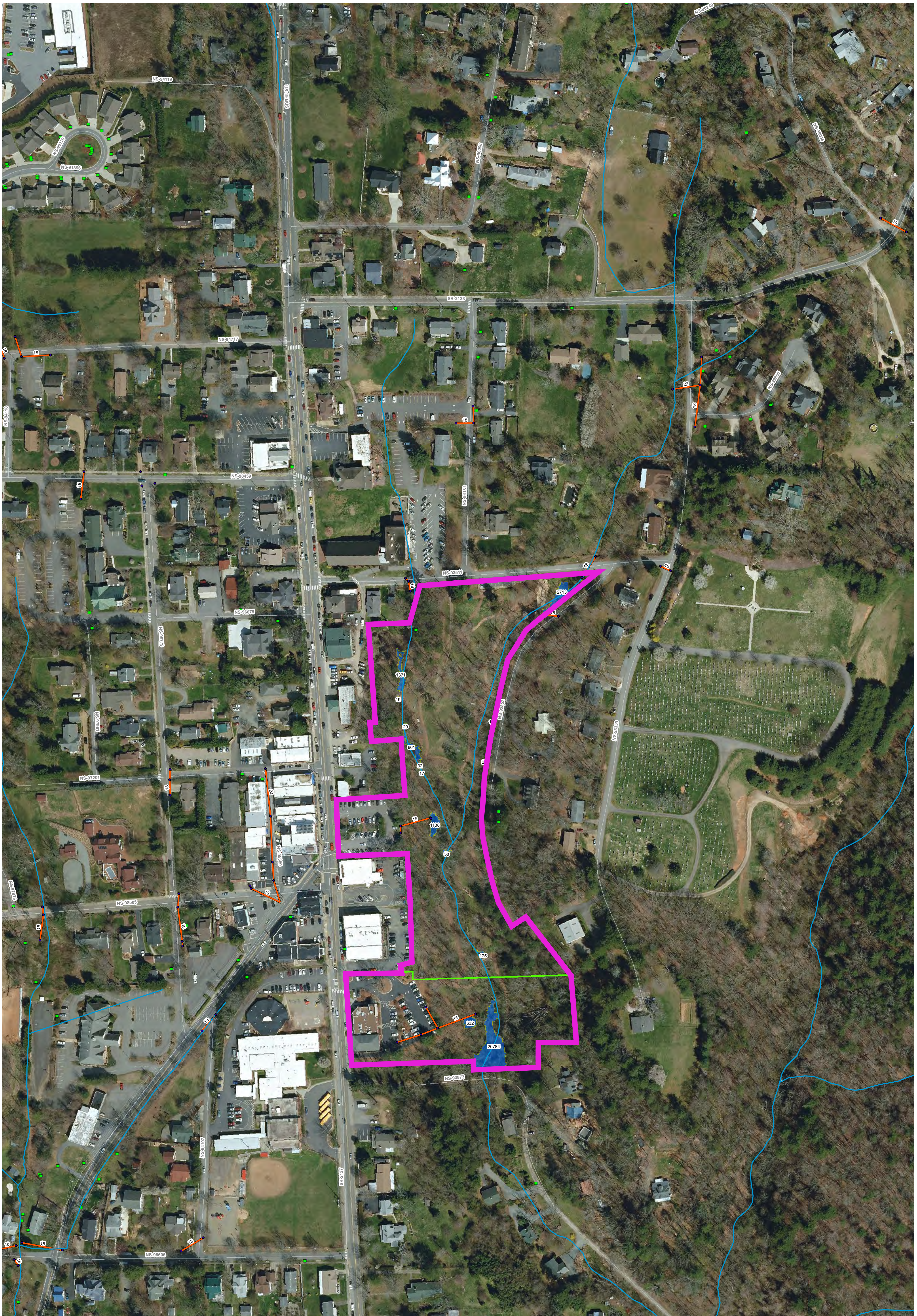
Town Council discussion and direction to staff as appropriate.



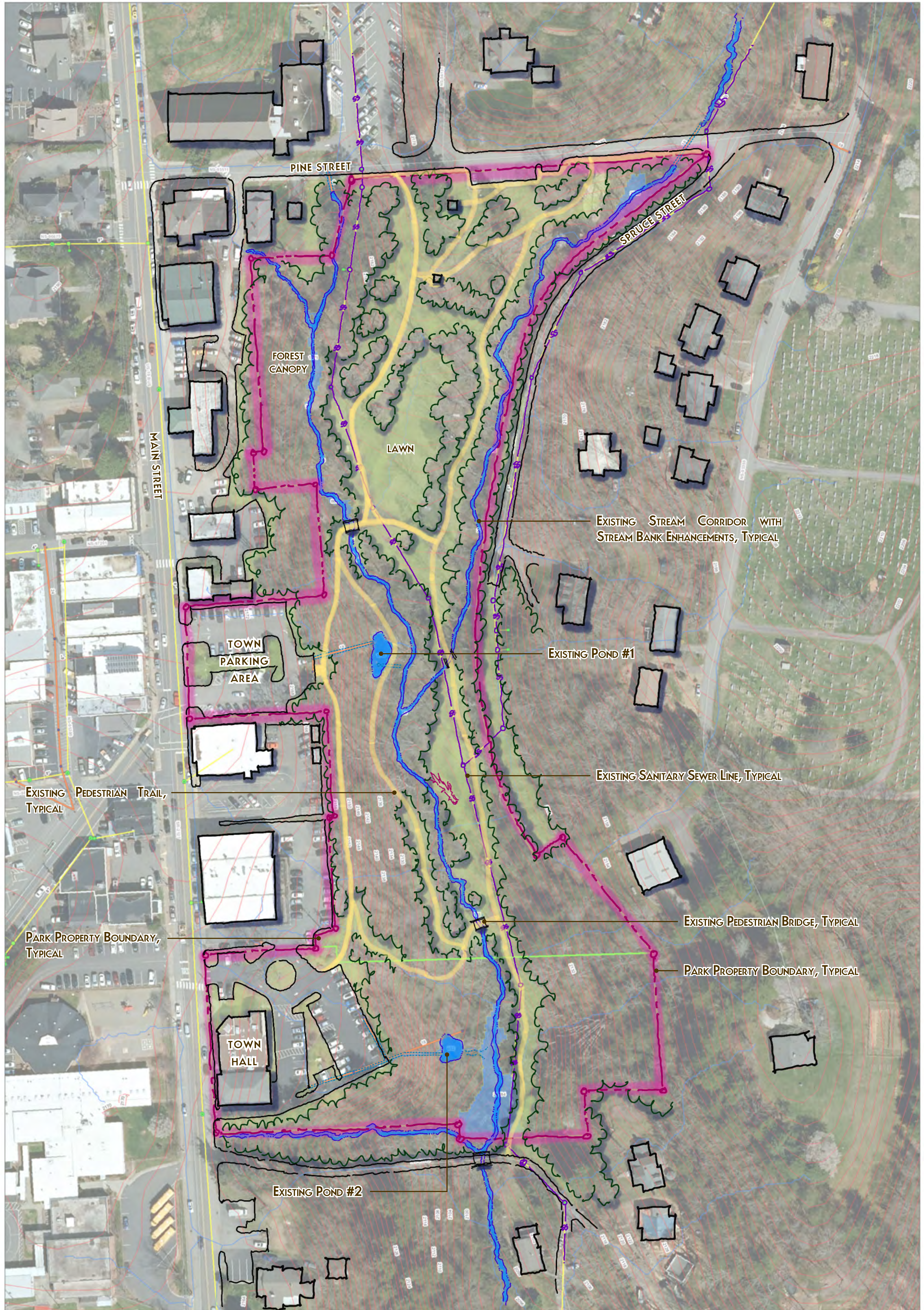
# WEAVERVILLE NATURE PARK

## STORMWATER MANAGEMENT CONCEPTS + PRELIMINARY VISIONING

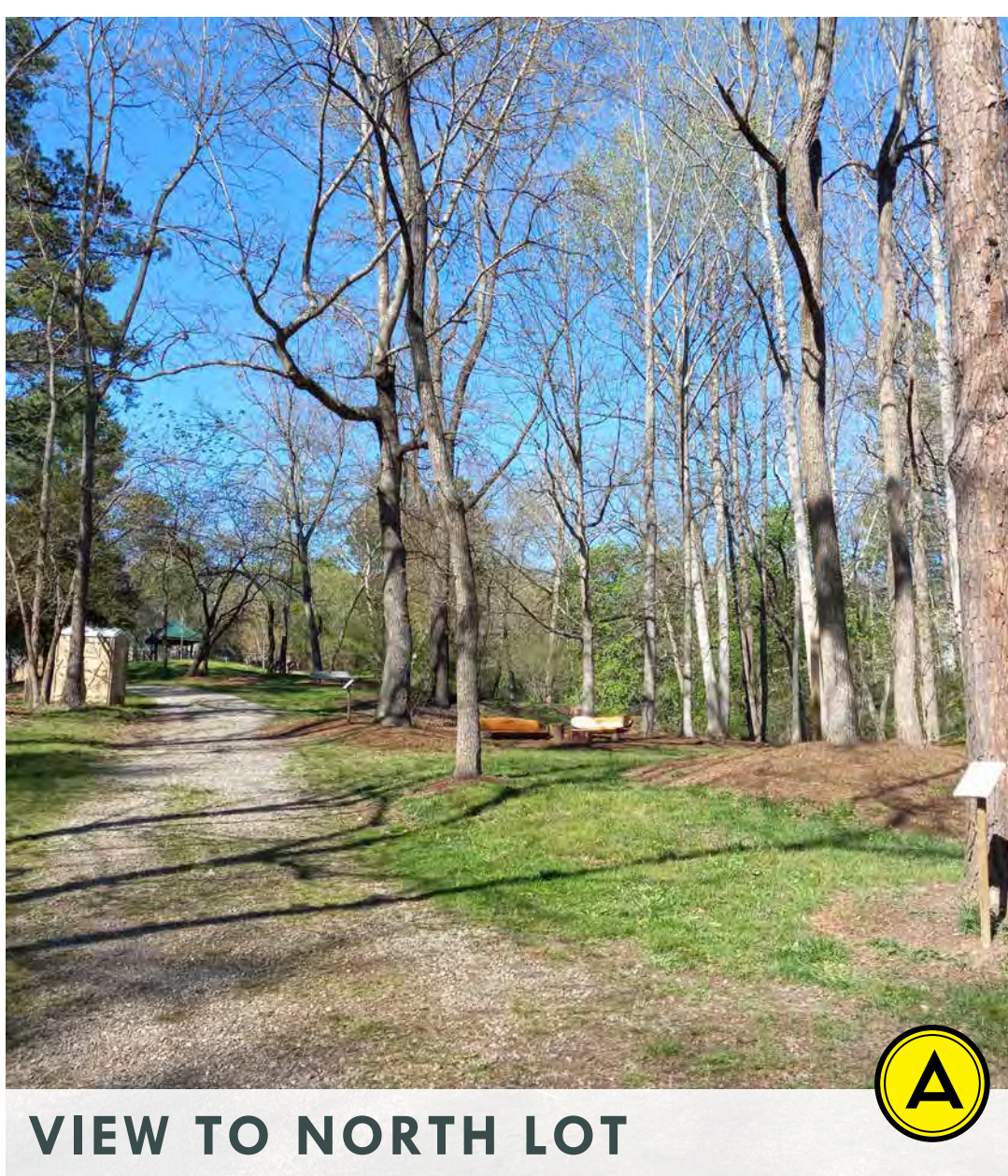
01 JUNE 2023



# SITE CONTEXT



# EXISTING CONDITIONS



VIEW TO NORTH LOT

A



BANK EROSION

B



CULVERT ALONG CREEK

C



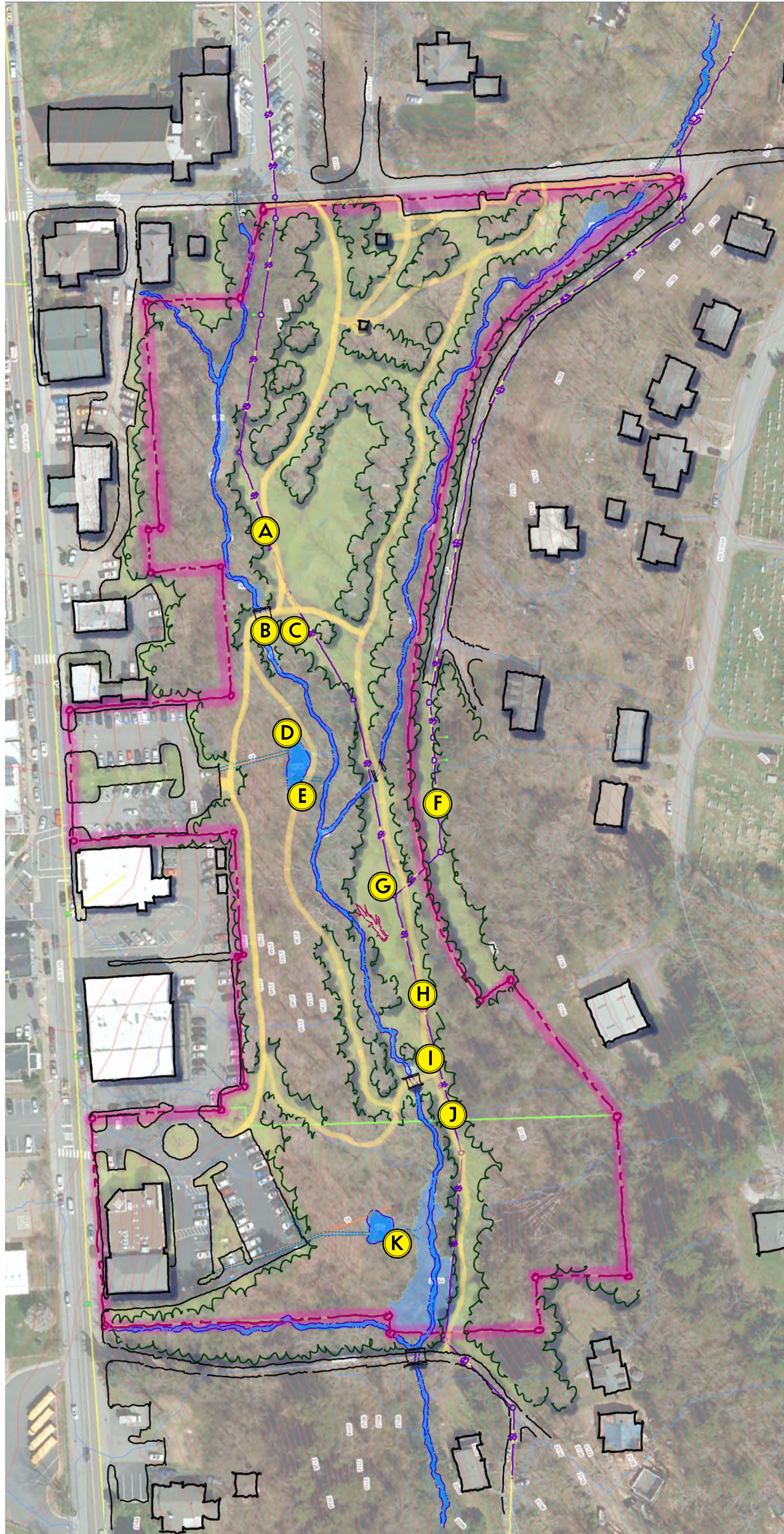
NORTH STORMWATER POND

D



OUTLET AT NORTH POND

E

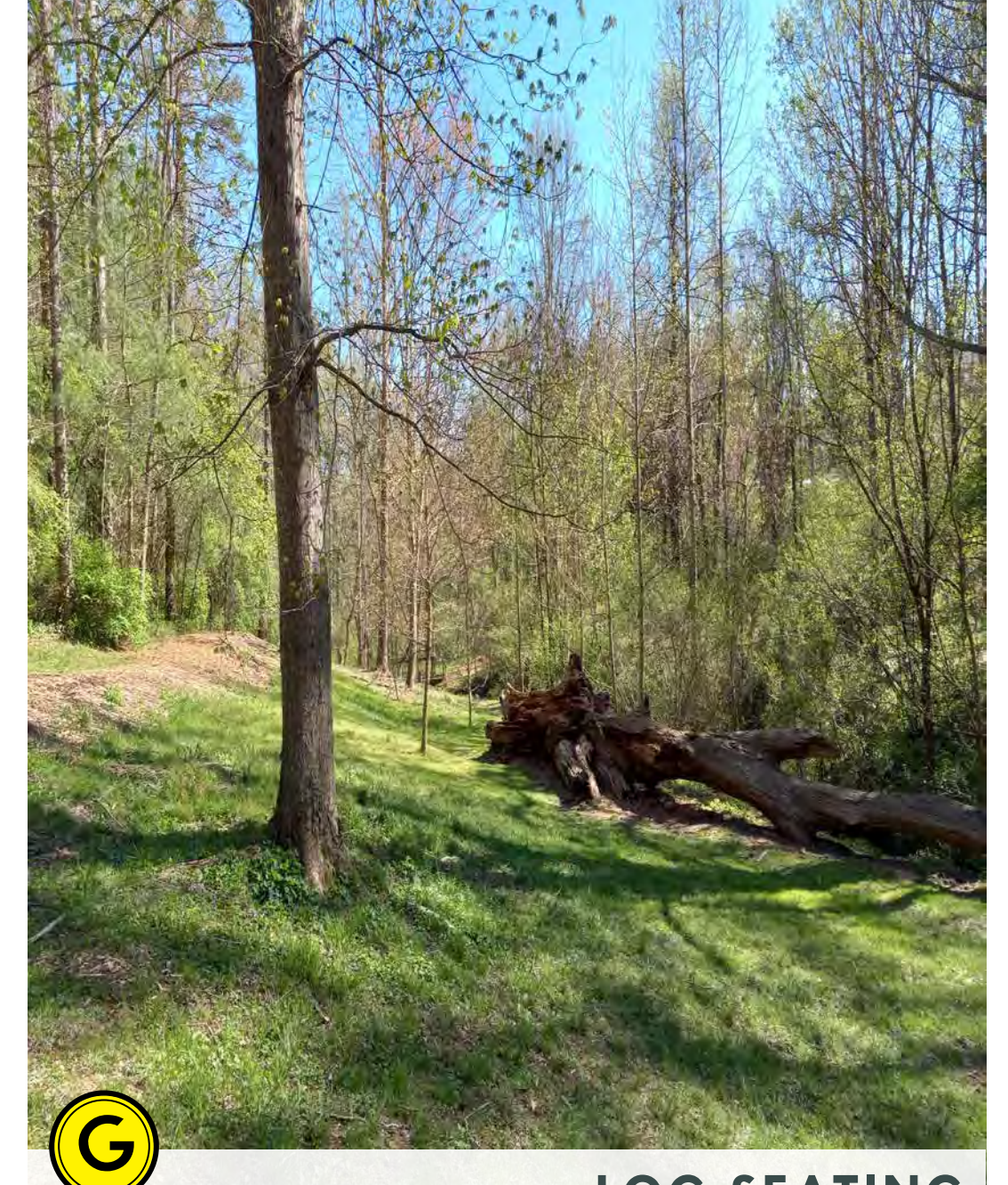


SCALE: 1" = 50'-0"  
50 0 25 50 100



VIEW ALONG SPRUCE ST.

F



LOG SEATING

G



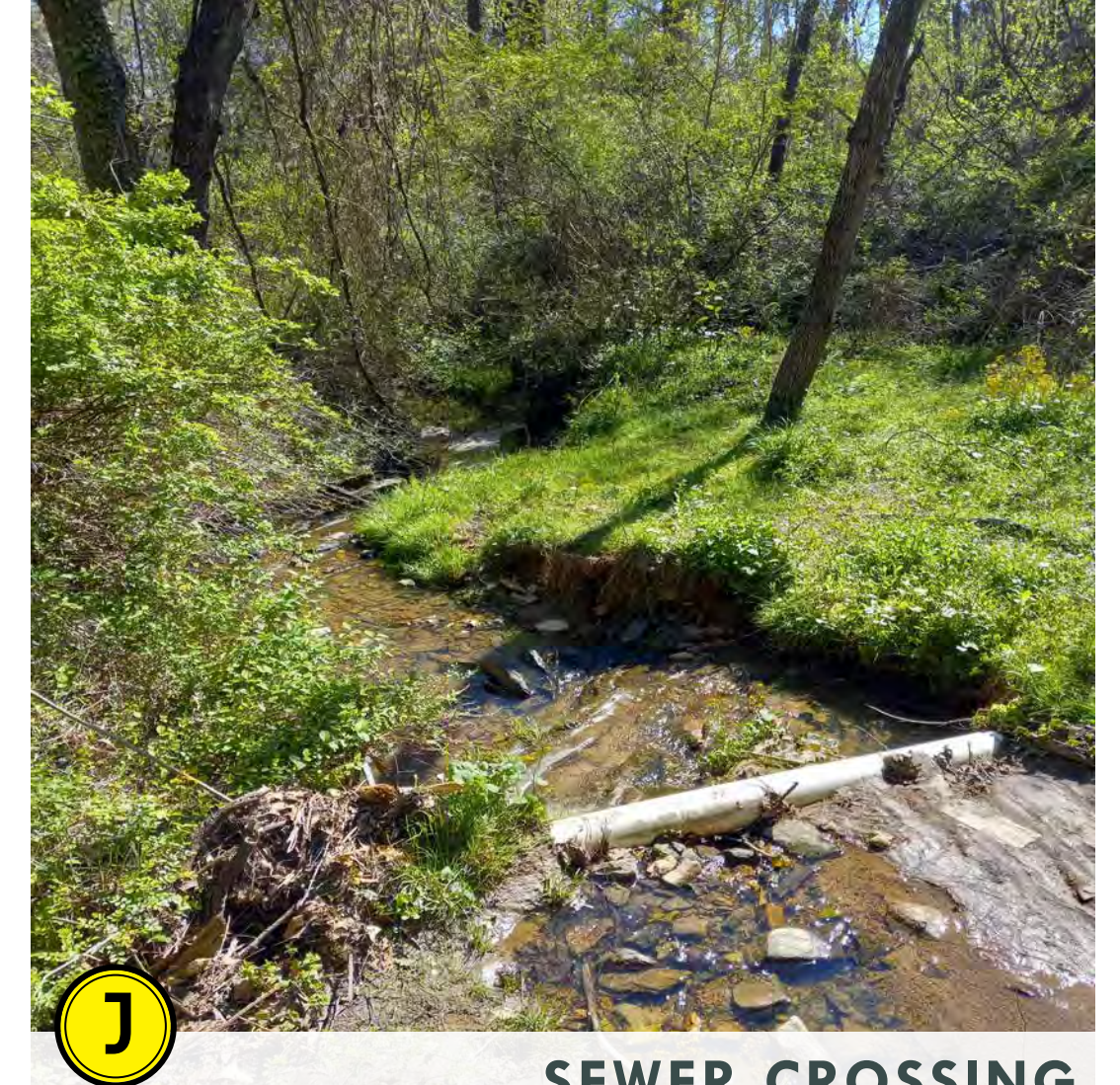
WOODLAND TRAIL

H



CREEK ACCESS AT OXBOW

I



SEWER CROSSING

J



SOUTH STORMWATER POND

K



**PINE STREET ENTRANCE**

Provide stormwater infiltration measures to treat the parking and hardscape walking areas.

Consider opportunities to address ADA accessibility from the north entrance.

Add educational signage that blends in with the nature park and/or a stormwater master plan that indicates how the "Forest Sponge" concept is enhancing water quality throughout.

**NORTH-WEST REACH**

Mitigate downstream erosion, scouring, and sedimentation with vegetated stream buffers, infiltration areas, and vernal pools.

Provide green stormwater management that will decrease stormwater volume and velocity from impervious surfaces.

Enhance the forest ecology with invasive species removal.

Consider access to Main Street through adjacent parcels.

**CENTRAL LAWN**

Incorporate native meadow species around the edges of the lawn space that promote pollinators.

Consider stormwater management measures around the new stage structure to assist with downstream erosion and stream scouring.

**NORTH-EAST REACH**

Mitigate downstream erosion, scouring, and sedimentation by allowing small vernal pools and/or adjusting stream banks adjacent to the stream corridor.

Enhance the stream buffer along Spruce St.

Consider opportunities to address ADA accessibility from the north, and possibly along Spruce Street.

**MAIN STREET ENTRANCE**

Consider integrating green infrastructure and stormwater measures into the existing parking area via pervious pavers, bioswales, and reversing the curb cuts.

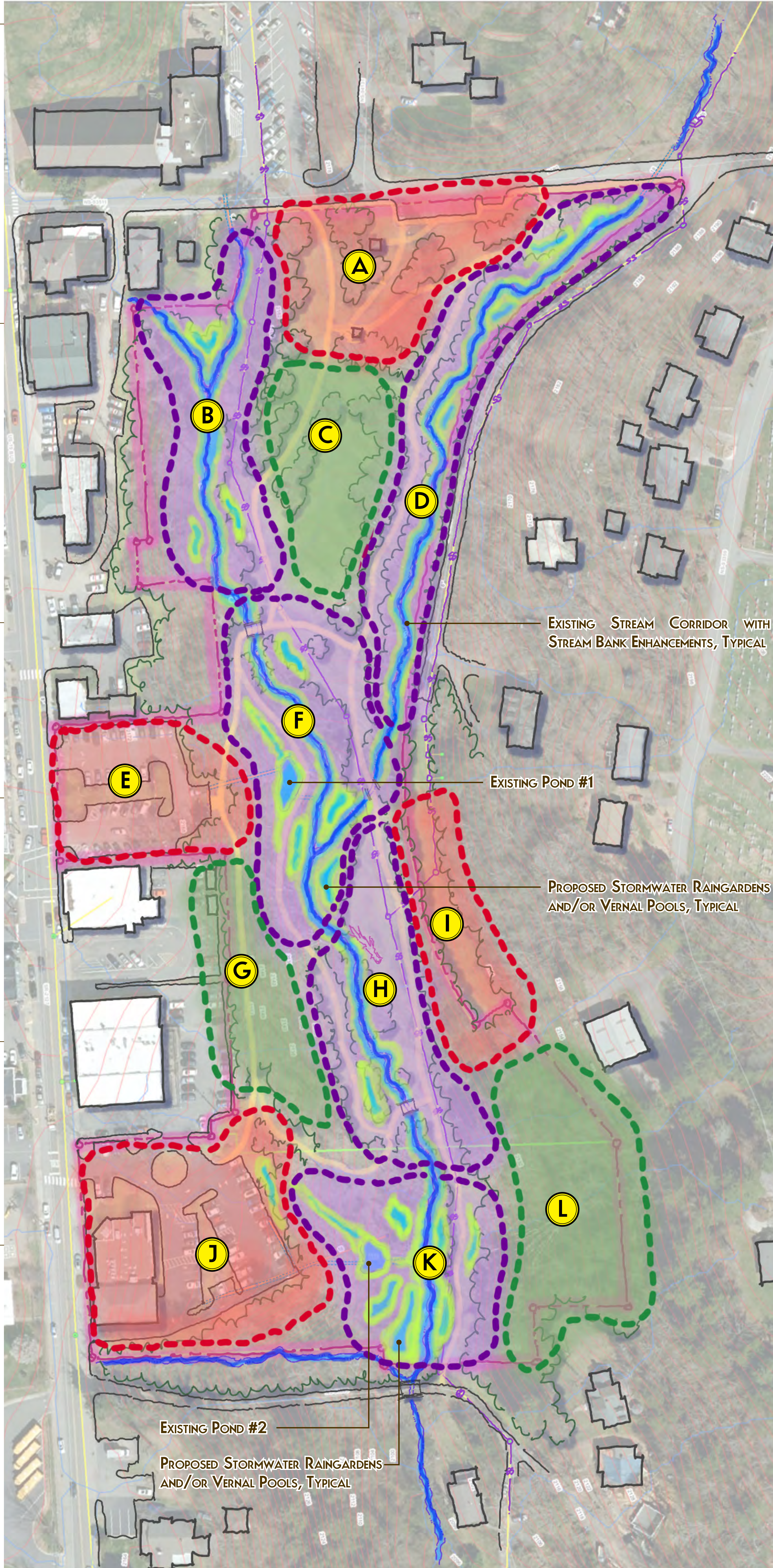
Incorporate educational signage in the parking lot to inform how the parking area relates to the larger watershed.

**STREAM CONFLUENCE**

Celebrate and activate the core of the nature park with a centralized "Forest Sponge" that includes multiple vernal pools that will provide ecological uplift and improved water quality.

Enhance and restore the existing stormwater treatment pond with updated inflow, outflow, and edge treatments for more species diversity and safe activation for the public.

Incorporate educational signage with a focus on promoting diversity of native species of plants, amphibians, and birds in the core of the nature park.



**FOREST BUFFER - WEST**

Preserve and enhance existing native forest along the western slopes of the park with additional native plant species as a stormwater buffer from adjacent properties along main street.

Consider opportunities to address ADA accessibility from the Main Street and Town Hall Entrances

Integrate possible on-contour infiltration trenches or level spreaders to slow the velocity of stormwater runoff only where existing tree species will not be damaged

**NATURE PLAY AREA**

Incorporate the natural, on-site landscape elements into nature play for kids (and adults) where creativity in nature and future conservation stewards are promoted.

Mitigate downstream erosion, scouring, and sedimentation with possible vernal pools and stream bank repair

integrate more seating options, public art and bird houses into the landscape along the trails and stream.

**SPRUCE STREET ENTRANCE**

If feasible, consider a new, low impact drop off area at the end of Spruce Street with integrated green infrastructure stormwater solutions.

Consider ADA accessibility options from this eastern entrance with easier connections to passive recreation amenities in the southern portion of the park.

**TOWN HALL ENTRANCE**

Integrate green infrastructure and stormwater measures into the existing parking area via pervious pavers, bioswales, and reversing the curb cuts.

Incorporate educational signage in the parking lot to inform how the parking area relates to the larger watershed.

Consider potential rain water catchment responses at the Town Hall (if they dont already exist?)

Explore ADA accessibility options.

**OUTDOOR EDUCATION**

Celebrate and activate the southern end of the park with a "Forest Sponge" response to include multiple vernal pools that will provide ecological uplift and improved water quality.

Enhance and restore the existing stormwater treatment pond with updated inflow, outflow, and edge treatments for more species diversity and public engagement.

Incorporate a potential outdoor education structure as a location for outdoor education and a nature based learning laboratory with a focus on promoting biodiversity and water quality.

**FOREST BUFFER - EAST**

Preserve and enhance existing native forest along the western slopes of the park with additional native species as a stormwater buffer from adjacent properties along Main Street.

Integrate possible on-contour infiltration trenches or level spreaders to slow the velocity of stormwater runoff only where existing tree species will not be damaged.



**PRELIMINARY SITE DIAGRAM**

**EXISTING PARK SHELTER**

ADA Accessible pavilion in close proximity to parking.  
Possible considerations for restroom facility and educational signage updates.

**PROPOSED ENTRY #1**

Possible new entry from Main Street with ADA accessible route into park (if feasible with adjacent owners, stakeholders, topography, and cost).

PROPOSED PEDESTRIAN ACCESS, TYPICAL

EXISTING PEDESTRIAN TRAIL, TYPICAL

**EXISTING MAIN ST. ENTRY**

Possible entry enhancements with overlook into confluence and core "Forest Sponge" area with considerations of ADA accessibility into the park (if feasible with cost and engineering).

**NATURE PLAY**

Enhance the nature play area with more natural landscape elements such as boulder outcroppings, wood elements, natural benches, sculpted landforms, and stream access with native pollinator and riparian planting additions.

**EXISTING TOWN HALL ENTRY**

Possible entry enhancements with overlook into outdoor education and southern "Forest Sponge" area with considerations of ADA accessibility into the park (if feasible with cost and engineering).

PROPOSED PEDESTRIAN ACCESS, TYPICAL

PROPOSED PEDESTRIAN BRIDGE

**EXISTING PINE ST. ENTRY**

Possible entry enhancements with future stormwater green infrastructure improvements to be considered (if feasible with cost and engineering).

PROPOSED PEDESTRIAN ACCESS, TYPICAL

EXISTING PEDESTRIAN TRAIL, TYPICAL

**STAGE + EVENT LAWN**

Possible enhancements with the integration of stormwater green infrastructure improvements, native pollinator garden, and meadow plantings to define the edges of the lawn and event space.

**PROPOSED ENTRY #2**

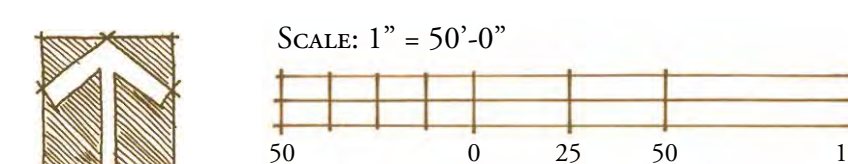
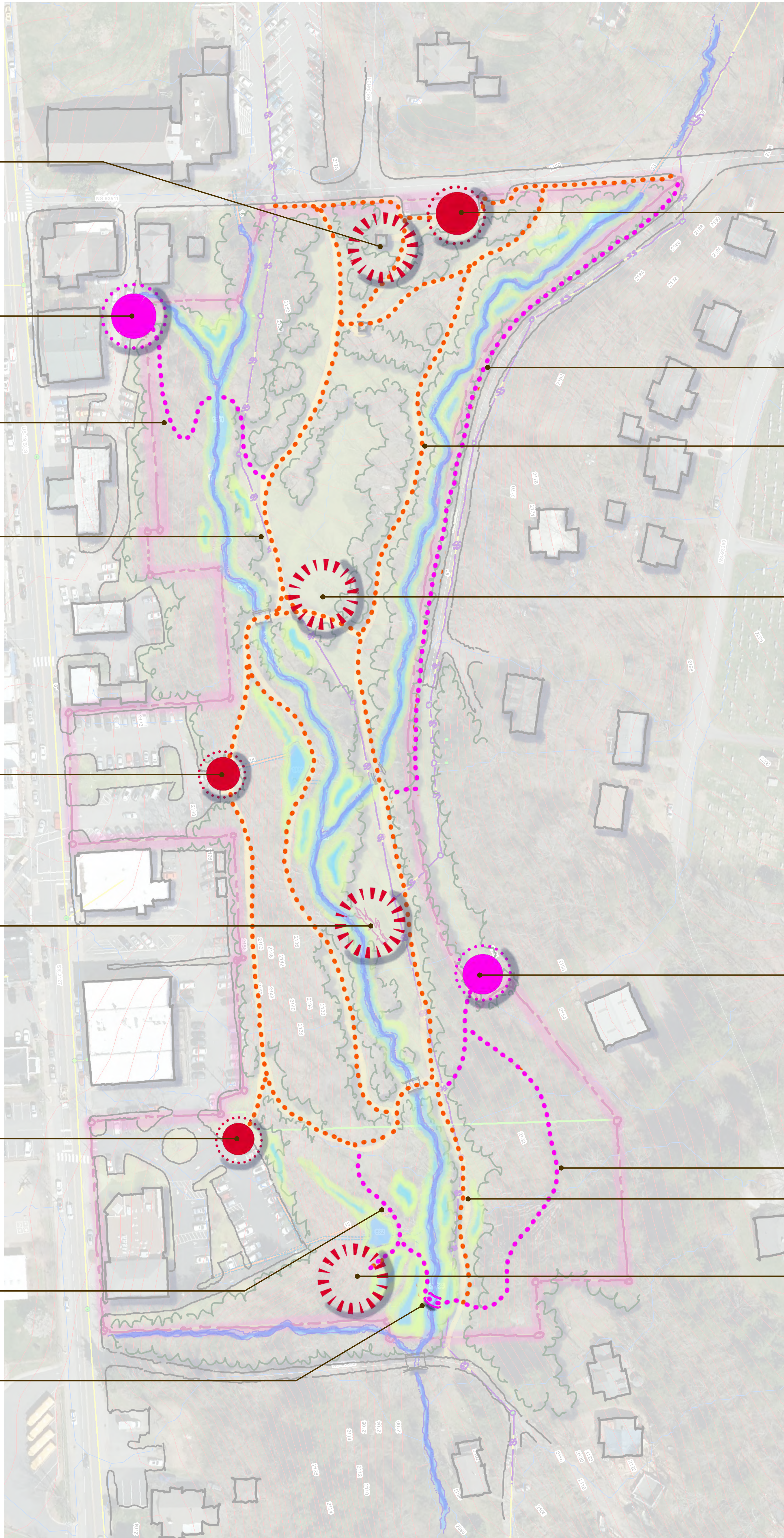
Possible new entry from Spruce Street with low impact drop-off area. Could include ADA accessible route into the southern portion of the park (if feasible with stakeholders, topography, and cost).

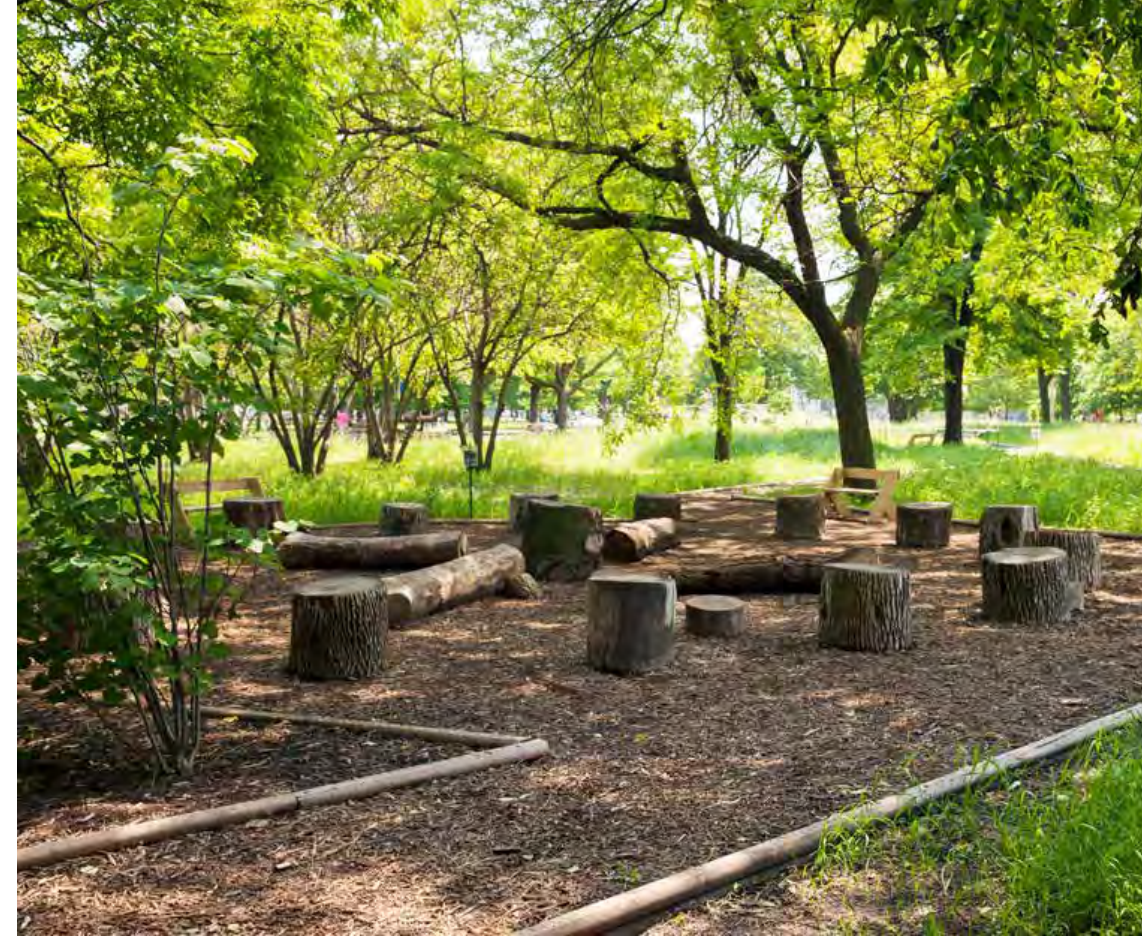
PROPOSED PEDESTRIAN ACCESS, TYPICAL

EXISTING PEDESTRIAN TRAIL, TYPICAL

**OUTDOOR EDUCATION**

New amphitheater and/or shelter structure for learning laboratory and nature based education programs set amidst new "Forest Sponge" wetlands and vernal pools (if feasible with stakeholders, topography, and cost).





LAND of SKY  
REGIONAL COUNCIL

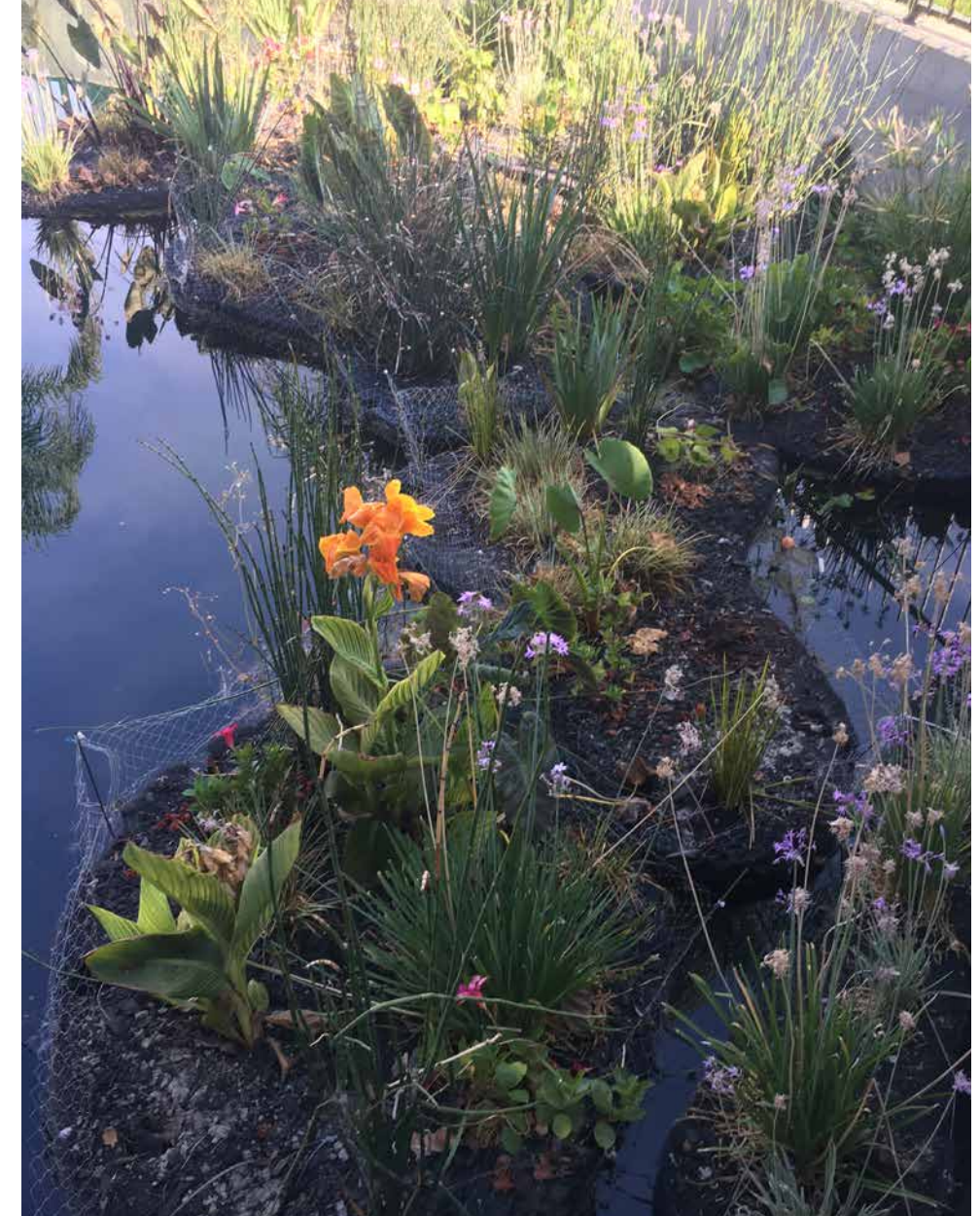
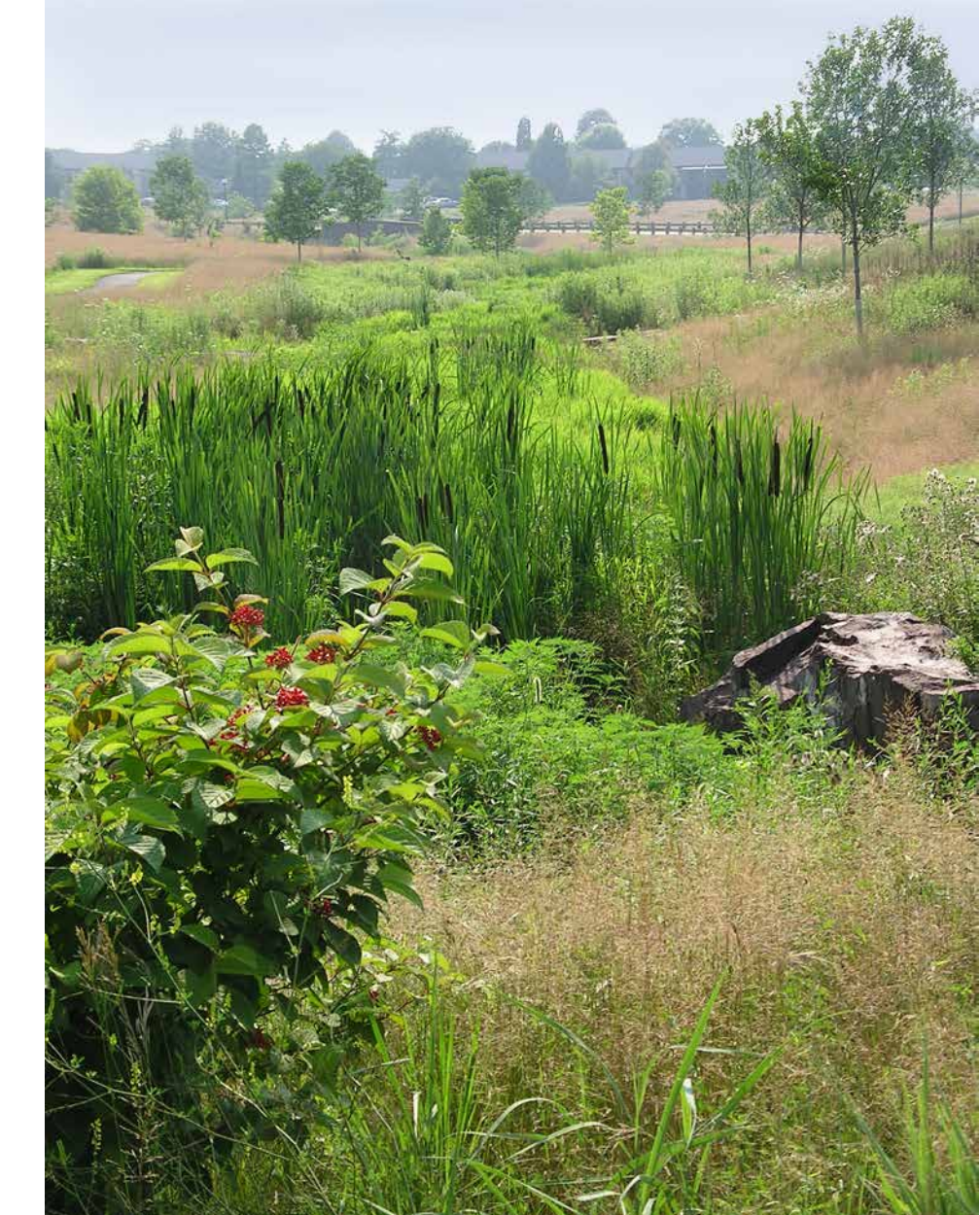
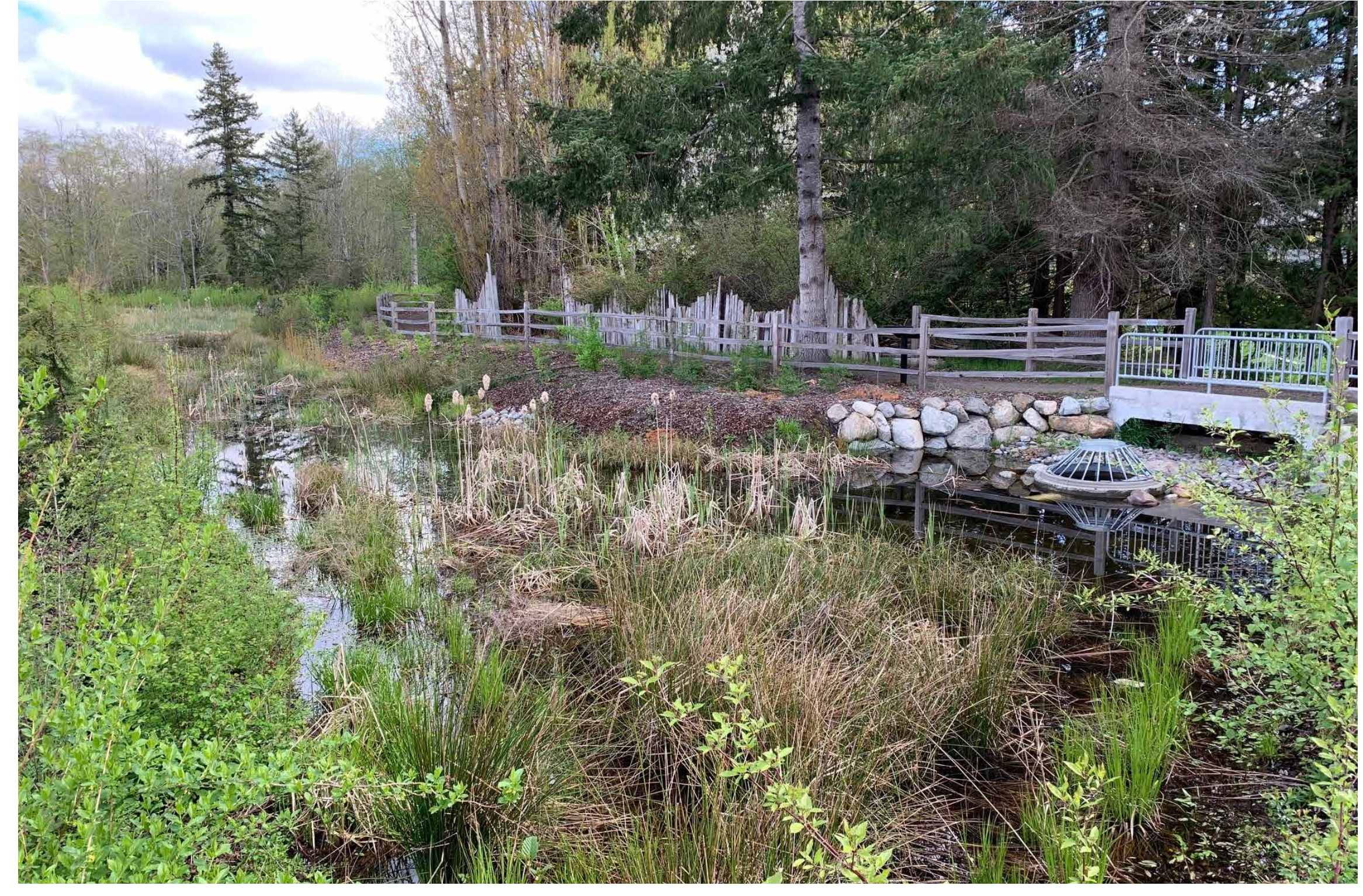
BlueEarth  
PLANNING • ENGINEERING • DESIGN

Osgood  
LANDSCAPE ARCHITECTURE

PAGE 6

# NATURE PLAY

WEAVERVILLE NATURE PARK :: PRELIMINARY VISIONING :: JUNE 01, 2023



LANDofSKY REGIONAL COUNCIL

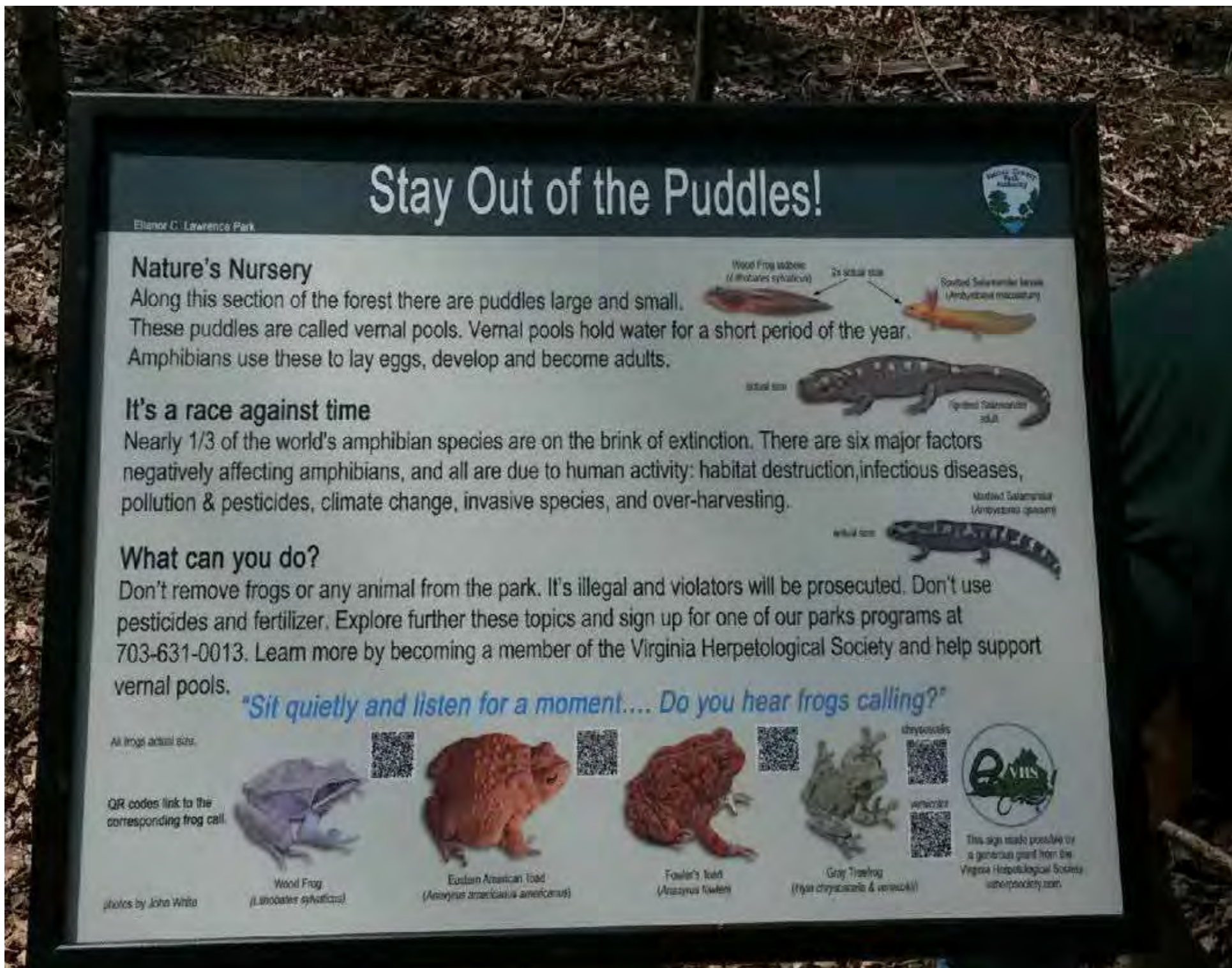
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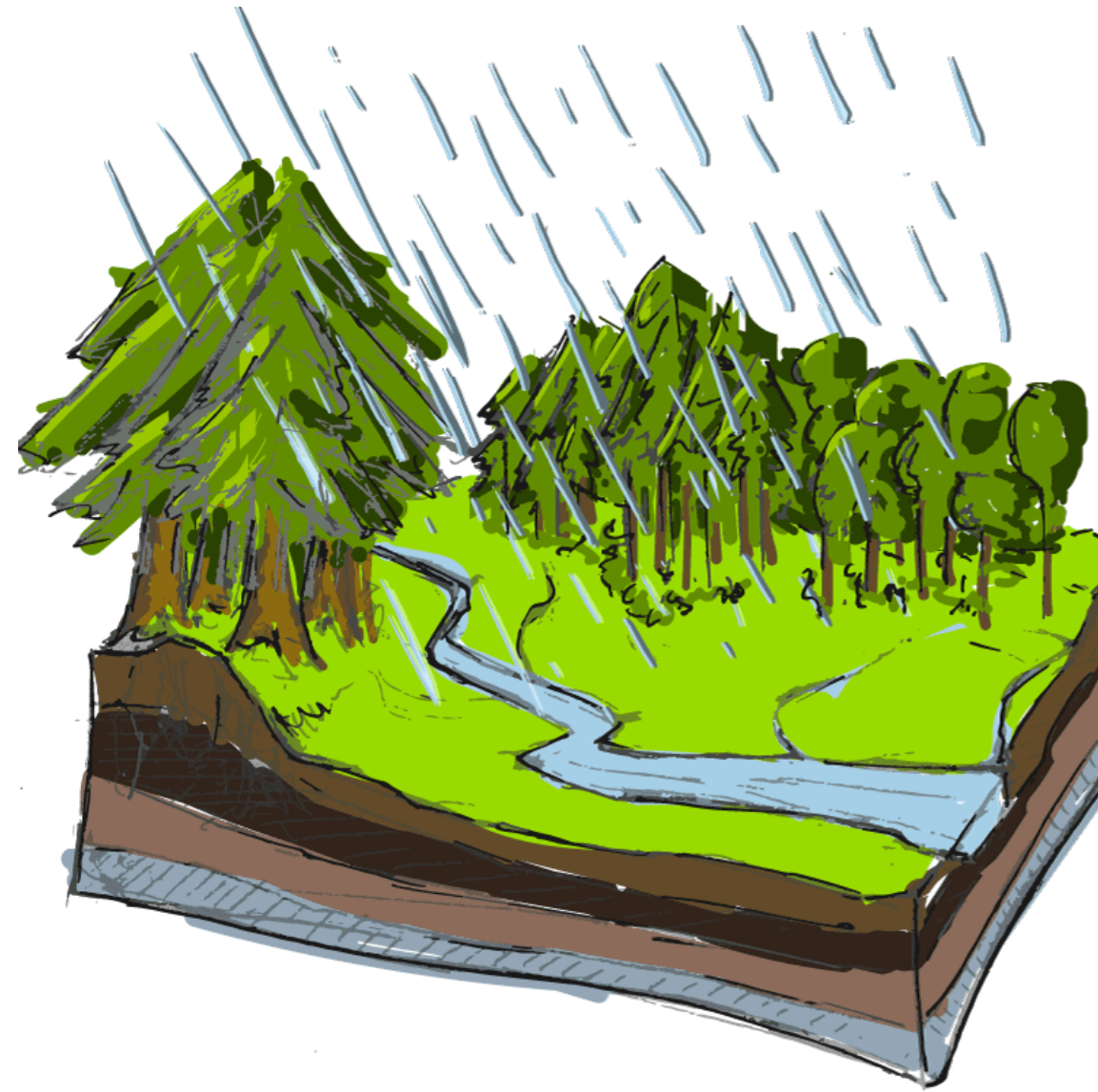
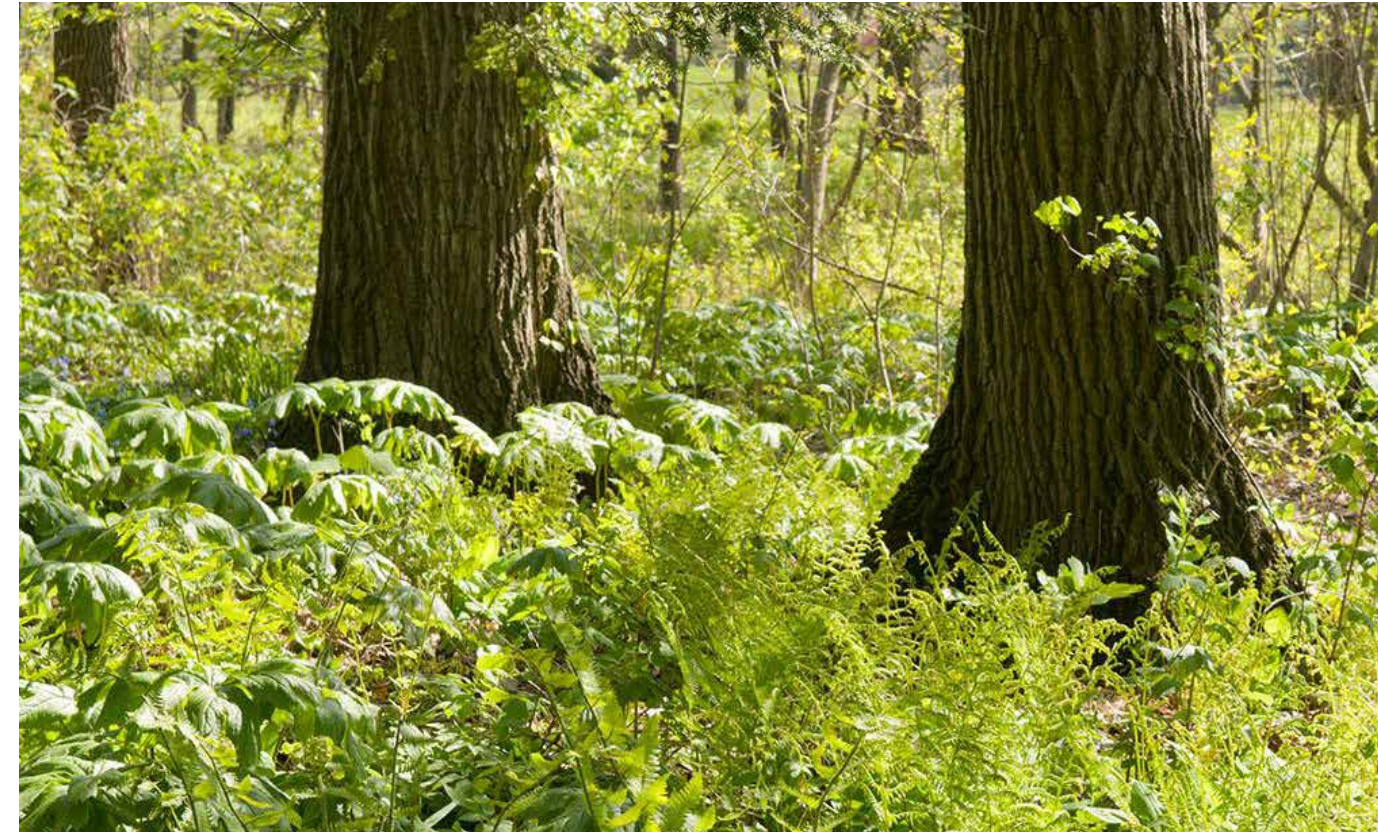
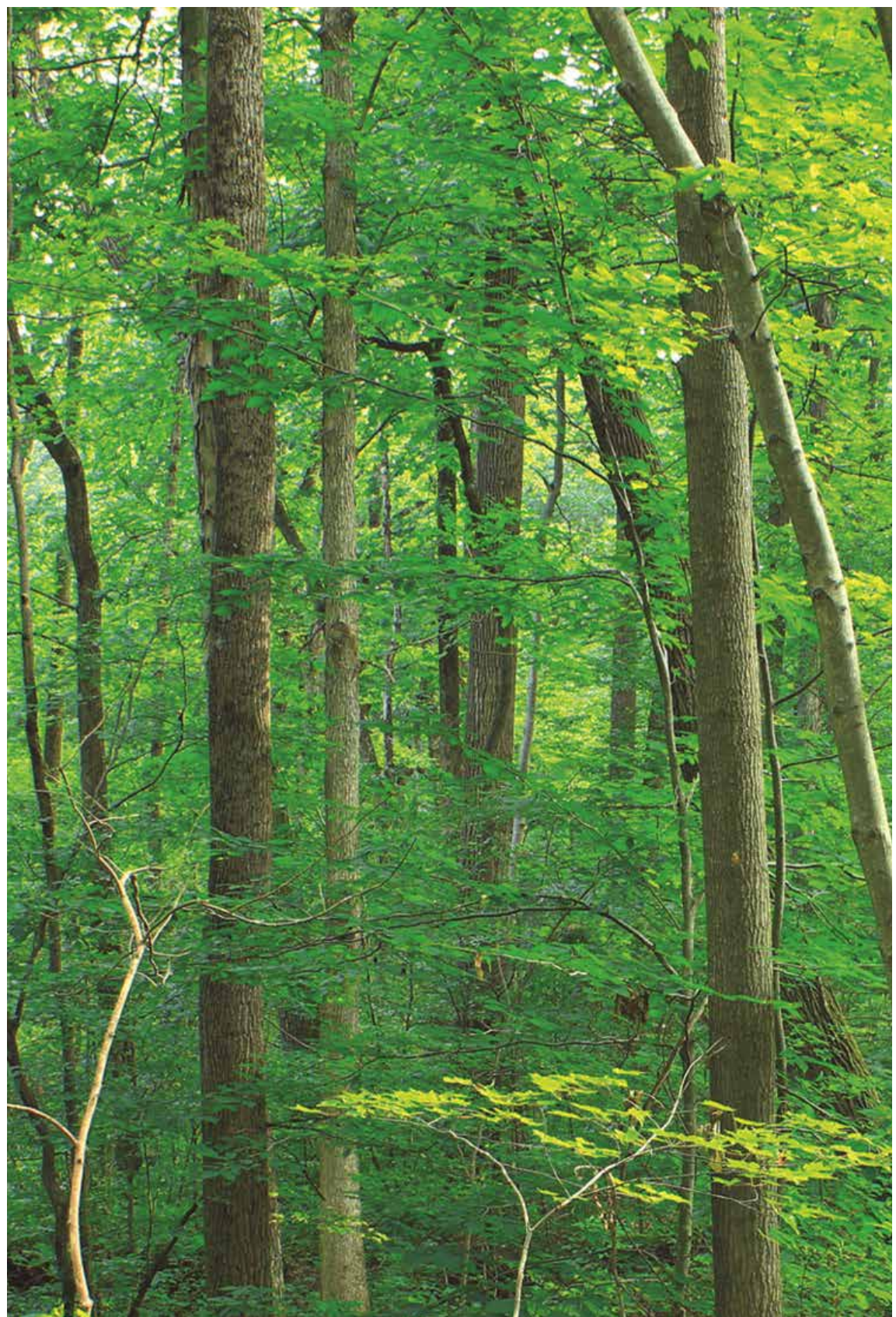
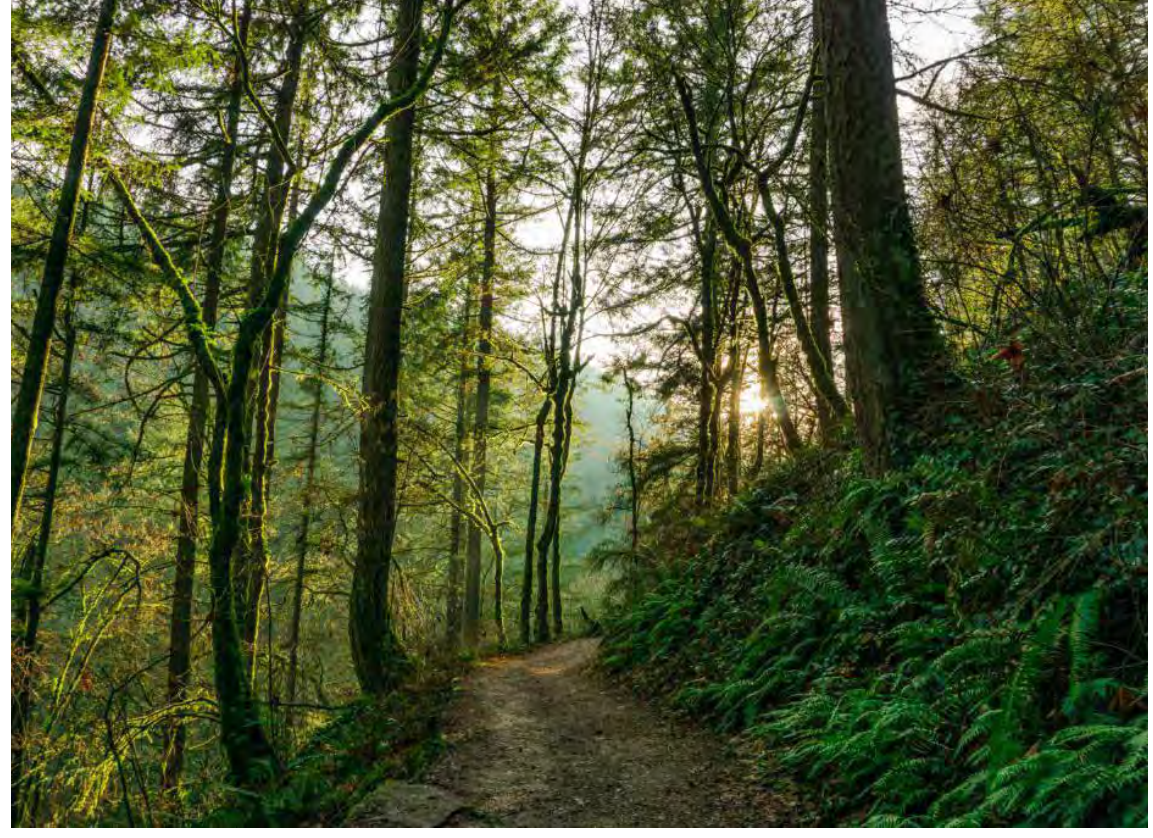
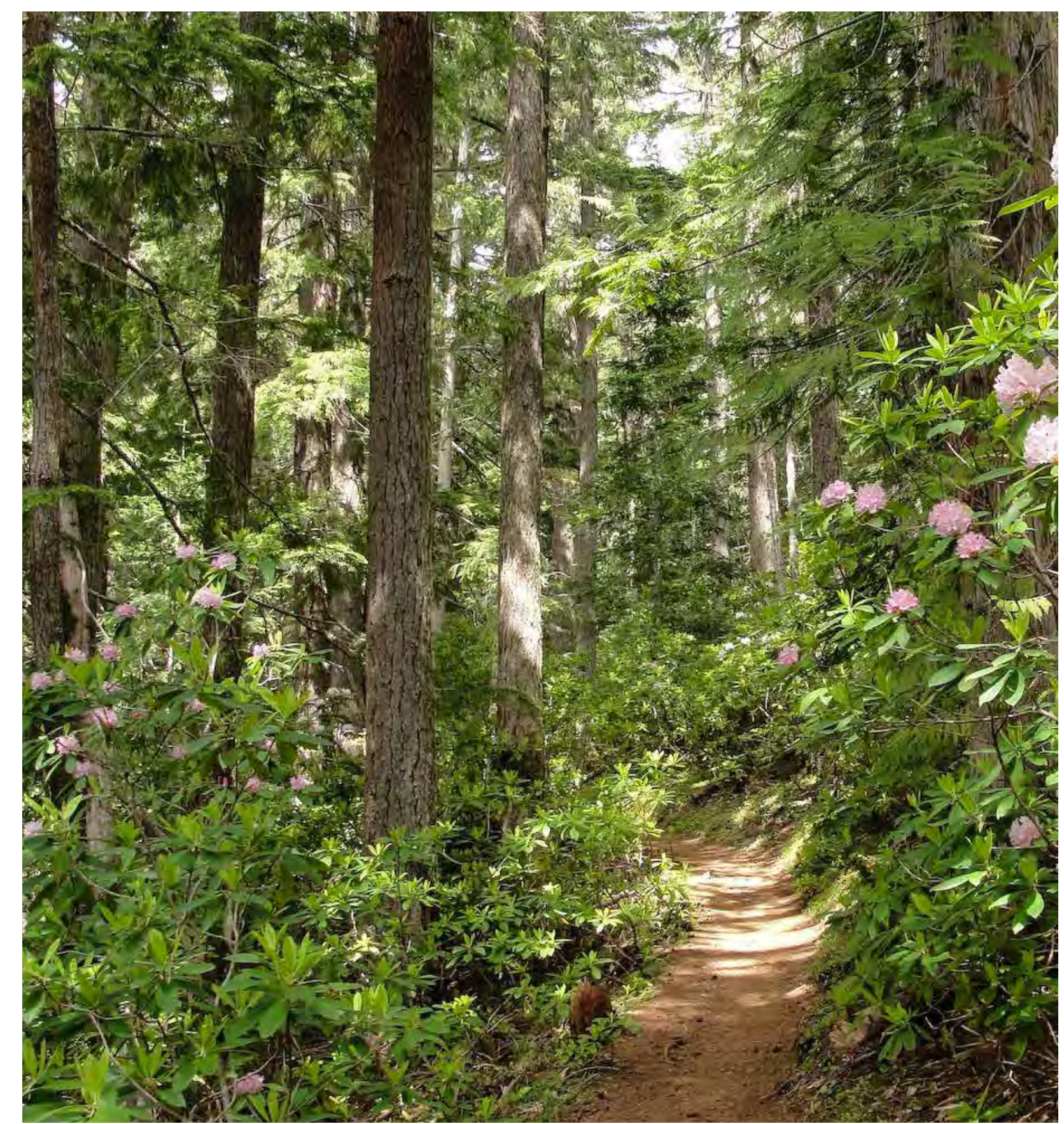
Osgood LANDSCAPE ARCHITECTURE

PAGE 7

# STORMWATER WETLANDS

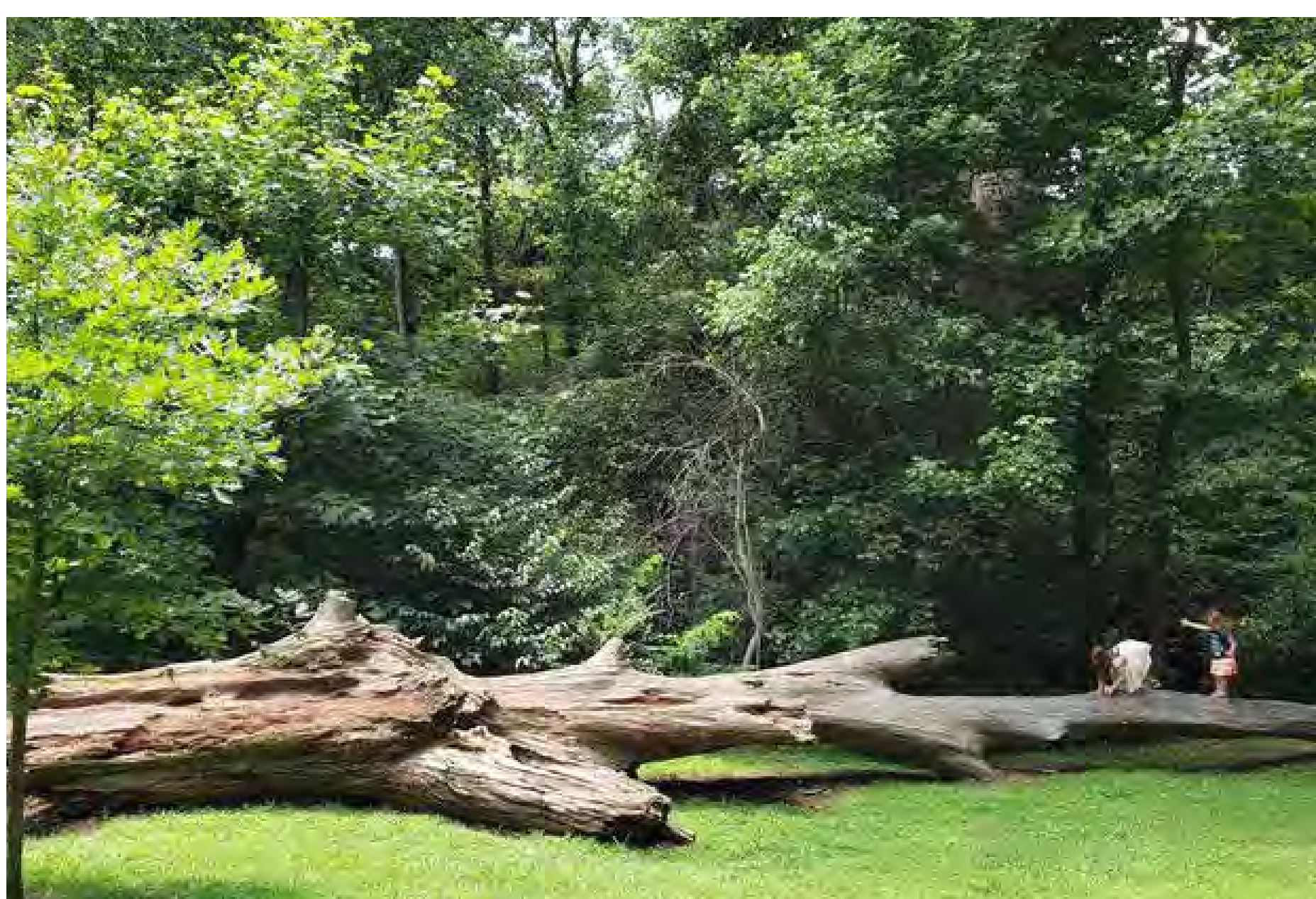
WEAVERVILLE NATURE PARK :: PRELIMINARY VISIONING :: JUNE 01, 2023





RAINWATER IS SLOWED AND ABSORBED BY FORESTED GROUND. THIS LIMITS SURFACE RUNOFF.

TREES TAKE IN THOUSANDS OF GALLONS OF WATER EACH YEAR.



**TOWN OF WEAVERVILLE**  
**TOWN COUNCIL AGENDA ITEM**

**Date of Meeting:** August 28, 2023  
**Subject:** Eller Cove Watershed Trail Design Town  
**Presenter:** Manager Selena Coffey & Mark Endries  
**Attachments:** A) Quote from Elevated Trail Design, LLC  
B) Watershed Maps

**Description:**

During budget deliberations, Town Council approved including \$4,980 in the fiscal year 2023-2024 budget for the completion of a trail design study at the Eller Cove Watershed by Elevated Trail Design, LLC. As you will recall, Mark Endries, has been greatly involved in trying to get this project off the ground and he feels that this study will not only provide an outline for a trail system on the watershed property, but will also help identify where resources, including funding and labor, will be necessary. With this knowledge, staff should be able to finalize a management plan for Town Council's consideration at a future meeting.

Mark Endries will be present to briefly review his maps showing where he has identified potential trails on the watershed property.

**Town Council Action Requested:**

The Town Manager recommends that Town Council permit the Manager to authorize Elevated Trail Design, LLC, to complete their proposed study, explained in the attached, in order to inform Town Council's future decisions regarding the Eller Cove Watershed property.

# Trail Layout, Design, and Planning

**Client:** Town of Weaverville

**Location:** Weaverville Watershed

**Prepared By:** Peter Mills  
Owner/Founder  
Elevated Trail Design LLC

911 Jupiter Rd  
Weaverville, NC 28787 USA



**Date:** June 6, 2023

**Quote Valid for:** 45 Days

## Overview:

My local trail design and construction firm would like to work with the Town of Weaverville, Mark Endries, and all other interested parties to help bring natural single-track trails safely and sustainably to Weaverville. The watershed property is ideally suited for passive recreation and could easily hold several miles of trail that could become a valuable asset to our community members and visitors. The best next step for this small trail system to become a reality is to have a full trail system flagged and professionally planned. This will ensure all trails fit within the parameters of the conservation requirements and will help with potential grants and funding to bring these trails to fruition. Having the trails flagged in the field will provide an opportunity for people to see the potential in the forest. The associated trail plan will provide the necessary information to discuss this project with the public and help with fundraising publicly and privately to bring this to fruition.

## Scope:

- Pre-Field visit meeting with all stakeholders to fully understand the goals for this beautiful property.
- Meet the Client on-site to discuss goals and vision.
- Four full days of ETD staff on-site exploring all terrain available and flagging.
- Develop trail alignments that meet the client's needs and are based on the initial concept performed by Mark Endries.



- ETD will explore all available options and determine the best for long-term sustainability and designed as a minimal single-track trail system that takes advantage of the existing logging roads when feasible.
- Hard Flagging of Trail alignments
- Identify trail features such as bridges, steps, staircases, and or drainage features.
- ETD will collect GPS data.
- Produce a basic map of proposed trail alignments.
- Mark Endries has expressed interest handle GIS tasks for our firm on this project in an effort to reduce the cost of professional trail planning services.
- Provide a basic trail plan with a construction proposal.
- Review in the field with the client after the final deliverable has been submitted.
- Final field visit when to ensure all party's questions are answered and the construction process is discussed in any detail required.

Timeline:

- ETD can get this into our schedule in August or September 2023.
- Anticipate receiving final deliverables 4 weeks after completion of field time.

Total Cost: \$4,980.00

Payment Terms: One Invoice will be provided upon completion of the scope. Payment will be due 45 days after receipt.

COI will be issued to the client once the contract is signed.

FIGURE 1. WEAVERVILLE WATERSHED EASEMENT AREA SHOWING BUFFERED STREAMS AND EXISTING ROADS.

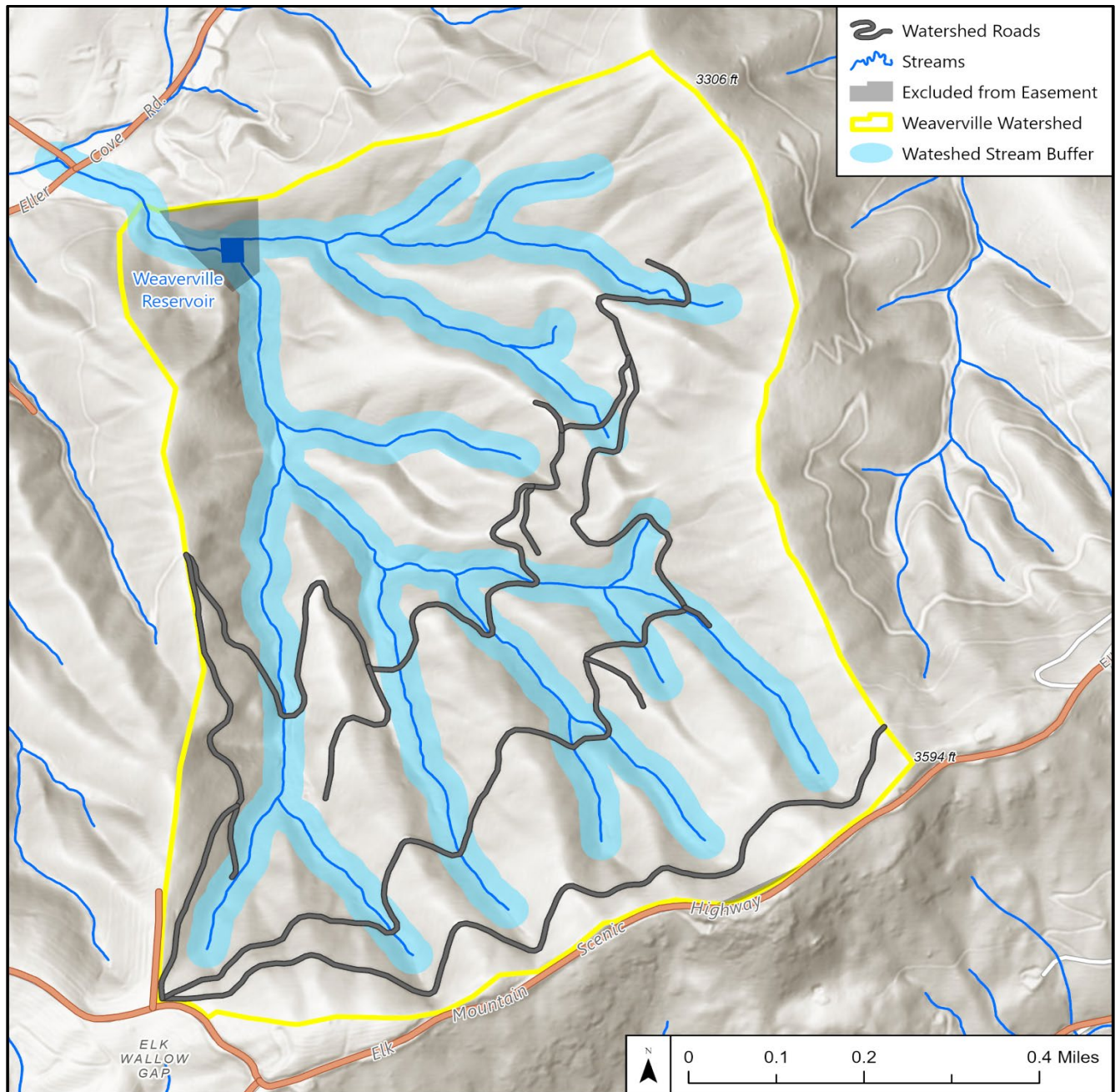


FIGURE 2. PHASE 1 TRAIL NETWORK CREATED USING EXISTING ROAD NETWORK.

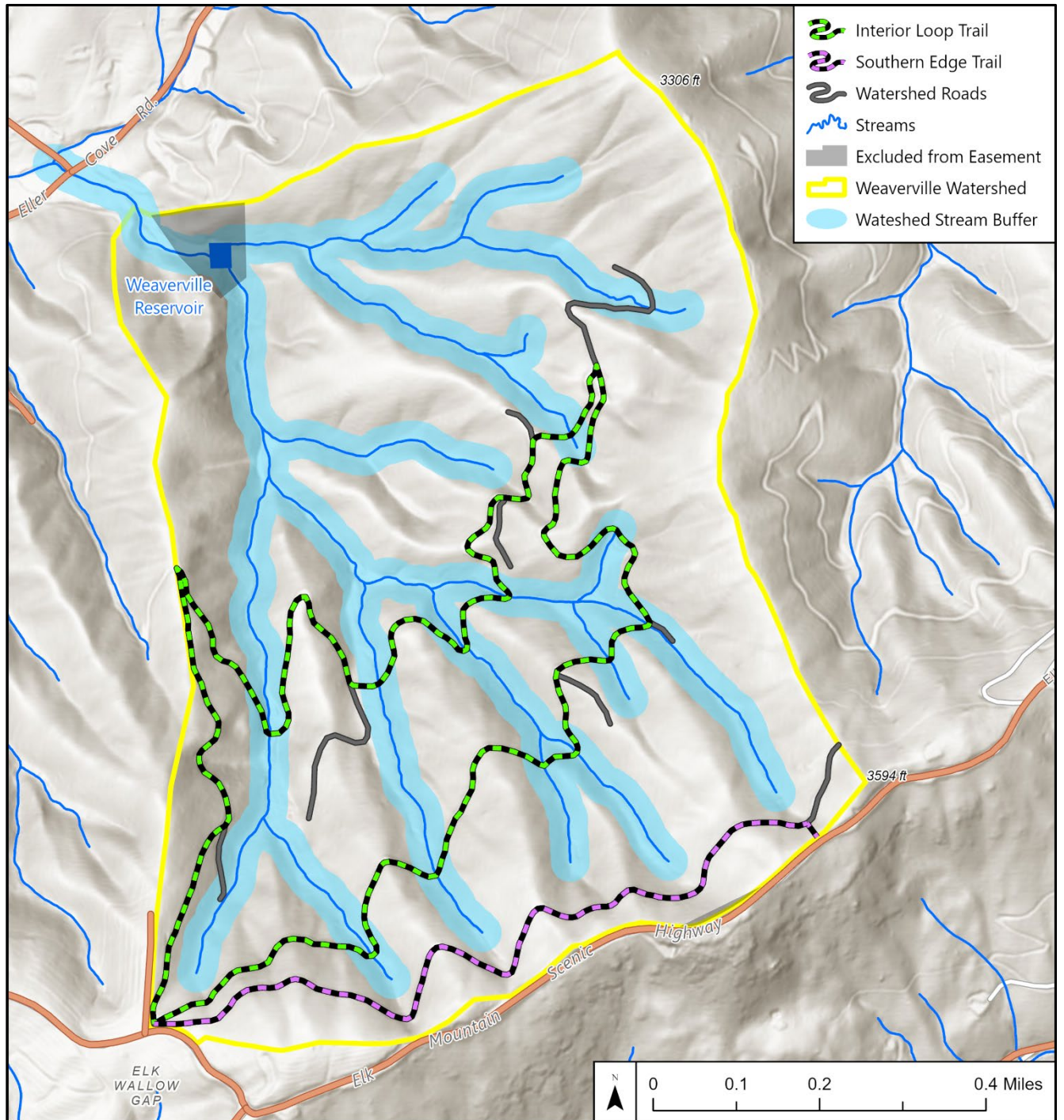


FIGURE 3. TRAIL NETWORK SHOWING THE CREATION OF AN ELLER COVE RD. CONNECTOR TRAIL

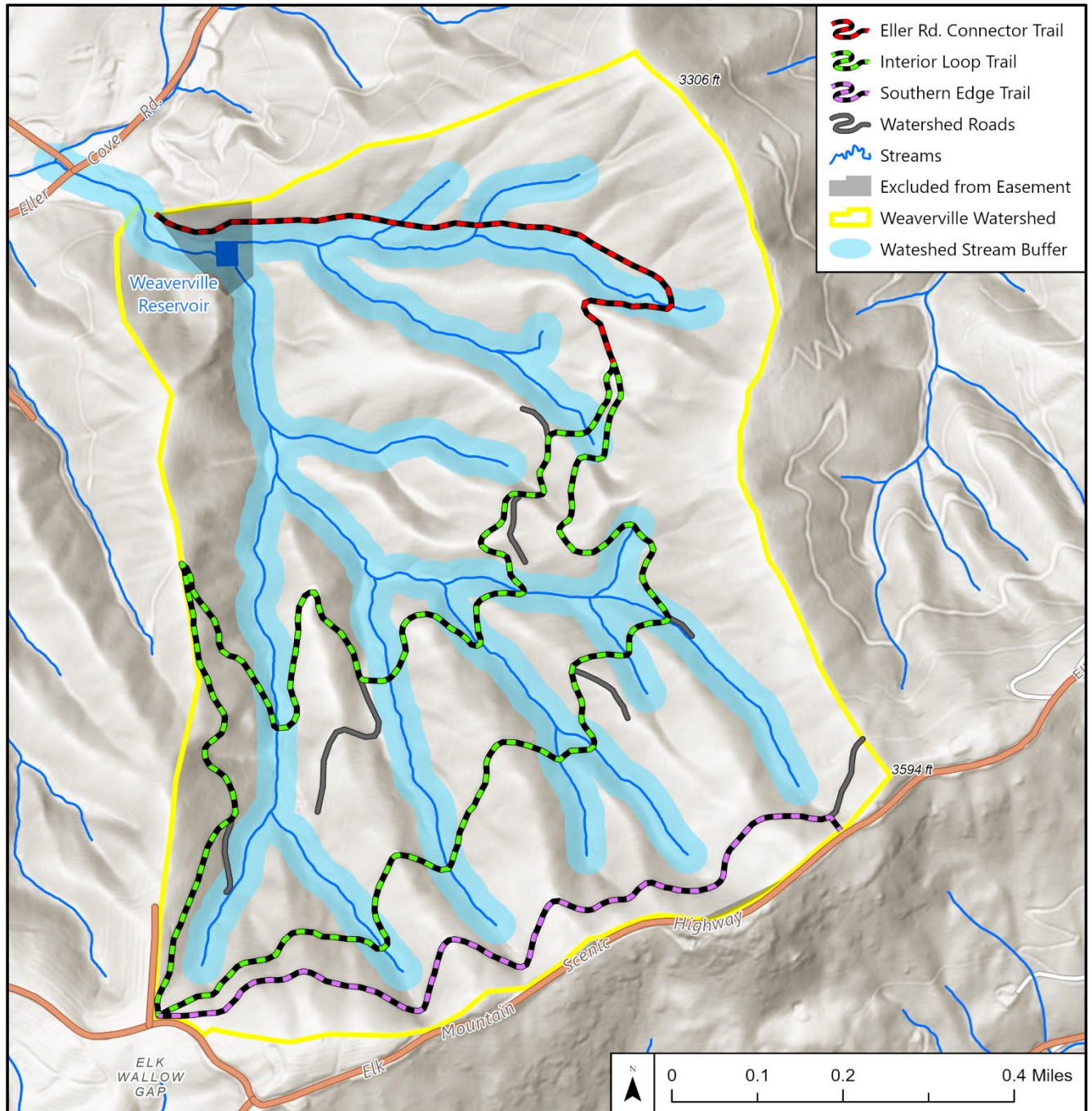
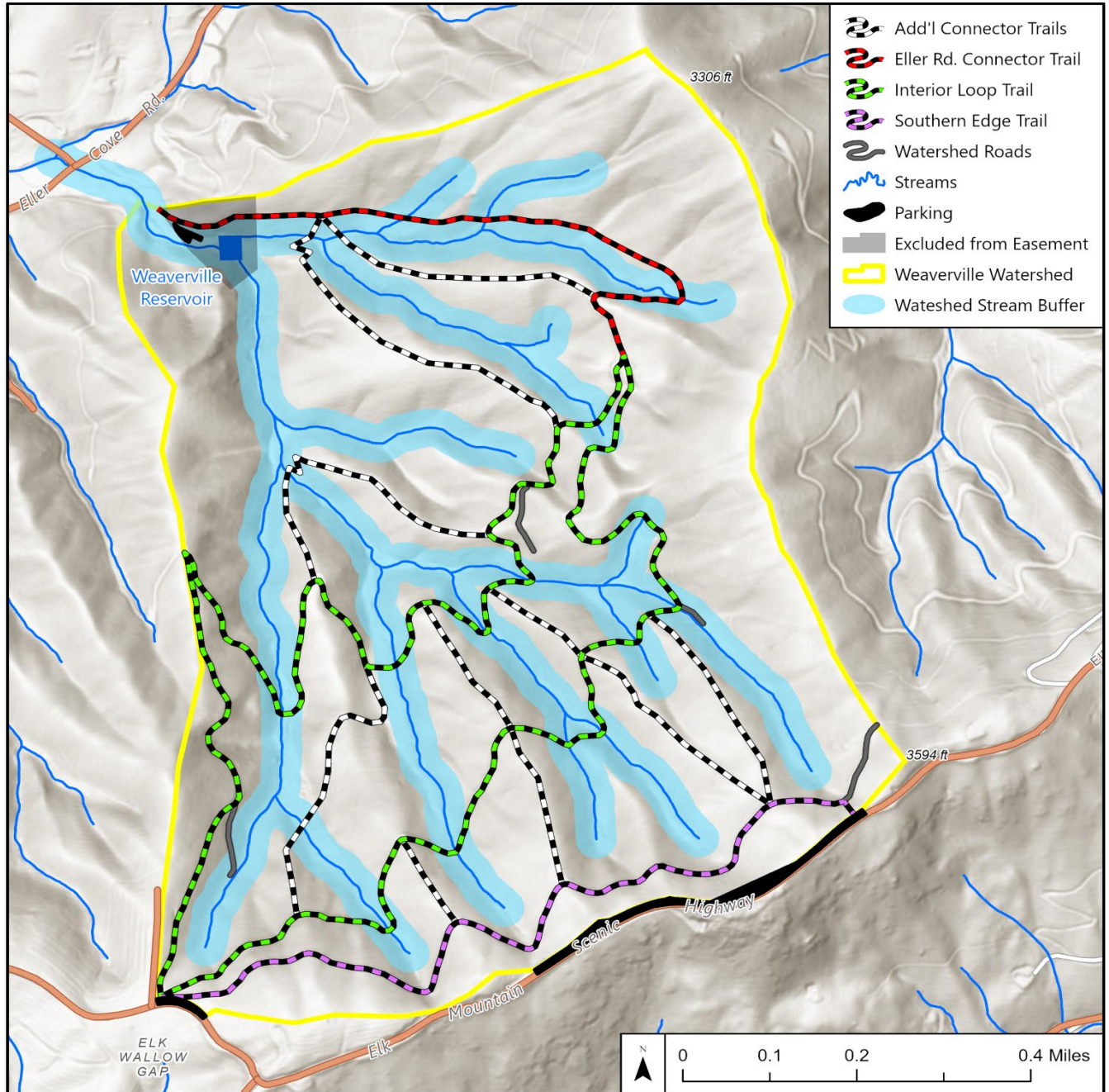


FIGURE 6. CONCEPTUAL MAP OF ADDITIONAL CONNECTOR TRAILS WITHIN THE WEAVERVILLE WATERSHED.



**TOWN OF WEAVERVILLE**  
**TOWN COUNCIL AGENDA ITEM**

**Date of Meeting:** August 28, 2023  
**Subject:** Fireworks Public Input  
**Presenter:** Mayor Patrick Fitzsimmons  
**Attachments:** None

**Description:**

During recent meetings, Town Council has discussed the future of using traditional fireworks at its July 4<sup>th</sup> event. At that last workshop, Town Council directed that this issue be placed on a future agenda in order to give time to receive public input on the topic.

Staff recommends that no action be taken at this meeting, but the the public have the opportunity to have input on the future of using traditional fireworks at the Town's holiday events such as July 4<sup>th</sup>.

**Town Council Action Requested:**

No action requested at this meeting.

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** August 28, 2023

**SUBJECT:** Voluntary Annexation Petition - Bullman Property – +/-1.07 Acres at 492 Reems Creek Road

**PRESENTER:** Town Clerk Tamara Mercer

**ATTACHMENTS:** Voluntary Annexation Petition and Supporting Documentation Survey and Property Tax Map Showing Property to be Annexed Proposed Resolution

**DESCRIPTION/SUMMARY OF REQUEST:**

Kathy F. Amos (formerly Kathy F. Bullman) has submitted a voluntary annexation petition for approximately 1.07 acres at 492 Reems Creek Road adjoining the Ponder properties located at 480 and 488 Reems Creek Road that were recently annexed into the Town of Weaverville. The property requesting annexation is contiguous to the Town’s primary municipal limits. This new petition indicates that the purpose of the annexation of this small parcel is to add acreage to the 480/488 Reems Creek Road townhouse project for additional amenities. She is requesting an initial zoning designation of R-3, which is consistent with the zoning on the 480/488 Reems Creek Road properties. Warren Sugg of Civil Design Concepts is the authorized agent on this project.

Should Town Council wish to proceed with this annexation the next step is to direct the Town Clerk to investigate the sufficiency of the annexation petition and to send the initial zoning request to the Planning Board for review and recommendation. A resolution for this purpose is attached for consideration.

**COUNCIL ACTION REQUESTED:**

Town Council discussion and direction and possible adoption of the attached resolution.

# PETITION FOR VOLUNTARY ANNEXATION PETITION/APPLICATION

*Town of Weaverville, North Carolina*

Submittal Date: 8/9/2023  
 Date Fee Paid: 8/10/2023  
 Petition No: 2023-3

**STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE**

**TO THE TOWN COUNCIL OF WEAVERVILLE, NORTH CAROLINA**

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Weaverville, Buncombe County, North Carolina.
2. The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Weaverville, North Carolina, and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. § 160A-31(f), unless otherwise stated in the annexation agreement/ordinance.
4. The property and property owner information is as follows:

| Property Owner and Mailing Address                                | Phone Number & Email Address | Deed Reference & Property PIN  | Property Owner Signature<br>f/k/a Kathy F. Bullman   |
|---|------------------------------|--------------------------------|--|
| KATHY F. BULLMAN<br>492 BEAMS CREEK ROAD<br>WEAVERVILLE, NC 28787 |                              | DB 1937 DP0283<br>9152-24-6901 | <i>Kathy F. Amos</i><br><small>dotloop verified<br/>08/08/23 7:32 PM EDT<br/>NVAQ-RHAU-MU09-VJBH</small> |
|   |                              |                                |  |
|   |                              |                                |  |

5. Zoning vested rights  are not claimed,  have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

Total Acreage to be annexed: +/- 1 AC  
 Population in annexed area: 1  
 Proposed Zoning District: B-3  
 Reason for annexation:  Receive Town Services  Other (please specify)

The applicant must also submit a zoning map amendment application with the petition for voluntary annexation to establish a Weaverville zoning designation. Please contact the Planning Department at (828)484-7002 for questions. If the purpose of the petition is a connection to public water, contact Public Works Department at (828)645-0606 to confirm that public water is available to the property and the cost of that connection.



**PETITION FOR VOLUNTARY ANNEXATION  
DATA SHEET**

**Town of Weaverville, North Carolina**

Submittal Date: \_\_\_\_\_  
Petition No. \_\_\_\_\_  
Annexation Area Name: \_\_\_\_\_

Petitioner: WARREN SULLIVAN OF CDG FOR KATHY F. BULLMAN  
Subject Area Acreage: +/- 1.0 AC  
Current Land Use: SINGLE FAMILY RESIDENTIAL  
Proposed Land Use or Development (describe): AMENITY AREA AS ADDITION TO  
480/488 REEMS CREEK PROJECT

Residential (single family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Average Sales Price: \$ \_\_\_\_\_ /dwelling unit

Residential (multi-family): Number of Units: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Owned: Average Sales Price: \$ \_\_\_\_\_ /building unit  
Rental: Average Rental Amt: \$ \_\_\_\_\_ /month

Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Commercial - Non-Retail: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Other: Square footage: \_\_\_\_\_ Anticipated build out in \_\_\_\_\_ years  
Type of tenancy: \_\_\_\_\_

Development Scale: Max building height of \_\_\_\_\_; max number of stories of \_\_\_\_\_

Infrastructure: Linear feet of publicly dedicated roadways proposed: +/- 150 feet  
Public water proposed (describe): POSSIBLE ADDITION OF HOSE  
BIBS AND/OR SMALL AMENITY WATER SERVED BY EXISTING  
WATER COMMITMENT  
Other Public Services Requested (describe): \_\_\_\_\_

Zoning Vested Rights Claimed (describe and attach documentation): \_\_\_\_\_

*Kathy F. Amos* dotloop verified 08/08/23 7:32 PM EDT 0QDU-PKDM-VH7N-SR32 f/k/a Kathy F. Bullman

**Signature of Owner(s)**

**TOWN OF WEAVERVILLE  
AGENT AUTHORIZATION FOR LAND USE DEVELOPMENT  
PETITION/APPLICATION AND APPROVAL**

**PROPERTY LEGAL DESCRIPTION:** DEED BOOK 1937 PAGE 0283

**PARCEL ID:** 9752-24-6901

**STREET ADDRESS:** 492 REEMS CREEK ROAD  
WEAVERVILLE, NC 28787

**PROPERTY OWNER:** KATHY F. BULLMAN  
(complete Certificate of Authority if a corporation or LLC)

**PROPERTY OWNER:** KATHY F. BULLMAN

**PROPERTY OWNER CONTACT INFORMATION:**

**EMAIL ADDRESS:**

**PHONE NUMBER:**

**MAILING ADDRESS:** 492 REEMS CREEK ROAD  
WEAVERVILLE NC 28787

**PERMIT SOUGHT/APPLICATION TO BE SUBMITTED:** ANNEXATION AND REZONING

**NAME OF INDIVIDUAL AGENT:** WARREN M. SULLIVAN

**NAME OF CONTRACTOR/CONSULTING FIRM:** CIVIL DESIGN CONCEPTS

**AGENT CONTACT INFORMATION:**

**EMAIL ADDRESS:** WSULLIVAN@CDXGO.COM

**PHONE NUMBER:** 828-252-5388

**MAILING ADDRESS:** 168 PATTON AVE  
ASHVILLE, NC 28801

We, the undersigned property owner(s) of the above noted property, do hereby authorize the individual or company listed above as the property owner's agent to act on his/her/their behalf and to take all actions necessary for the processing, issuance, and acceptance of the above-referenced permit or application. We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

*Kathy F. Amos*

dotloop verified  
08/08/23 7:32 PM EDT  
NHVO-9TYT-ZAVM-LDHW

f/k/a Kathy F. Bullman

Property Owner Signature

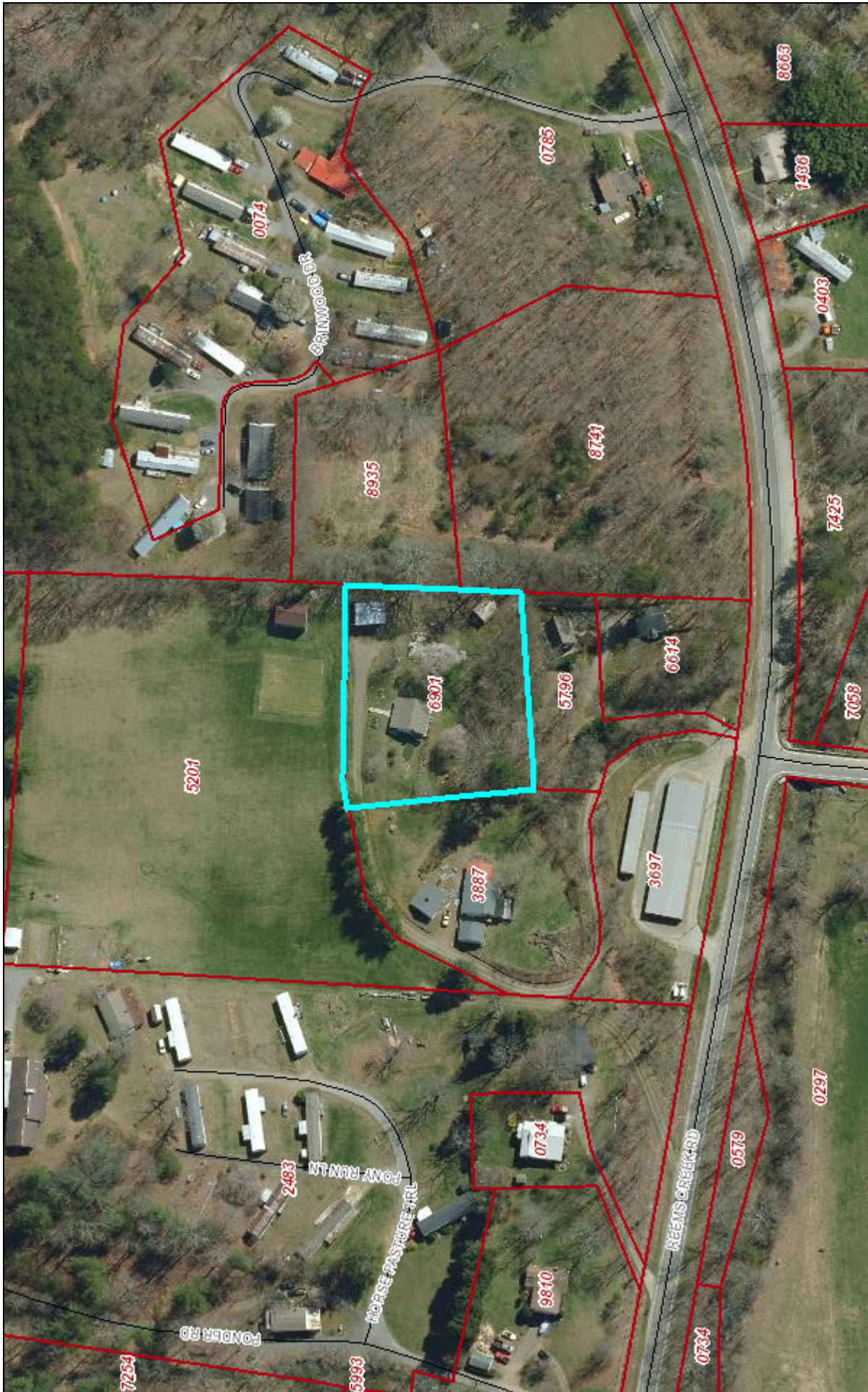
Property Owner Signature

Date: 8-8-2023

Date: \_\_\_\_\_



Buncombe County



**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](mailto:jeller@weavervillenc.org)  
Application Fee Based Upon Size of Property

OWNER/APPLICANT NAME: **KATHY F. BULLMAN** APPLICATION DATE: **8/7/2023**

PHONE NUMBER:

MAILING ADDRESS: **492 REEMS CREEK RD  
WEAVERVILLE, NC  
28787**

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

The Zoning Map

The text of the Zoning Ordinance (Chapter 20 Planning and Development)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: **492 REEMS CREEK ROAD, WEAVERVILLE, NC 28787**

PIN: **9752-24-6901**

LOT AREA (acres): **+/- 1 ACRE**

CURRENT ZONING DISTRICT: **BUNCOMBE COUNTY R-2** PROPOSED ZONING DISTRICT: **TOWN OF WEAVERVILLE R-3**

APPLICATION IS NOT COMPLETE WITHOUT A BOUNDARY SURVEY DEPICITING:

- 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 20 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](mailto:jeller@weavervillenc.org)  
Application Fee Based Upon Size of Property

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 OF APPLICANT

8/7/2023  
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.

Application fees are due at the time of submittal. Withdrawal of an application after the public hearing has been advertised will result in the forfeiture of the application fee.

REZONING FEE SCHEDULE:

|            |            |
|------------|------------|
| < 1 acre   | \$250.00   |
| 1-3 acres  | \$500.00   |
| 4-9 acres  | \$750.00   |
| 10 + acres | \$1,000.00 |

Text Amendment

Fees..... \$500.00

**OFFICE USE ONLY**

|  |            |               |      |
|--|------------|---------------|------|
| FEE: \$                                    | DATE PAID: | CHECK         | CASH |
| DATE OF INTIAL COUNCIL MEETING:            |            | ACTION TAKEN: |      |
| DATE OF PLANNING BOARD MEETING:            |            | ACTION TAKEN: |      |
| DATE OF PUBLIC HEARING & COUNCIL DECISION: |            | FINAL ACTION: |      |

**RESOLUTION CONCERNING VOLUNTARY ANNEXATION PETITION SUBMITTED BY  
KATHY BULLMAN (KATHY AMOS) FOR 492 REEMS CREEK ROAD  
WEAVERVILLE ANNEXATION NO. 2023-3**

**WHEREAS**, a petition requesting annexation of that property located at 492 Reems Creek Road and bearing Buncombe County Parcel Identification Number 9752-24-6901 was received from Kathy F. Amos, formerly known as Kathy F. Bullman, on August 9, 2023, by the Town of Weaverville; and

**WHEREAS**, N.C. Gen. Stat. § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS**, the Town of Weaverville is also in receipt of an application for a zoning map amendment request for an R-3 zoning classification for the property to be annexed; and

**WHEREAS**, the Town Council of the Town of Weaverville deems it advisable to proceed in response to this request for annexation and initial zoning;

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

1. With the assistance of the Town Attorney, the Town Clerk is hereby directed to investigate the sufficiency of the above-reference petition and to certify to Town Council the result of her investigation; and
2. The Town Planner is directed to place the application for initial zoning of R-3 on the next regular meeting of the Weaverville Planning Board's so that the Board can review the requested zoning for consistency with the Town's Comprehensive Land Use Plan and forward a recommendation to Town Council prior to or at a public hearing that may subsequently be held on this matter.

**THIS** the \_\_\_\_ day of August, 2023.

---

**PATRICK FITZSIMMONS**, Mayor

**ATTESTED BY:**

---

**TAMARA MERCER**, Town Clerk

**TOWN OF WEAVERVILLE**  
**TOWN COUNCIL AGENDA ITEM**

**Date of Meeting:** Monday, August 28, 2023  
**Subject:** Comprehensive Land Use Plan – Goals and Priorities Update  
**Presenter:** Planning Director  
**Attachments:** Action Plan Table with Priorities

**Description:**

One year after the latest update of the CLUP staff wishes to conduct a conversation with Town Council and the Planning Board related to the action plan table with priorities which sets the planning and development regulations agenda for the coming months.

**Action Requested:**

Staff is requesting that Town Council complete the attached action plan table with priorities in order to facilitate a conversation during the joint meeting with the Planning Board on September 19th. You will see that the Planning Board and staff scores have been provided.

Scores are:

- 1: High Priority
- 2: Medium Priority
- 3: Low Priority

If new items are desired for consideration, it is extremely advantageous to incorporate those within this update of the table.



# COMPREHENSIVE LAND USE PLAN

## STATED GOALS, RESPONSIBILITIES, AND PRIORITIES

(1=high priority, addressed in 12 months; 2=medium priority, addressed in 24 months; 3=lower priority, addressed in 36 months; 0=proposed deletion)

Proposed –August/September 2023

| 1  | 2023           | 2022                         | TC | PB | Staff | STATED GOAL  | NOTES  | Staff          | PB | TC |
|----|----------------|------------------------------|----|----|-------|--|--|----------------|----|----|
| 2  | PRIORITIZATION |                              |    |    |       |  |  | RESPONSIBILITY |    |    |
| 3  |                | <b>WATER</b>                 |    |    |       |  |  |                |    |    |
| 4  |                | 1                            |    | 1  | 1     | Update Plan and regulations to slow land use development if water treatment plant expansion is postponed or terminated and water usage and commitments reach 70% of available water supply | WTP Expansion project underway; commitments and usage reported quarterly | ✓              | ✓  | ✓  |
| 5  |                | 1                            |    | 1  | 1     | Continue monitoring water production, allocations, usage, and availability   | In progress by staff with quarterly reports                              | ✓              |    |    |
| 6  |                | 1                            |    | 1  | 1     | Continue reserving water allocation for infill development within the town   | In progress by staff with quarterly reports                              | ✓              |    |    |
| 7  |                | 2                            |    | 2  | 2     | Development of Water System GIS Layer  | Anticipated FY2024 or FY2025   | ✓              |    |    |
| 8  |                | <b>STREETS AND SIDEWALKS</b> |    |    |       |  |  |                |    |    |
| 9  |                | 1                            |    | 1  | 1     | Continue the Street Improvement Program  | Program funded FY2024  | ✓              |    | ✓  |
| 10 |                | -                            |    | 1  | 1     | Establish/support committee on Bike-Ped Plan   | Bike-Ped Plan adopted 6/26/23  | ✓              |    | ✓  |
| 11 |                | -                            |    | 1  | 1     | Develop priorities/timeline for Bike-Ped Plan  | Bike-Ped Plan adopted 6/26/23  | ✓              |    | ✓  |
| 12 |                | 1                            |    | 2  | 2     | Establish/continue funding a Sidewalk Improvement Program for Bike-Ped priorities  | Bike-Ped Plan adopted 6/26/23  |                |    | ✓  |
| 13 |                | 3                            |    | 2  | 3     | Review annual progress towards implementation of the Bike-Ped Plan   | Bike-Ped Plan adopted 6/26/23  | ✓              | ✓  | ✓  |
| 14 |                | 2                            |    | 3  | 2     | Study possible adoption of driveway construction standards – steep slope, reduction of curb cuts, common driveways   |  | ✓              | ✓  | ✓  |
| 15 |                | <b>HOUSING</b>               |    |    |       |  |  |                |    |    |
| 16 |                | 1                            |    | 0  | 0     | Define and consider ways to achieve balanced residential development   | TC consensus on 5/14/22; TC can do this anytime                          |                |    | ✓  |
| 17 |                | 2                            |    | 2  | 2     | Consider broadening allowable housing types (duplexes, quadplexes) in residential. districts by allowing multifamily or establishing new districts   |  | ✓              | ✓  | ✓  |

# COMPREHENSIVE LAND USE PLAN

## STATED GOALS, RESPONSIBILITIES, AND PRIORITIES

(1=high priority, addressed in 12 months; 2=medium priority, addressed in 24 months; 3=lower priority, addressed in 36 months; 0=proposed deletion)

Proposed –August/September 2023

| 1  | 2023 | 2022                          | TC | PB | Staff | STATED GOAL   | NOTES   | Staff | PB | TC |
|----|------|-------------------------------|----|----|-------|---|---|-------|----|----|
| 18 |      | 2                             |    | 3  | 2     | Consider ways to increase housing affordability   | TC considered in 2020   | ✓     |    | ✓  |
| 19 |      | 2                             |    | 3  | 3     | Consider expansion of the MH Overlay District   |   | ✓     | ✓  | ✓  |
| 20 |      | <b>GENERAL POLICY MATTERS</b> |    |    |       |   |   |       |    |    |
| 21 |      | 1                             |    |    | 1     | Review & update economic development goals  | WEDAC/TC working on this  |       |    | ✓  |
| 22 |      | 1                             |    |    | 1     | Continue to annex properties along the Town’s borders in order to impose the Town’s land use regulations  | TC consensus on 5/14/22 and resolution dtd 12/13/22                               |       |    | ✓  |
| 23 |      | 1                             |    | 1  | 1     | Continue to work with Buncombe County on planning issues, esp. in areas near Town limits  | TC consensus on 5/14/22   | ✓     |    | ✓  |
| 24 |      | 1                             |    |    | 1     | Engage in conversations with NCDOT about long-term planning for growth  | TC consensus on 5/14/22   | ✓     |    | ✓  |
| 25 |      | 1                             |    |    | 1     | Engage in conversations with MSD about long-term planning for growth  | TC consensus on 5/14/22   | ✓     |    | ✓  |
| 26 |      | 1                             |    | 1  | 1     | Comprehensive review of Future Land Use Map   | TC workshop 5/14/22; in progress need GIS assistance                              | ✓     | ✓  | ✓  |
| 27 |      | 1                             |    |    | 1     | Make decisions on annexation based on the ability to provide quality municipal services to proposed land uses to same extent and under current policy | TC consensus on 5/14/22 and resolution dtd 12/13/22                               |       |    | ✓  |
| 28 |      | 2                             |    |    | 2     | Investigate possibility of reestablishing direct bus route between Weaverville and Asheville  |   | ✓     |    | ✓  |
| 29 |      | -                             |    | 2  | 2     | Increase recreational opportunities, especially on Town properties  | Eller Cove Watershed; Reems Creek Greenway  | ✓     |    | ✓  |
| 30 |      | 1                             |    | 3  | 2     | Review of overlapping land use authority  | Take up when County initiates   | ✓     |    | ✓  |
| 31 |      | 1                             |    | 3  | 2     | Negotiate interlocal agreement(s) with County (Building Permits and Inspections)  | Take up when County initiates   | ✓     |    | ✓  |
| 32 |      | 2                             |    |    | 3     | Investigate possibility of establishing a “Park and Ride” in Weaverville to provide a shared ride option to Asheville                                 | Existing lot located on I-26 near Town limits; available as not at usage capacity | ✓     |    | ✓  |
| 33 |      | 3                             |    | 3  | 3     | Evaluate need to strengthen regulations with regard to hazard mitigation  | Buncombe-Madison Hazard Mitigation Plan dated 6/21                                | ✓     | ✓  | ✓  |

# COMPREHENSIVE LAND USE PLAN

## STATED GOALS, RESPONSIBILITIES, AND PRIORITIES

(1=high priority, addressed in 12 months; 2=medium priority, addressed in 24 months; 3=lower priority, addressed in 36 months; 0=proposed deletion)

Proposed –August/September 2023

| 1  | 2023                                | 2022 | TC | PB | Staff | STATED GOAL   | NOTES  | Staff | PB | TC |
|----|-------------------------------------|------|----|----|-------|---|--|-------|----|----|
| 34 |                                     | 3    |    |    | 0     | Consider reestablishing the Town's extraterritorial jurisdiction  |  | ✓     |    | ✓  |
| 35 | <b>LAND DEVELOPMENT REGULATIONS</b> |      |    |    |       |   |  |       |    |    |
| 36 |                                     | 1    |    | 1  | 1     | Consider regulations that encourage open space or greenway dedication, conservation measures  | Planning Board discussion 5/23, 7/23                   | ✓     | ✓  | ✓  |
| 37 |                                     | 2    |    | 1  | 1     | Review sign regulations for legal compliance and policy objectives  | Legal compliance requires amendments                   | ✓     | ✓  | ✓  |
| 38 |                                     | 2    |    | 1  | 1     | Review hillside/steep slope regulations for legal compliance and policy objectives  |  | ✓     | ✓  | ✓  |
| 39 |                                     | -    |    | 1  | 1     | Study & consider downtown residential district with smaller lot size/width  |  | ✓     | ✓  | ✓  |
| 40 |                                     | -    |    | 1  | 1     | Study & consider regulation of short-term rentals   |  | ✓     | ✓  | ✓  |
| 41 |                                     | -    |    | 2  | 1     | Study & consider regulations on min/max parking and loading areas   |  | ✓     | ✓  | ✓  |
| 42 |                                     | 1    |    | 2  | 2     | Consider Town-initiated rezonings to better align established uses with underlying zoning districts or to address long dormant properties | Focusing on long dormant properties                    | ✓     | ✓  | ✓  |
| 43 |                                     | 2    |    | 2  | 2     | Undertake a comprehensive review of zoning regulations  |  | ✓     | ✓  | ✓  |
| 44 |                                     | 2    |    | 2  | 2     | Determine need or desire for Town grading regulations for projects between 1 acre and ½ acre  |  | ✓     | ✓  | ✓  |
| 45 |                                     | 3    |    | 2  | 2     | Revise wireless telecommunication facility regulations for legal compliance and policy objectives   |  | ✓     | ✓  | ✓  |
| 46 |                                     | 3    |    | 3  | 3     | Continue to analyze ways to provide standard regulations in order to reserve use of conditional zoning for unique development             | Areas improved:<br>Mixed Use Development<br>Apartments | ✓     | ✓  | ✓  |
| 47 |                                     | 3    |    | 3  | 3     | Study mountain ridge protection regulations for possible implementation   |  | ✓     | ✓  | ✓  |
| 48 |                                     | -    |    |    |       |   |  |       |    |    |

**COMPREHENSIVE LAND USE PLAN  
STATED GOALS, RESPONSIBILITIES, AND PRIORITIES**

(1=high priority, addressed in 12 months; 2=medium priority, addressed in 24 months; 3=lower priority, addressed in 36 months; 0=proposed deletion)

*Proposed –August/September 2023*

| 1  | 2023   | 2022 | TC | PB | Staff | STATED GOAL  | NOTES   | Staff | PB | TC |
|----|--|------|----|----|-------|--|---|-------|----|----|
| 49 |  | -    |    |    |       |  |   |       |    |    |
| 50 |  | -    |    |    |       |  |   |       |    |    |
| 51 |  | -    |    |    |       |  |   |       |    |    |
| 52 | <b>PLAN CONSISTENCY REVIEW - LEGALLY REQUIRED</b>                                |      |    |    |       |  |   |       |    |    |
| 53 |  | -    |    | -  | -     | Consult plan priorities if inconsistencies develop in the implementation of this Plan  |   | ✓     | ✓  | ✓  |
| 54 |  | -    |    | -  | -     | Consult the Future Land Use Map and use descriptions for Plan consistency review   | Legally required  | ✓     | ✓  | ✓  |
| 55 |  | -    |    | -  | -     | Consult Action Plan and stated goals for Plan consistency review   | Legally required  | ✓     | ✓  | ✓  |
| 56 |  | -    |    | -  | -     | Consult additional approved plans for Plan consistency review  | Legally required  | ✓     | ✓  | ✓  |
| 57 | <b>MAINTENANCE OF PLAN AND REGULATIONS – LEGAL COMPLIANCE AND ACCOUNTABILITY</b> |      |    |    |       |  |   |       |    |    |
| 58 |  | -    |    | -  | -     | Conduct an annual review of progress towards accomplishment of Plan goals  | July/August each year   | ✓     | ✓  | ✓  |
| 59 |  | -    |    | -  | -     | Update appendix to this Plan when new plans or amendments are adopted  | To keep Plan up-to-date and usable  | ✓     |    |    |
| 60 |  | -    |    | -  | -     | Conduct an annual review of zoning regulations to ensure statutory compliance and consistency with stated goals                  | For legal compliance and progress towards Plan goals                                | ✓     |    |    |
| 61 |  | -    |    | -  | -     | Undertake annual review of the Table of Uses   | For legal compliance  | ✓     |    |    |
| 62 |  | -    |    | -  | -     | Conduct an annual review of subdivision regulations to ensure statutory compliance and consistency with stated goals             | For legal compliance and progress towards Plan goals                                | ✓     |    |    |
| 63 |  | -    |    | -  | -     | Consider development of or amendment to regulations consistent with law and Plan   | For progress towards Plan goals   | ✓     | ✓  | ✓  |
| 64 |  | -    |    | -  | -     | Undertake a comprehensive update to the Plan in 2025 or at such time as substantial legislative or other changes are experienced | 2025 is proposed in order to provide for 5 year updates that better align w/ Census | ✓     | ✓  | ✓  |

## COMPREHENSIVE LAND USE PLAN STATED GOALS, RESPONSIBILITIES, AND PRIORITIES

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Proposed –August/September 2023

| COMPLETED |   |  |  |  |  |  |   |   |   |
|-----------|---|--|--|--|--|--|---|---|---|
| ✓         | 1 |  |  |  | Investigate interconnection with Asheville for supplemental water  | TC resolution adopted 6/27/22; completed         | ✓ |   |   |
| n/a       | 1 |  |  |  | Negotiate interlocal agreement with Asheville for purchase of supplemental water   | Investigated and TC decided not to pursue        | ✓ |   | ✓ |
| ✓         | 1 |  |  |  | Develop annexation guidelines that include consideration of how quality municipal services will be provided                            | Resolution adopted 12/13/2022                    |   |   | ✓ |
| ✓         | 1 |  |  |  | Establish Priority List for Sidewalk Installation  | Sidewalk priority list adopted 10/24/22          | ✓ | ✓ | ✓ |
| ✓         | 1 |  |  |  | Development of Stormwater System GIS Layer   | Completed 5/23; LOSRC grant funding              | ✓ |   |   |
| ✓         | 1 |  |  |  | Comprehensive review of Table of Uses  | PB review 3/23 through 5/23; amendments proposed | ✓ | ✓ | ✓ |
| ✓         | 1 |  |  |  | Review regulations for non-conforming lots   | Adopted 4/23                                     | ✓ | ✓ | ✓ |
| ✓         | 1 |  |  |  | Initiate small area studies for growth areas: Gill Branch Valley, Monticello Rd West, Ollie Weaver Rd, I-26 Corridor, Reems Creek Rd   | Related to TC workshop 5/14/22                   | ✓ | ✓ | ✓ |
| ✓         | 1 |  |  |  | Consider adoption of land use regulations which provide greater control of retail development in Main Street area (C-1)                | Adopted 10/24/22                                 | ✓ | ✓ | ✓ |
| n/a       | 0 |  |  |  | Study removal of floodplain areas from density calculation   |  | ✓ | ✓ | ✓ |
| n/a       | 0 |  |  |  | Initiate special area studies: Downtown, North Main Street-“Five Points” Area, Monticello Road corridor, and Reems Creek Road corridor | Proposed for deletion; see line 43               | ✓ | ✓ | ✓ |
| ✓         | - |  |  |  | Conduct an annual review of progress towards accomplishment of Plan goals  | 7/5/22 – PB Review; 7/19/22 Jt Mtg b/w TC and PB | ✓ | ✓ | ✓ |
| ✓         | - |  |  |  | Update appendix to this Plan when new plans or amendments are adopted  | August 2022                                      | ✓ |   |   |
| ✓         | 1 |  |  |  | Consider simplification of outdoor lighting regulations  | Amendments proposed for adoption 7/25/22         | ✓ | ✓ | ✓ |
| ✓         | 1 |  |  |  | Continue the Street Improvement Program  | Program funded FY2023                            | ✓ |   | ✓ |

**COMPREHENSIVE LAND USE PLAN**  
**STATED GOALS, RESPONSIBILITIES, AND PRIORITIES**

(1=high priority, addressed in 12 months; 2=medium priority, addressed in 24 months; 3=lower priority, addressed in 36 months; 0=proposed deletion)  
*Proposed –August/September 2023*

|   |   |  |  |  |   |   |   |   |   |
|---|---|--|--|--|---|---|---|---|---|
| ✓ | 1 |  |  |  | Implementation of GIS system and Zoning Layer   | Implemented April 2022                      | ✓ |   |   |
| ✓ | 1 |  |  |  | Provide educational information on parking availability in downtown area  | Website posting                             | ✓ |   |   |
| ✓ | 1 |  |  |  | Continue monitoring water production, allocations, usage, and availability  | In progress by staff with quarterly reports | ✓ |   |   |
| ✓ | 1 |  |  |  | Continue reserving water allocation for infill development within the town  | In progress by staff with quarterly reports | ✓ |   |   |
| ✓ | 1 |  |  |  | Negotiate interlocal agreement(s) with County (Stormwater and Sedimentation/Erosion Control Permitting and Enforcement)                   | Agreements approved by TC June 2022         | ✓ |   | ✓ |
| ✓ | 1 |  |  |  | Review use of flag lots   | Implemented Nov 2021                        | ✓ | ✓ | ✓ |
| ✓ | 1 |  |  |  | Study solar collector regulation for possible implementation  | Implemented May 2022                        | ✓ | ✓ | ✓ |
| ✓ | - |  |  |  | Conduct an annual review of progress towards accomplishment of Plan goals   | August 2021                                 | ✓ | ✓ | ✓ |
| ✓ | - |  |  |  | Update appendix to this Plan when new plans or amendments are adopted   | August 2021                                 | ✓ |   |   |
| ✓ | 1 |  |  |  | Implementation of Chapter 160D Amendments   | Implemented July 2021                       | ✓ | ✓ | ✓ |
| ✓ | 1 |  |  |  | Consider Implementation of a Manufactured Home Overlay District   | Implemented Feb 2021                        | ✓ | ✓ | ✓ |
| ✓ | 1 |  |  |  | Undertake a comprehensive review of subdivision regulations   | Implemented July 2021                       | ✓ | ✓ | ✓ |
| ✓ | 1 |  |  |  | Clarify legally required exemptions to subdivision regulations and reexamine the definitions of minor subdivisions and major subdivisions | Implemented July 2021                       | ✓ | ✓ | ✓ |
| ✓ | 1 |  |  |  | Streamline the subdivision review process   | Implemented July 2021                       | ✓ | ✓ | ✓ |
| ✓ | 1 |  |  |  | Determine when sidewalks and other improvements are required with development approvals   | Implemented July 2021                       | ✓ | ✓ | ✓ |
| ✓ | - |  |  |  | Conduct an annual review of zoning regulations to ensure statutory compliance and consistency with stated goals                           | With 160D Project                           | ✓ |   |   |
| ✓ | - |  |  |  | Undertake annual review of the Table of Uses  | With 160D Project                           | ✓ |   |   |

**COMPREHENSIVE LAND USE PLAN**  
**STATED GOALS, RESPONSIBILITIES, AND PRIORITIES**

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*Proposed –August/September 2023*

|   |   |  |  |  |  |  |   |   |   |
|---|---|--|--|--|--|--|---|---|---|
| ✓ | - |  |  |  | Conduct an annual review of subdivision regulations to ensure statutory compliance and consistency with stated goals | With 160D Project                              | ✓ |   |   |
| ✓ | 1 |  |  |  | Continue monitoring water production, allocations, usage, and availability   | Staff quarterly reports 2020/2021              | ✓ |   |   |
| ✓ | 1 |  |  |  | Continue reserving water allocation for infill development within the town   | Staff quarterly reports 2020/2021              | ✓ |   |   |
| ✓ | - |  |  |  | Update appendix to this Plan when new plans or amendments are adopted  | August 2020                                    | ✓ |   |   |
| ✓ | - |  |  |  | Conduct an annual review of progress towards accomplishment of Plan goals  | August 2020                                    | ✓ | ✓ | ✓ |
| ✓ | 1 |  |  |  | Continue monitoring water production, allocations, usage, and availability   | In progress by staff with quarterly reports    | ✓ |   |   |
| ✓ | 1 |  |  |  | Continue reserving water allocation for infill development within the town   | In progress by staff with quarterly reports    | ✓ |   |   |
| ✓ | 1 |  |  |  | Consider land use regulation that better provides for mixed use development  | Regulations amended in May 2020                | ✓ | ✓ | ✓ |
| ✓ | 1 |  |  |  | Consider land use regulation that provides for high density single family residential development                    | Studied in 2019; no new regulation desired     | ✓ | ✓ | ✓ |
| ✓ | 2 |  |  |  | Review the current policy on street standards for private streets  | Private street standards adopted May 2020      | ✓ | ✓ | ✓ |
| ✓ | 2 |  |  |  | Consider ways to address housing affordability   | Workshop presentation in January 2020          | ✓ |   | ✓ |
| ✓ | 2 |  |  |  | Consider land use regulation that provides for transition districts  | Accomplished 2020 with mixed use amdmts        | ✓ | ✓ | ✓ |
| ✓ | 2 |  |  |  | Implement a staff-led Technical Review Committee for development reviews   | TRC amendments adopted in May 2020             | ✓ | ✓ | ✓ |
| ✓ | 3 |  |  |  | Develop and distribute a downtown parking map  | Map available on website and Town Hall in 2019 | ✓ |   |   |

**TOWN OF WEAVERVILLE  
TOWN COUNCIL AGENDA ITEM**

**MEETING DATE:** August 28, 2023  
**SUBJECT:** Tax Collection Update and Action  
**PRESENTER:** Town Attorney Jackson  
**ATTACHMENTS:** FY2022-2023 Year-End Tax Settlement  
Proposed Resolution and Order of Collection  
Addendum to Tax Collections Agreement

**DESCRIPTION/SUMMARY OF REQUEST:**

Buncombe County has provided the attached combined FY2022-2023 tax settlement which shows a Weaverville collection rate of 99.95% and only \$1,874.37 left to be collected.

Based on updated guidance from the property tax collection experts at the UNC School of Government, Buncombe County has advised the Town of Weaverville and other municipalities that the County will need to handle a few things differently regarding the collection of the Town's property taxes. While the collection work will continue to be done by and through the Buncombe County Tax Collector's Office, there are some formal actions that will need to be taken by Town Council that have not been requested or done in the last few years.

The biggest change is that Town Council will need to formally appoint a Town Tax Collector. Once appointed, the Town Tax Collector can then delegate all collection responsibilities to the County. Among the Town's eligible staff, Town Attorney Jackson has the most experience with property tax collection and she is proposed and willing to serve in that capacity with the understanding that an amended Tax Collections Agreement will delegate those collection responsibilities to Buncombe County.

Other related actions are also necessary for the proper collection of Weaverville property taxes, a significant source of revenue for the Town. In summary, Town Council will need to:

- Approve the FY2022-2023 Tax Settlement
- Appoint a Town Tax Collector and set a bond amount
- Adopt the Order of Collection for FY2023-2024 property taxes
- Approve the Addendum to the Tax Collections Agreement
- Approve tax refunds and releases as presented by the County

Town staff will be at tonight's meeting to discuss these needed changes and to review the proposed resolution that has been drafted for Town Council's consideration.

**COUNCIL ACTION REQUESTED:**

It is recommended that Town Council adopt the proposed resolution which provides incorporates all of the formal action as described above.





Jennifer Pike  
Tax Collector

## **Annual Settlement and Order of Collection for Approval by the Buncombe County Commissioners**

Pursuant to the provisions of North Carolina General Statute § 105-373, this memorandum is the Tax Collector's report of settlement to the Buncombe County Board of Commissioners for fiscal year 2023.

At the beginning of each fiscal year, the Tax Collector must provide to the Board of Commissioners an annual settlement of property tax collected in the previous fiscal year for approval, prior to being charged to collect taxes for the current fiscal year.

Included in this settlement are three primary requirements:

- Sworn settlement of all taxes collected in the prior fiscal year
- List of unpaid taxes for the prior fiscal year
- List of taxpayers who have been found to be insolvent with unpaid personal property taxes

I certify the information contained in the fiscal year 2023 annual settlement has been reviewed and to my knowledge is true and accurate.

A handwritten signature in cursive script that reads "Jennifer Pike".

---

Jennifer Pike  
Tax Collector

Following approval of the Tax Collector's Annual Settlement of the preceding year, pursuant to NCGS § 105-321, an order of collection to the Tax Collector must be adopted for the 2023 tax year authorizing the collection of the current fiscal year property taxes.



**NCGS § 105-373. Settlements.**

(a) Annual Settlement of Tax Collector. -

- (1) Preliminary Report. - After July 1 and before he is charged with taxes for the current fiscal year, the tax collector shall make a sworn report to the governing body of the taxing unit showing:
  - a. A list of the persons owning real property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person; and
  - b. A list of the persons not owning real property whose personal property taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. (To this list the tax collector shall append his statement under oath that he has made diligent efforts to collect the taxes due from the persons listed out of their personal property and by other means available to him for collection, and he shall report such other information concerning these taxpayers as may be of interest to or required by the governing body, including a report of his efforts to make collection outside the taxing unit under the provisions of G.S. 105-364.) The governing body of the taxing unit may publish this list in any newspaper in the taxing unit. The cost of publishing this list shall be paid by the taxing unit.
- (2) Insolvents. - Upon receiving the report required by subdivision (a)(1), above the governing body of the taxing unit shall enter upon its minutes the names of persons owing taxes (but who listed no real property) whom it finds to be insolvent, and it shall by resolution designate the list entered in its minutes as the insolvent list to be credited to the tax collector in his settlement.
- (3) Settlement for Current Taxes. - After July 1 and before he is charged with taxes for the current fiscal year, the tax collector shall make full settlement with the governing body of the taxing unit for all taxes in his hands for collection for the preceding fiscal year.

**NCGS § 105-321. Disposition of tax records and receipts; order of collection.**

(b) Before delivering the tax receipts to the tax collector in any year, the board of county commissioners or municipal governing body shall adopt and enter in its minutes an order directing the tax collector to collect the taxes charged in the tax records and receipts. A copy of this order shall be delivered to the tax collector at the time the tax receipts are delivered to him, but the failure to do so shall not affect the tax collector's rights and duties to employ the means of collecting taxes provided by this Subchapter. The order of collection shall have the force and effect of a judgment and execution against the taxpayers' real and personal property and shall be drawn in substantially the following form:

State of North Carolina

County (or City or Town) of \_\_\_\_\_

To the Tax Collector of the County (or City or Town) of \_\_\_\_\_

\_\_\_\_\_:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of \_\_\_\_\_ and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County (or City or Town) of \_\_\_\_\_, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_(Seal)

Chairman, Board of Commissioners of

\_\_\_\_\_ County

(Mayor, City (or Town) of

\_\_\_\_\_)

Attest:

\_\_\_\_\_  
Clerk of Board of Commissioners of \_\_\_\_\_ County

(Clerk of the City (or Town) of \_\_\_\_\_)



Buncombe County, North Carolina  
 Tax Levy & Collections

**Fiscal Year 2023 Snapshot**

**As of June 30, 2023**

|  | <u>Total Levy</u> | <u>Total Collected</u> | <u>Uncollected</u> | <u>Percent Collected</u> |
|--|-------------------|------------------------|--------------------|--------------------------|
| <b>Regular Levy</b>                                    | \$228,477,927.55  | \$227,982,787.87       | \$495,139.68       | 99.78%                   |
| <b>Registered Motor Vehicles<br/>(NCDMV Collected)</b> | \$15,288,160.35   | \$15,234,924.17        | \$53,236.18        | 99.65%                   |
| <b>Total Levy</b>                                      | \$243,766,087.90  | \$243,217,712.04       | \$548,375.86       | 99.78%                   |



## Buncombe County

### Fiscal Year 2023 Property Tax

| Net Levy         | Collected        | Uncollected  | Percent Collected |
|------------------|------------------|--------------|-------------------|
| \$228,477,927.55 | \$227,982,787.87 | \$495,139.68 | 99.78%            |

#### Regular Levy Prior Year Collections in Fiscal Year 2023

| Tax Year | Levy Due    | Collected    | Uncollected |
|----------|-------------|--------------|-------------|
| 2021     | 223,791.01  | (13,509.35)  | 237,300.36  |
| 2020     | (40,321.68) | (228,369.63) | 188,047.95  |
| 2019     | 106,620.53  | 35,475.66    | 71,144.87   |
| 2018     | 39,468.76   | 4,535.24     | 34,933.52   |
| 2017     | 29,642.35   | 1,690.41     | 27,951.94   |
| 2016     | 10,327.68   | 645.76       | 9,681.92    |
| 2015     | 6,876.70    | 558.69       | 6,318.01    |
| 2014     | 8,690.84    | 468.71       | 8,222.13    |
| 2013     | 18,533.44   | 688.73       | 17,844.71   |
| 2012     | 18,333.43   | 194.02       | 18,139.41   |

Negative amounts for tax years 2021 and 2020 are due to HCA adjustments.

Regular Levy 2023 Prepaid Amount Collected: \$ 136,250.33

#### Write Off Total (As of 07/13/2023)

2012 Regular Levy \$ 20,299.80

Write off total includes accrued interest.

# City of Asheville

## Fiscal Year 2023 Property Tax

| Net Levy        | Collected       | Uncollected | Percent Collected |
|-----------------|-----------------|-------------|-------------------|
| \$76,952,943.24 | \$76,855,198.70 | \$97,744.54 | 99.87%            |

### Regular Levy Prior Year Collections in Fiscal Year 2023

| Tax Year | Levy Due     | Collected    | Uncollected |
|----------|--------------|--------------|-------------|
| 2021     | (143,944.18) | (204,658.08) | 60,713.90   |
| 2020     | (148,393.49) | (218,518.45) | 70,124.96   |
| 2019     | 25,425.80    | 6,638.41     | 18,787.39   |
| 2018     | 9,248.48     | 694.53       | 8,553.95    |
| 2017     | 5,289.84     | 270.58       | 5,019.26    |
| 2016     | 1,433.61     | 8.82         | 1,424.79    |
| 2015     | 739.68       | 59.91        | 679.77      |
| 2014     | 1,740.70     | 51.01        | 1,689.69    |
| 2013     | 5,687.96     | 218.04       | 5,469.92    |
| 2012     | 4,387.63     | 2.86         | 4,384.77    |

Negative amounts for tax years 2021 and 2020 are due to HCA adjustments.

Regular Levy 2023 Prepaid Amount Collected: \$ 36,742.97

### Write Off Total (As of 07/13/2023)

2012 Regular Levy \$ 4,679.15

Write off total includes accrued interest.

# Asheville City Schools

## Fiscal Year 2023 Property Tax

| Net Levy               | Collected              | Uncollected        | Percent Collected |
|------------------------|------------------------|--------------------|-------------------|
| <b>\$11,023,534.24</b> | <b>\$11,010,288.91</b> | <b>\$13,245.33</b> | <b>99.88%</b>     |

### Regular Levy Prior Year Collections in Fiscal Year 2023

| Tax Year | Levy Due    | Collected   | Uncollected |
|----------|-------------|-------------|-------------|
| 2021     | (57,016.25) | (61,789.77) | 4,773.52    |
| 2020     | (56,833.23) | (64,121.30) | 7,288.07    |
| 2019     | 2,713.62    | 662.96      | 2,050.66    |
| 2018     | 1,396.27    | 78.35       | 1,317.92    |
| 2017     | 508.97      | -           | 508.97      |
| 2016     | 84.91       | -           | 84.91       |
| 2015     | 45.59       | -           | 45.59       |
| 2014     | 460.29      | -           | 460.29      |
| 2013     | 482.12      | 69.60       | 412.52      |
| 2012     | 842.59      | -           | 842.59      |

Negative amounts for tax years 2021 and 2020 are due to HCA adjustments.

Regular Levy 2023 Prepaid Amount Collected: \$ 4,214.58

### Write Off Total (As of 07/13/2023)

2012 Regular Levy \$ 881.51

Write off total includes accrued interest.

**RESOLUTION CONCERNING PROPERTY TAX COLLECTION IN  
THE TOWN OF WEAVERVILLE**

**WHEREAS**, beginning July 1, 2020, the Town of Weaverville entered into a Tax Collections Agreement with Buncombe County that provides that Buncombe County will provide tax collection services for all of the property taxes for the Town of Weaverville;

**WHEREAS**, minor amendments were incorporated into the Tax Collections Agreement in 2021 and in 2022, and in March of 2023 that agreement was modified and extended from July 1, 2023, to June 30, 2025, and now aligns with other municipalities;

**WHEREAS**, the Town of Weaverville and Buncombe County wish to further amend the Tax Collections Agreement to provide for and clarify the role of the Weaverville Tax Collection and the delegation of those responsibilities to Buncombe County;

**WHEREAS**, the Weaverville Town Council wishes to approved the settlement for the taxes charged to the Tax Collector for collection for the 2022-2023 tax year, including the delinquent taxes; and

**WHEREAS**, the Weaverville Town Council wishes to appoint a Weaverville Tax Collector and set a bond amount for such office;

**WHEREAS**, for consistency in collection practices, the Town of Weaverville wishes to use the same optional collection procedures that are being used by the County in the collection of Weaverville taxes, and, with this resolution, the Town of Weaverville will confirm and/or adopt such optional collection procedures; and

**WHEREAS**, the Weaverville Town Council wishes to adopt an order of collection for the FY2023-2024 Weaverville property taxes;

**NOW, THEREFORE, BE IT RESOLVED** by the Weaverville Town Council as follows:

- (1) That the Combined Tax Settlement for FY2022-2023 as presented by Buncombe County is hereby approved;
- (2) That the attached Addendum to the Tax Collections Agreement is hereby approved and the Mayor, Town Clerk, and Weaverville Tax Collector are authorized to execute the same;
- (3) That Jennifer O. Jackson is hereby appointed as the Weaverville Tax Collector, with the understanding that the amended Tax Collections Agreement delegates all property tax collection responsibilities to Buncombe County;
- (4) That the bond amount for the Weaverville Tax Collector is hereby set at \$250,000;
- (5) That the following optional collection procedures are hereby confirmed and/or adopted with this resolution:

- a. As allowed by and in accordance with N.C. Gen. Stat. § 105-360(c), a discount rate for Weaverville property taxpayers who pay their taxes early is hereby adopted in an amount equal to the discount rate adopted by Buncombe County, as from time-to-time may be amended.
- b. As allowed by and in accordance with N.C. Gen. Stat. § 105-321(f), the tax collector is not required to bill or collect ad valorem taxes that do not exceed \$5.00.
- c. As allowed by and in accordance with N.C. Gen. Stat. § 105-357(c):
  - i. The tax collector is permitted to treat small underpayments (no more than \$1.00 less than the taxes due on the tax receipt or bill) as fully paid; and
  - ii. The tax collector is not required to refund any small overpayment (payment made, not in person, that is no more than \$1.00 greater than the taxes due on the tax receipt or bill).
- d. As allowed by and in accordance with N.C. Gen. Stat. § 105-321(g), when overpayments of up to fifteen dollars (\$15.00) are made, the tax collector is directed not to refund said amounts unless requested by the taxpayer in accordance with N.C. Gen. Stat. § 105-321(g), and such overpayments shall be applied as a credit against the tax liability for taxes due the next succeeding year.

(6) That the attached Order of Collection is hereby adopted.

**THIS** the 28th day of August, 2023.

**TOWN OF WEAVERVILLE**

By: \_\_\_\_\_  
Patrick Fitzsimmons, Mayor

**ATTESTED BY:**

\_\_\_\_\_  
Tamara Mercer, Town Clerk



STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

ADDENDUM TO TAX COLLECTIONS AGREEMENT

This Addendum to the Tax Collections Agreement (“Agreement”) made and entered into July 1, 2023, by and between Buncombe County, a political subdivision of the State of North Carolina (“County”) and the Town of Weaverville, a North Carolina Municipal Corporation (“Town”):

Witnesseth:

**Whereas**, the County and Town previously entered into an Agreement for the County to bill and collect real estate, business personal, personal property taxes, including the Town’s fee charged for motor vehicles licensed within the Town, any taxes related to motor vehicles, and any lien for special assessments made and confirmed by the Town;

**Whereas**, the Agreement is currently valid through June 30, 2025:

**Whereas**, the County and the Town desire to modify the Agreement to conform to the provisions of Chapter 105 of the North Carolina General Statutes, entitled The Revenue Act.

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

A. That paragraph 9 of the Agreement shall be replaced with the following:

The Town will adopt the same optional collection procedures that govern the collection of taxes by the County, including but not limited to:

- a. the adoption of any County discount rate that may be afforded to citizens who pay their taxes early;
- b. the adoption of a resolution to forgo collection of ad valorem tax bills that do not exceed five dollars (\$5.00) pursuant to N.C.G.S. § 105-321(f);
- c. the adoption of a resolution regarding small overpayments and underpayments of one dollar (\$1.00) or less pursuant to N.C.G.S. § 105-357(c); and
- d. the adoption of a resolution directing the tax collector to apply overpayments of up to fifteen dollars (\$15.00) as a credit against the tax liability for taxes due the next succeeding year pursuant to N.C.G.S. § 105-321(g).

B. That the following provisions will be added to the Agreement:

21. The Town will appoint a tax collector (“Town Tax Collector”) pursuant to N.C.G.S. § 105-349(a)-(b).

22. The Town Tax Collector shall take the oath prescribed in N.C.G.S. § 105-349(g)
  23. The Town Tax Collector, by this Agreement, delegates all of his/her duties to the County Tax Collector. By and through this delegation, all duties of the of the Town Tax Collector for the collection of taxes, fees and assessments to be collected by the Town pursuant to N.C.G.S. § 105-349 through 378 are transferred to the County Tax Collector, specifically, including settlements as provided in N.C.G.S. § 105-373. The delegation of duties by the Town Tax Collector to the County Tax Collector shall apply to any and all subsequent Town Tax Collectors and County Tax Collectors.
  24. Upon the delegation of duties by the Town Tax Collector to the County Tax Collector, the County Tax Collector shall take the same oath required of the Town Tax Collector.
  25. The Town Tax Collector and Buncombe County Tax Collector shall each furnish a bond pursuant to N.C.G.S. § 105-349 at such amounts as are set by their respective governing bodies. The Town of Weaverville and Buncombe County shall also maintain such other individual and/or blanket faithful performance bonds or fiduciary bonds as allowed by and in accordance with N.C.G.S. § 159-29, or other similar sureties, to cover employees and agents performing tax collection duties.
  26. Each year, pursuant to N.C.G.S. 105-321, the Weaverville Town Council shall adopt and enter in its minutes an order directing the Town Tax Collector to collect the taxes charged in the tax records and receipts. The Town Tax Collector shall deliver a copy of this order to the County Tax Collector within five days of its adoption.
- C. That each and every other of the terms and conditions of the Agreement, as previously amended, remain in full force and effect.

[signature pages follow]

SIGNATURE PAGE 1 OF 2 TO ADDENDUM TO TAX COLLECTION AGREEMENT BETWEEN  
BUNCOMBE COUNTY AND THE TOWN OF WEAVERVILLE

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

BUNCOMBE COUNTY

By: \_\_\_\_\_  
Avril Pinder, County Manager

ATTEST:

APPROVED BY:

\_\_\_\_\_  
Lamar Joyner, Clerk to the Buncombe  
County Board of Commissioners

\_\_\_\_\_  
Jennifer Pike  
Buncombe County Tax Collector

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

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

Witness my hand and notarial seal, this the \_\_\_\_\_ day of September, 2023.

\_\_\_\_\_  
Notary Public  
Printed Name:  
My commission expires:

SIGNATURE PAGE 2 OF 2 TO ADDENDUM TO TAX COLLECTION AGREEMENT BETWEEN  
BUNCOMBE COUNTY AND THE TOWN OF WEAVERVILLE

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

TOWN OF WEAVERVILLE

By: \_\_\_\_\_  
Patrick Fitzsimmons, Mayor

ATTEST:

APPROVED BY:

\_\_\_\_\_  
Tamara Mercer, Town Clerk

\_\_\_\_\_  
Town of Weaverville Tax Collector

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

I, \_\_\_\_\_, Notary Public for said County and State, do hereby certify that Tamara Mercer, Town Clerk, personally appeared before me this day and acknowledged that she is Clerk to the Town of Weaverville and that Patrick Fitzsimmons is the Weaverville Mayor, and that by the authority duly given and as the act of the Town of Weaverville, the foregoing instrument was signed in its name by said Mayor, sealed with its official seal, and voluntarily attested to by himself as its Clerk as the act and deed of the Town of Weaverville, all by authority duly given by its governing body.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of August, 2023.

\_\_\_\_\_  
Notary Public  
Printed Name:  
My commission expires:

ORDER OF COLLECTION ISSUED  
PURSUANT TO N.C.GEN. STAT. § 105-321

STATE OF NORTH CAROLINA  
TOWN OF WEAVERVILLE

To the Tax Collector of Town of Weaverville and, by delegated authority, the Tax Collector for Buncombe County:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Weaverville Town offices and the office of the Buncombe County Tax Department and the Information Technology Office and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Weaverville, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law. Tax records for the Town of Weaverville are delivered to you for collection. You are further authorized to call upon the Sheriff to levy upon and sell personal property under execution for the payment of taxes.

Witness my hand and official seal, this \_\_\_\_ day of August, 2023

\_\_\_\_\_(Seal)  
Patrick Fitzsimmons, Mayor  
Town of Weaverville

Attest:

\_\_\_\_\_  
Tamara Mercer, Clerk  
Town of Weaverville

**Town of Weaverville**  
**Town Council Agenda Item**

**Date of Meeting:** Monday, August 28, 2023

**Subject:** Police Department Report for the 1st Quarter

**Presenter:** Chief of Police Ron Davis

**Attachments:** Police Department Reports – Q2 May 2023-Jul 2023

**Description:**  
Attached you will find the police department’s quarterly report on activities, response times, and crime reports.

**Action Requested:** None

# WEAVERVILLE POLICE DEPARTMENT QUARTERLY REPORT MAY-JULY 2023

**Activity:** Calls for service this quarter are almost unchanged. 1,886 last year in the same time period vs. 1,790 this year.

(These numbers do not include dozens of activities conducted everyday, such as checks of businesses, homes and citizens)

**Arrests:** There were 18 arrests this quarter vs. 54 the same quarter last year.

**Accidents:** There was a noticeable decrease in motor vehicle collisions, involving 35 vehicles and 4 injuries vs. 57 vehicles and 12 injuries during the same period last year.

# Police Activity Report

| <u>Activity</u>                      | <u>May</u> | <u>June</u> | <u>July</u> | <u>Quarter Total</u> | <u>2022 Totals</u> |
|--------------------------------------|------------|-------------|-------------|----------------------|--------------------|
| Arrests                              | 9          | 4           | 5           | 18                   | 102                |
| Vehicle crashes                      | 16         | 10          | 9           | 35                   | 187                |
| Traffic Citations & Warnings         | 57         | 38          | 37          | 132                  | 773                |
| Parking Citations                    | 0          | 2           | 1           | 3                    | 117                |
| Robbery                              | 0          | 0           | 0           | 0                    | 0                  |
| Aggravated Assault                   | 0          | 0           | 1           | 1                    | 1                  |
| Simple Assault                       | 1          | 0           | 0           | 1                    | 3                  |
| Sex Offense                          | 0          | 0           | 1           | 1                    | 3                  |
| Kidnapping                           | 0          | 0           | 0           | 0                    | 1                  |
| Burglary/B&E                         | 1          | 0           | 2           | 3                    | 5                  |
| Theft-Shoplifting                    | 7          | 7           | 0           | 14                   | 49                 |
| Theft from a Building                | 0          | 0           | 0           | 0                    | 1                  |
| Theft-From a Motor Vehicle           | 0          | 0           | 0           | 0                    | 5                  |
| All Other Theft                      | 4          | 3           | 4           | 11                   | 83                 |
| Motor Vehicle Theft                  | 0          | 0           | 1           | 1                    | 1                  |
| Damage/Vandalism                     | 0          | 0           | 0           | 0                    | 4                  |
| Counterfeiting/Forgery               | 0          | 0           | 1           | 1                    | 3                  |
| False Pretense/Swindle/Confidence Gm | 0          | 0           | 0           | 0                    | 6                  |
| Credit Card/ATM Machine Fraud        | 1          | 1           | 0           | 2                    | 3                  |
| Stolen Property                      | 1          | 0           | 0           | 1                    | 3                  |
| Drug/Narcotic Violations             | 0          | 1           | 1           | 2                    | 20                 |
| Drug Equipment Violations            | 0          | 2           | 2           | 4                    | 17                 |
| Weapon Law Violations                | 0          | 0           | 0           | 0                    | 18                 |
| <b>*Total Events</b>                 | <b>646</b> | <b>582</b>  | <b>88</b>   | <b>562</b>           | <b>1,790</b>       |
|                                      |            |             |             |                      | <b>6,464</b>       |



# RESPONSE TIMES '22 VS '23

|                                 | <u>2022</u> | <u>2023</u>  |
|---------------------------------|-------------|--------------|
| <i>High priority- average</i>   | <b>3.83</b> | <b>4.78</b>  |
| <i>Average priority-average</i> | <b>2.59</b> | <b>4.90*</b> |
| <i>Low priority- average</i>    | <b>1.13</b> | <b>1.47</b>  |

\*Response times for *Average* priority calls continue to increase (*Available time for officers to perform routine duties such as high visibility patrol and community related activities etc., is decreasing*).

*High Priority Calls-* Response to this is **urgent** (i.e. in progress, weapon calls, etc.)

*Average Priority Calls-* Response to the scene is necessary but **not urgent**.

*Low Priority Calls-* Action on this type of call is often handled on the phone (i.e. someone just needs to speak to an officer) thus there is a shorter response time.

# OTHER UPDATES

## **Electric Patrol Vehicles:**

- One EV just sent for aftermarket upfitting and should be completed within 3 weeks.
- A second EV was just received and will be upfitted when the first one returns.
- Order placed for a third EV and should arrive before November.
- EV charging stations in Town Hall lot are scheduled to be installed by late fall.

## **Evidence:**

- The department has hired an evidence/records specialist approved by council.
- The new evidence specialist previously worked at the Buncombe County Sheriff's Office and was the supervisor of their evidence section.
- A new evidence management system using RFID technology to track items is being installed. This new system and new evidence specialist will free up more time for officers and staff to perform other critical duties.
- Thousands of items shelved for many years will now be processed, freeing up much needed space.

## **Internship Program** (Assistant Chief Oberlin)

**Town of Weaverville**  
**Town Council Agenda Item**

**Date of Meeting:** August 21<sup>st</sup> 2023  
**Subject:** Weaverville Fire Department Quarterly Report  
**Presenter:** Chief Scottie Harris  
**Attachments:** Quarterly Report

**Description:**

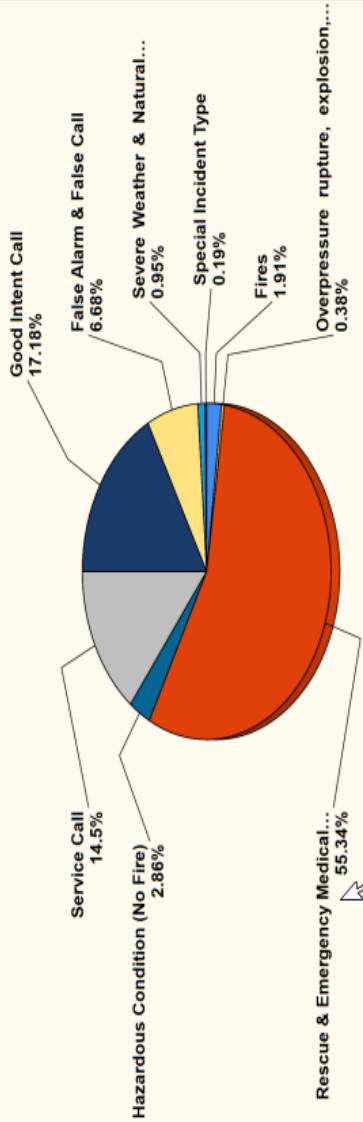
Attached please find the quarterly report for the Weaverville Fire Department. Chief Harris will be present at the meeting to present the report and answer any questions Town Council may have.

**Action Requested:**

Information only; No action required.

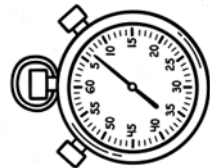
# WEAVERVILLE FIRE DEPARTMENT QUARTERLY REPORT

## MAY 1, 2023 - JULY 30, 2023



| MAJOR INCIDENT TYPE                                 | # INCIDENTS | % of TOTAL  |
|---|-------------|-------------|
| Fires   | 10          | 1.91%       |
| Overpressure rupture, explosion, overhear - no fire | 2           | 0.38%       |
| Rescue & Emergency Medical Service                  | 290         | 55.34%      |
| Hazardous Condition (No Fire)                       | 15          | 2.86%       |
| Service Call  | 76          | 14.5%       |
| Good Intent Call                                    | 90          | 17.18%      |
| False Alarm & False Call                            | 35          | 6.68%       |
| Severe Weather & Natural Disaster                   | 5           | 0.95%       |
| Special Incident Type                               | 1           | 0.19%       |
| <b>TOTAL</b>  | <b>524</b>  | <b>100%</b> |

| # OVERLAPPING | % OVERLAPPING | TOTAL |
|---------------|---------------|-------|
| 124           | 23.62         | 525   |



AVERAGE RESPONSE TIME IN MINUTES  
(DISPATCH TO ARRIVED)

4.88



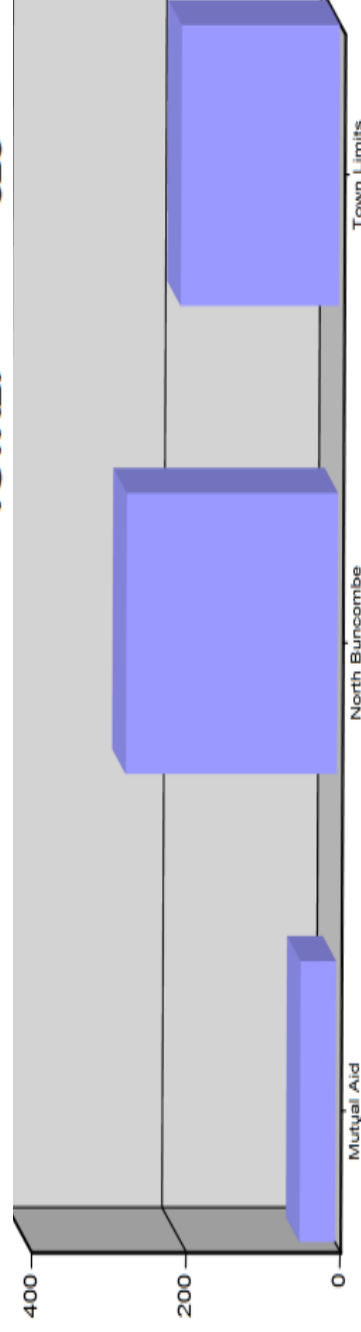
| FIRE LOSS |                     |                 |
|-----------|---------------------|-----------------|
| LOSSES    | PRE-INCIDENT VALUES |                 |
| PROPERTY  | CONTENTS            | PROPERTY        |
| \$500.00  | \$0.00              | \$500.00        |
|           |                     | CONTENTS \$0.00 |

TOTAL LOSSES: \$500.00

TOTAL PRE-INCIDENT VALUES: \$500.00

| PROPERTY SAVED              |                            |                             |                          |
|-----------------------------|----------------------------|-----------------------------|--------------------------|
| TOTAL PRE-INCIDENT PROPERTY | TOTAL PRE-INCIDENT CONTENT | TOTAL PRE-INCIDENT INCIDENT | TOTAL PROP. SAVED        |
| \$500.00                    | \$0.00                     | \$500.00                    | \$0.00                   |
|                             |                            |                             | TOTAL CONT. SAVED \$0.00 |
|                             |                            |                             | TOTAL SAVED \$0.00       |

| ZONE                                     | # INCIDENTS |
|--|-------------|
| Mutual Aid - Mutual Aid                  | 46          |
| North Buncombe - North Buncombe District | 274         |
| Town Limits - Town Limits                | 205         |
| <b>TOTAL:</b>                            | <b>525</b>  |





## **WEAVERVILLE FIRE DEPARTMENT**

**3 MONTICELLO RD.  
WEAVERVILLE, NC 28787**

*Celebrating 100 years of service to our community*

### **Fire Marshals Office Stats. May 2023, June 2023 and July 2023.**

#### **SafeKids. Child Car Seat Installation.**

May = 6 installations.

June = 8 installation.

July = 6 installations.

#### **Fire Prevention and Education Classes.**

May 5<sup>th</sup> . Career Day. North Windy Ridge. 250 kids.

May 11<sup>th</sup> . Transportation Day. Reynolds Mnt. Christian Academy. 120 kids.

May 11<sup>th</sup> -12<sup>th</sup> . Portable Fire Extinguisher training. Dodge Mechanical. 38 adults.

May 17<sup>th</sup> . North Pointe Church. Home School Celebration. 85 kids.

June 5<sup>th</sup> – 6<sup>th</sup> . Field Day. North Windy Ridge. 250 kids.

June 7<sup>th</sup> . Field Day. Weaverville Primary School. 240 kids.

June 10<sup>th</sup> . Music on Main. Street Festival. 200 kids.

July 4<sup>th</sup> . Street Festival. 200 kids.

#### **Commercial Business Inspections.**

May = 26 inspections.

June = 28 inspections.

July = 21 inspections.

***Kile R. Davis***

***Fire Marshal***

***Weaverville Fire Department***

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