

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

TOWN COUNCIL AGENDA
Monday, August 26, 2024
Regular Meeting at 6:00 pm

	<i>Pg #</i>	<i>Presenter</i>
1. Call to Order		Mayor Fitzsimmons
2. Approval/Adjustments to the Agenda		Mayor Fitzsimmons
3. Conflict of Interests Statement		Mayor Fitzsimmons
4. Consent Agenda		Acting Town Mgr Harris
A. July 16, 2024, Town Council Workshop Meeting Minutes	2	
B. July 22, 2024, Town Council Regular Meeting Minutes	4	
C. FY23-24 Tax Settlement, Appointment, & Order of Collection for FY24-25	12	
D. Monthly Tax Report, Refunds/Releases	19	
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F. Budget Amendment – Reappropriations	27	
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M. Street Paving Contract – Change Order	55	
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6. General Public Comments (see below for additional information)		Mayor Fitzsimmons
7. Discussion & Action Items		
A. Capital Project Ordinances and Capital Reserve Funds Update	66	Finance Director Dozier
B. Personnel Policy Amendment	76	Acting Town Mgr Harris
C. Quarterly Report – Fire	79	Fire Chief Harris
D. Quarterly Report – Police	82	Police Chief Oberlin
8. Closed Session		Mayor Fitzsimmons
<i>NCGS § 143-318.11(a)(3) – to consult with an attorney employed or retained by the governing body in order to preserve the attorney-client privilege and to consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure</i>		
9. Adjournment		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 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.

MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Workshop
Tuesday, July 16, 2024**

The Town Council for the Town of Weaverville held its regular workshop meeting on July 16, 2024, at 6:00 p.m. in the Council Chambers/Community Room at 30 South Main Street, Weaverville, N.C.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice Mayor John Chase and Council members Doug Jackson, Catherine Cordell, Michele Wood, and Dee Lawrence. Absent: Peter McGuire remote attendance but did not participate in any vote.

Staff members present: Acting Town Manager Scottie Harris, Town Attorney Jennifer Jackson, Town Clerk Tamara Mercer, and AV Operator Lauren Ward.

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

2. Planning for 8/20/2024 Joint Meeting with Planning Board

Attorney Jackson reviewed some proposed topics for the Joint Meeting with the Planning Board scheduled for August 20, 2024. Those included a Comprehensive Land Use Plan Update, Growth Areas Resolution/Future Land Use Map, and Short-Term Rental Regulation Discussion. Council agreed that these topics should be included.

Mayor Fitzsimmons noted the increase in land sales along Reems Creek corridor. He asked for Council's input for topics and other items. Possible changes to zoning categories/districts for Growth Areas 3, 4, and 5, and a discussion of potential new zoning districts were added as additional topics.

Councilmember Jackson suggested Weaverville contact Woodfin to collaborate together on common interests. There was general interest in hold a joint meeting between the Weaverville and Woodfin governing bodies.

Vice Mayor Chase addressed voluntary annexation requests. He said for existing developments requesting voluntary annexations, the town could implement a tiered approach with regards to town road standards and NCDOT roads. If a development was built years ago and roadway conditions are such that the town will be required to accept and repair them, then the staff and council could work with a decision tree and fees in lieu of repairs. Mayor Fitzsimmons agreed that a clear policy should be drafted for staff to use in assessing an annexation case.

Councilmember Wood and Councilmember Cordell suggested that the street standards conversation is probably best as its own meeting and, by consensus, it was decided that the September workshop will be used for that topic. Councilmember Cordell, who serves as the Town's representative on the MPO will work to bring an NCDOT representative to the Town Council September workshop in order to address the topic of roadway standards.

Mayor Fitzsimmons suggested that another topic for the Joint Meeting might be eliminating or reducing parking minimums at the Joint Meeting.

After no further suggestions, Mayor Fitzsimmons requested a motion to enter closed session.

3. Closed Session

At approximately 6:20 pm Councilmember Jackson made a motion to enter closed session as allowed by (1) N.C.G.S. §143-318.11(a)(3) in order to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, (2) N.C.G.S. §143-318.11(a)(5) in order to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the amount of compensation and other material terms of an employment contract or proposed employment contract, and under N.C.G.S. §143-318.11(a)(6) in order to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. The motion carried unanimously (6 to 0) and Town Council entered closed session.

[CLOSED SESSION]

At approximately 7:07 pm Councilmember Lawrence made a motion to exit closed session and reenter open session. All voted in favor of the motion (6 to 0) and Town Council returned to open session.

4. Adjournment

There being no further business and without objection, *Mayor Fitzsimmons adjourned the workshop at 7:08 p.m.*

ATTEST:

Tamara Mercer

MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, July 22 2024**

The Town Council for the Town of Weaverville held its regular meeting on July 22, 2024, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice Mayor John Chase and Council members Doug Jackson, Catherine Cordell, Michele Wood, and Dee Lawrence. Attending via Zoom but absent from the vote: Peter McGuire

Staff members present: Town Attorney Jennifer Jackson, Finance Director Tonya Dozier, Planning Director James Eller, Town Clerk Tamara Mercer, Police Chief Somer Oberlin, Assistant Fire Chief Michael Hunter, Public Works Director Dale Pennell, Water Plant Supervisor Randall Wilson, Recreation Coordinator Sarah Myers, and Zoom Room Coordinator Lauren Ward. Attending via Zoom: Acting Town Manager Scottie Harris

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

2. Public Hearing – Maple Trace Subdivision – Annexation

Mayor Fitzsimmons opened the Maple Trace Subdivision Annexation Public Hearing and reviewed the process and procedures.

Bo Platt expressed concern about comments made about Public Works Director Pennell. Mr. Platt said he was in favor of the addition of Maple Trace, but only under the Town's road standards for all communities.

Catherine Haynes stated she concurred with Mr. Platt.

Jeff McKenna cautioned not to accept Maple Trace with the current roadway conditions, as roads should meet the Town's standards. Mr. McKenna questioned the decision-making process of annexation case requests.

Andrew Nagle noted that some addresses with a Weaverville address may not be in the town limits. His address states Asheville but is within the town limits and he is a Weaverville taxpayer. He was neither opposed to nor in favor of annexation, but the annexation should exclude the Maple Trace roads as the town taxpayers should not be responsible for repairing their roads. He agreed with the Public Works Director's report.

Darla Letourneau was in favor of annexation of Maple Trace under a tiered approach to address the street repairs. She thinks the Town may need to reevaluate street standards.

Joe Wheeler said he was not against the annexation of Maple Trace, but they should fully comply with the Town's street standards and comply with the Public Works Director's request for the stormwater drainage system assessment. Mr. Wheeler also addressed the disparaging comments directed at Public Works staff.

Craig Wolfington agreed with the Public Work Director's assessment of the roadways as the applicant did not comply with the requirements to sample all the core drillings. He supports the annexation if the defective roads are not included. The HOA should pay for the stormwater drainage system assessment.

Linda Miller, a Maple Trace resident, said she was in favor of annexation and requested acceptance of the roads.

Micheal Schoener (who also submitted written comments) was in favor of the Maple Trace annexation and the Town taking in the subdivision's streets.

Attorney Jackson reviewed the written citizens' comments received and noted that they were provided to Town Council prior to the meeting:

Linda Miller a Maple Trace resident said she was in favor of annexation and requested acceptance of the roads.

Beth Marks in favor of Maple Trace annexation.

Karen Lasker in favor of Maple Trace annexation.

After all in attendance were given an opportunity to speak, Mayor Fitzsimmons closed the public hearing for Maple Trace subdivision annexation request.

3. Public Hearing – Maple Trace Subdivision – R-2 Zoning

Mayor Fitzsimmons opened the Maple Trace Subdivision Zoning Public Hearing.

Andrew Nagle said he agreed with the R-2 zoning designation but wanted to state that Main Street is not a Weaverville town road. Main Street is maintained by NCDOT and paid for by the State.

After all in attendance were given an opportunity to speak, Mayor Fitzsimmons closed the Maple Trace Subdivision public hearing regarding zoning.

4. Approval/Adjustments to the Agenda

Vice Mayor Chase moved to approve and adopt the agenda without adjustment. The motion was approved unanimously. 6-0.

5. Conflict of Interests Statement

Mayor Fitzsimmons stated that it is the duty of the Mayor and every Town Councilmember 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.

6. Consent Agenda

Attorney Jackson reviewed the Consent Agenda items and *Council member Lawrence motioned to approve and adopt the consent agenda as presented. The motion was approved unanimously. 6-0.*

- A. June 17, 2024, Town Council Special Called Meeting Minutes – *approved as presented*
- B. June 18, 2024, Town Council Workshop Meeting Minutes – *approved as presented*
- C. June 24, 2024, Town Council Regular Meeting Minutes – *approved with recommended revision*
- D. Monthly Tax Report, Refunds/Releases – *approved as presented*
- E. Budget Amendment – Police – *approved as presented*
- F. Budget Amendment – Rec Complex – *approved as presented*

7. Acting Town Manager's Report

Acting Town Manager Harris reviewed project updates and events:

- Fourth of July Celebration Event
- Weaverville Business Association meetings
- Social District for Music on Main
- Business Owner meetings
- Eller Cove Watershed Trail System Update

8. General Public Comments

Vicky Weiner, a resident on Elk Mountain Scenic Highway, was concerned with safety related to the Watershed Trails project in the Eller Cove Watershed. She cited concerns about vehicle speed with increased traffic and illegal parking.

Jeff Kniffen, the Maple Trace HOA president, stated he was in favor of the Maple Trace subdivision annexation.

Jill Raymond, a resident of Elk Mountain Scenic Highway close to the Weaverville Eller Cove Watershed, said she was concerned with the trails in the Watershed plan. Ms. Raymond is opposed to a bike park. She is concerned with conservation of the natural wildlife, sounds and lights, and safety impacts to her property.

Chuck Raymond, in response to the Eller Cove Watershed Trail Study, said he was concerned with safety, vehicle visibility and cyclist accidents on Elk Mountain Scenic Highway.

Emily Boyd lives adjacent to Eller Cove Watershed property said she is concerned with the proposed trail system and vehicle parking. She suggested relocation of the parking area due to safety, litter, noise, usage times and privacy. She questioned the monitoring of the property due to area isolation.

Darla Letourneau, a Weaverville resident, requested transparency regarding the Town Manager's employment agreement, public statements, and articles in the papers. Ms. Letourneau supports staff and good leadership.

Andrew Nagle discussed his working relationship with the Town Manager when he was a Town Council member. He noted the Town Manager should live in-town.

Lou Accornero made statements regarding properties he previously owned and possible lawsuits.

9. Discussion & Action Items

A. Maple Trace Annexation and Related Matters

Attorney Jackson stated there is a revised response from the Buncombe Council Board of Elections, wherein a correction was made to how annexations will be handled in the few months prior to the November general election. The Buncombe Council Board of Elections now states that there is not a blackout period for the upcoming year's National election concerning annexed properties.

In response to Council member Jackson's question regarding the streets, Public Works Director Pennell explained the repaving standards and process of repairing to Weaverville standards. He addressed the condition of Maple Trace roads. In ranking the majority of the Maple Trace roads, not including the entrance that needs to be repaired, Mr. Pennell estimated that the streets in Maple Trace at 80 to 90 ranking, with 100 being the ranking for a new street.

There was further discussion regarding: adding repairs and costs as conditions to annexation, the certificate of sufficiency of the petition by the Clerk's Office in October of 2023 and the recertification in May of 2024, the street testing of the core samples, and the lack of a stormwater drainage system assessment which is expected to be around \$9,000.00.

Public Works Director Pennell said the HOA had provided the Buncombe County documents for the storm water ponds when the subdivision was developed, which does not address the stormwater drainage system. The storm water ponds certificate does

not assess the piping and catch basins in the system under the roadways. There are four stormwater ponds. There is piping under the discharge and under the roads. Public Works is concerned with the condition of the drainage system, and this has not been assessed.

Mr. Will Buie, Design Engineer for the developer for Maple Trace, reviewed the stormwater management system regarding the ponds and collection systems, the catch basins, the heights and materials are stated in the certification, which was provided for the collection system. He reiterated and explained materials and procedures for the construction phases, which are approximately eight years old now. Mr. Buie said he would not speculate how many more years of lifetime remain for the drainage system infrastructure.

Council member Jackson said he was in favor of a motion to annex Maple Trace under the condition to repair first 1,200-feet of entry road with overview by the Town's Public Works Director. Vice Mayor Chase was in favor of annexation being conditioned upon completion of the stormwater drainage piping assessment. There was discussion regarding the testing, process of taking a preliminary vote, an annexation ordinance, an effective date of January 1, 2025, to allow departments to prepare to provide services to this subdivision.

Vice President of the Maple Trace HOA, David King said they were agreeable to a street repairs being done in the normal rotation based on road condition assessment, agreeable to pay the repair cost at \$134,000 for the 1,200-foot road entrance, and provide the money in escrow, and agreeable to pay the \$9,000.00 for the stormwater drainage system inspection, with the understanding that the assessments on the stormwater drainage would have to pass.

In response to Attorney Jackson's clarification that the HOA agrees to the road repair be completed to town standards such as milling and proof rolling and then new pavement for the 1,200-foot entrance. Mr. Buie said his engineering firm would oversee the contract, noting that it may possibly be next spring, and the funds in escrow if there is a resolution of intent to annex Maple Trace.

In response to Mayor Fitzsimmons' question, Council member Jackson said he would make a motion for annexation of Maple Trace under the condition a payment of \$134,000 be placed in escrow within a specific time period for the entrance to be repaved to town standards.

In response to Mayor Fitzsimmons' question regarding the paving costs, Mr. Pennell said the \$134,000 funding should be sufficient for the repairs and paving of the first section entrance into Maple Trace, and that we could work with the current paving contractor.

Council member Jackson moved that the Town will annex Maple Trace Subdivision and accept its subdivision streets into the Town's public street system upon the following conditions: (1) the HOA must pay the Town \$134,000 which is to be applied to the Town's repair of approximately 1200' of Water Leaf Drive to bring it up to Town street standards; (2) once accepted the subdivision streets will be treated like all other Town streets for evaluation and street improvement purposes; (3) the HOA must undertake an assessment of the stormwater drainage system with the resulting video recording to be provided to Public Works for review and the results must either show no defects or identified defects must be repaired by the HOA. The motion was approved unanimously. 6-0.

B. MSD Update

Doug Dearth provided the Metropolitan Sewerage District of Buncombe County report. He reviewed the fiscal year 2024-25 Budget at \$69.3 million, noting the operations and maintenance CIP improvement plan, personnel COLA increase for 2024-25.

Mr. Dearth explained the planned updates to the Weaverville pumping station costs and design. In response to Council member Cordell's question, Mr. Dearth reviewed the new pump station location and layout.

C. Water Commitment – Northridge Farms – Request to Modify Condition

Town Council approved the water commitment for the Northridge Farms Project conditioned on two connections to the Town's water system be provided: one at the end of Northridge Commons Parkway and one in Gill Branch Road near Monticello Road. The developer of the Northridge Farms Project has requested that the condition requiring the Gill Branch Road connection be eliminated. The Public Works Director, the Fire Chief, the Fire Marshal, and the developer have agreed to an acceptable alternative that would provide two parallel lines running down Northridge Commons Parkway. This alternate achieves the second source of water that the Public Works Director and Fire Department have deemed important for public safety within this dense residential development.

Council member Lawrence moved to approve the modification to the Northridge Farms water commitment. The motion was approved unanimously. 6-0.

D. Lead Service Line Find and Replace Program

Public Works Director Pennell reviewed the resolution to comply with the Environmental Protection Agency rules and regulations for the Town to undertake an inventory which includes detecting lead service line find and replace project. There is clear proof that lead lines cause cancer so the Town must provide an inventory of our system and address replacement. There are approximately 3,000 meters in town, and the Town

must identify the materials that were used on all of the service lines extending from each of those meters. Service lines that were constructed with lead must be replaced and there are grant funds available to assist with those projects. The grant application is due September 30, 2024. This resolution provides authority to apply for grant.

Vice Mayor Chase moved to approve resolution concerning the lead service line find and replacement project in the town of Weaverville. The motion was approved unanimously. 6-0.

E. Annexation and Zoning – 9 Pleasant Grove Road

Attorney Jackson provided the summary of the voluntary annexation and zoning request located at 9 Pleasant Grove Road. She explained that the applicant, Pleasant Grove of WNC LLC requested that action on the annexation be delayed and are now requesting that their annexation petition be amended to only include Tract 1 shown on the map. This is the area that the townhomes project is to be located and leaves some room on Tract 2 for some single family residential development. The proposed annexation ordinance includes an R-3 zoning designation. The public hearings were held on March 25th and the item is eligible for Town Council action.

In response to Vice Mayor Chase's question regarding the flood hazard zone area, Attorney Jackson stated that the area in question was graded and resulted in less area being in the floodplain.

In response to Mayor Fitzsimmons' inquiry regarding the R-3 zoning and vested rights, Attorney Jackson said the developer originally had vested rights from Buncombe County with the approval of a special use permit. The Planning Board reviewed the request and recommended R-3 zoning designation which supports the SUP from Buncombe County.

Council member Cordell moved to approve and adopt Annexation #2024-2, the Ordinance Extending the Corporate Limits of the Town of Weaverville to the property located at 9 Pleasant Grove Road. The motion was approved unanimously. 6-0.

F. Quarterly Report – Planning

Planning Director Eller reviewed the Planning Department quarterly report for April, May and June for the permits issued for residential, commercial, signs, and stormwater construction. The Board of Adjustment received a training session on variance standards and procedures.

G. Quarterly Report – Finance

Finance Director Dozier provided the final fiscal year 2023-2024 finance report. The financial statements are currently under audit. She highlighted the previous year's

comparison report for expenditures, Capitol Projects, Powell Bull funding, revenues and grants and this year's detail report. Interest rates yielded higher than expected rates for the resiliency project and are above budget.

10. Adjournment

There being no further business and without objection, Mayor Fitzsimmons adjourned the Town Council meeting at 8:00 p.m.

ATTEST:

Tamara Mercer, Town Clerk

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024

SUBJECT: Tax Settlement, Appointment of Tax Collector and Order of Collection for FY2024-2025 Taxes

PRESENTER: Tax Collector

ATTACHMENTS: FY2032-2024 Year-End Tax Settlement
Proposed Resolution and Order of Collection

DESCRIPTION/SUMMARY OF REQUEST:

Buncombe County has provided the attached combined FY2023-2024 tax settlement which shows a Weaverville collection rate of 99.91% and only \$3,844.06 left to be collected.

Town Council is asked to do the following to close out the FY23-24 tax year and begin collection of the FY24-25 taxes, a significant source of revenue for the Town:

- Approve the FY2023-2024 Tax Settlement
- Appoint a Town Tax Collector and set a bond amount
- Adopt the Order of Collection for FY2023-2024 property taxes

COUNCIL ACTION REQUESTED:

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



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 2024.

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 2024 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 2024 tax year authorizing the collection of the current fiscal year property taxes.



Weaverville

Fiscal Year 2024 Property Tax

Net Levy	Collected	Uncollected	Percent Collected
\$4,204,333.49	\$4,200,489.43	\$3,844.06	99.91%

Regular Levy Prior Year Collections in Fiscal Year 2024

Tax Year	Levy Due	Collected	Uncollected
2022	1,152.57	(328.69)	1,481.26
2021	2,366.58	(683.81)	3,050.39
2020	1,561.51	534.84	1,026.67
2019	5,336.77	-	5,336.77
2018	659.11	-	659.11
2017	60.44	-	60.44
2016	47.00	-	47.00
2015	32.34	-	32.34
2014	2,091.19	44.18	2,047.01
2013	569.20	-	569.20

Negative amounts for tax years 2022 and 2021 are due to value adjustments.

Regular Levy 2024 Prepaid Amount Collected: \$ 214.59

Write Offs Total (As of 07/10/2024)

2013 Regular Levy \$ 569.20

Write off total includes accrued interest.

**Fire Protection &
Ambulance and Rescue Service Districts
Fiscal Year 2024**

Fire Protection & Service District		Net Levy		Collected	Uncollected	Percent Collected		
Asheville Special	FAS	\$	113,433.37	\$	113,268.01	\$	165.36	99.85%
Asheville Suburban	FSB	\$	241,825.62	\$	241,813.52	\$	12.10	99.99%
Barnardsville	FBA	\$	1,018,155.63	\$	1,010,163.46	\$	7,992.17	99.22%
Broad River	FBR	\$	362,031.83	\$	360,782.39	\$	1,249.44	99.65%
East Buncombe	FEB	\$	1,042,583.12	\$	1,040,754.97	\$	1,828.15	99.82%
Enka-Candler	FEC	\$	3,989,397.10	\$	3,971,801.66	\$	17,595.44	99.56%
Fairview	FFA	\$	3,129,024.34	\$	3,122,417.82	\$	6,606.52	99.79%
French Broad	FFB	\$	825,724.62	\$	821,321.06	\$	4,403.56	99.47%
Garren Creek	FGC	\$	277,896.28	\$	277,384.32	\$	511.96	99.82%
Jupiter	FJU	\$	1,059,222.37	\$	1,055,938.66	\$	3,283.71	99.69%
Leicester	FLE	\$	1,521,435.97	\$	1,512,533.32	\$	8,902.65	99.41%
North Buncombe	FNB	\$	1,328,129.74	\$	1,325,112.68	\$	3,017.06	99.77%
Reems Creek/Beaverdam	FRC	\$	1,653,416.28	\$	1,651,951.16	\$	1,465.12	99.91%
Reynolds	FRE	\$	1,036,749.01	\$	1,035,293.24	\$	1,455.77	99.86%
Riceville	FRI	\$	1,572,766.92	\$	1,570,458.66	\$	2,308.26	99.85%
Skyland	FSK	\$	6,167,380.37	\$	6,160,939.79	\$	6,440.58	99.90%
Swannanoa	FSW	\$	1,751,650.09	\$	1,746,137.28	\$	5,512.81	99.69%
Upper Hominy	FUH	\$	1,020,845.67	\$	1,011,678.16	\$	9,167.51	99.10%
West Buncombe	FWB	\$	2,409,592.23	\$	2,396,706.68	\$	12,885.55	99.47%
Woodfin	FWO	\$	1,075,339.44	\$	1,072,368.32	\$	2,971.12	99.72%
TOTAL			\$ 31,596,600.00		\$ 31,498,825.16		\$ 97,774.84	99.69%

**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, the Weaverville Town Council wishes to approved the settlement for the taxes charged to the Tax Collector for collection for the 2023-2024 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, the Weaverville Town Council wishes to adopt an order of collection for the FY2024-2025 Weaverville property taxes;

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

- (1) That the Combined Tax Settlement for FY2023-2024 as presented by Buncombe County is hereby approved;
- (2) That Morgan Worley 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;
- (3) That the bond amount for the Weaverville Tax Collector is hereby set at \$100,000;
- (4) That the attached Order of Collection is hereby adopted.

THIS the 26th day of August, 2024.

TOWN OF WEAVERVILLE

By: _____
Patrick Fitzsimmons, Mayor

ATTESTED BY:

Tamara Mercer, Town Clerk

Pursuant to NCGS § 105-321, ORDER OF COLLECTION

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 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 _____, 2024

_____(Seal)
Patrick Fitzsimmons, Mayor
Town of Weaverville

Attest:

Tamara Mercer, Clerk
Town of Weaverville

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Monthly Tax Report, Refunds/Releases
PRESENTER: Tax Collector
ATTACHMENTS: Monthly Tax Report Summary
TR-401G Net Collections Report for July
RMV Refund/Release Report for July

DESCRIPTION/SUMMARY OF REQUEST:

Buncombe County has provided the monthly net collections report with data through the end of July 2024 and a request for tax releases/refunds.

A summary of the monthly tax report is provided and shows that **0.77% of the Town's property taxes have been collected as of the end of July** (which is very typical at this time of year since the tax bills were just mailed). This totals \$32,704 out of the \$4,250,873 total tax levy (real property, personal property, and business personal property). At the end of July 2024 there was \$4,218,169 left to collect of the 2024 property taxes.

The Motor Vehicle Levy Releases/Refunds report for July is attached.

Buncombe County Assessor's Office has requested approval of the following releases/refunds:

July 2024	Property Tax Levy Release/Refund	\$13.03
July 2024	Motor Vehicle Levy Release/Refund	\$43.97

COUNCIL ACTION REQUESTED:

The monthly report is provided for information only.

Town Council action to approval of the tax releases/refunds is requested. The following motion is suggested:

I move that Town Council approve the releases and refunds as requested.

**Town of Weaverville
MONTHLY TAX REPORT
FY 2024-2025**

Tax Year 2024

Summary for YTD July 2024:

Original Billed Amts	\$	4,247,686
Abs Adj (Adjustments by Assessor)		
Bill Releases	\$	(29)
Discovery Levy	\$	3,216
Additional Levy		
Net Levy	\$	4,250,873
Total Current Year Collections	\$	32,704
% Collected		0.77%
Total Left to be Collected:	\$	4,218,169
Prior Years Tax Paid	\$	1,094
Prior Years Interest Paid	\$	71

Date run: 8/6/2024 9:09:41 AM

TR-401G Net Collections Report

NCPTS V4

Data as of: 8/5/2024 11:31:31 PM

Report Parameters:

Date Sent to Finance Start: Min - July 1, 2024

Date Sent to Finance End: Max - July 31, 2024

Abstract Type: BUS,IND,PUB,REI,RMV

Tax District: WEAVERVILLE

Levy Type: Admin Expense, Advertisement Fee, Attorney Fee, Collection Fee 5, Collection Fee 9, Cost, Docketing Expense, EXPENSE, FEE INTEREST, Garnishment Fee, Interest, LATE LIST PENALTY, Legal Ad Expense, NSF Penalty, Postage Expense, Sheriff Service Fee, SPECIAL ASSESSMENT, STORMWATER, TAX, VEHICLE FEE,

WEAVERVILLE TAX

Tax Year: 2024, 2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016,

2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007,

2006, 2005, 2004

Year For: 2024, 2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016,

2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007,

2006, 2005, 2004, 2003

Collapse

Districts: N

Default Sort-By: Tax Year

Grouping: Tax District, Levy Type

Fiscal Year Activity from July 1, 2024 to July 31, 2024											Activity from July 1, 2024 to July 31, 2024				
Tax Year	Orig. Billed Amt (\$)	Abs. Adj (\$)	Bill Releases (\$)	Disc. Levy (\$)	Net Levy (\$)	Collection Fee Amt (\$)	% Coll.	Amt Collect. (\$)	Unpaid Balance (\$)	% Uncoll.	Amt Collect. (\$)	Abs. Adj (\$)	Bill Releases Assessor Refunds (\$)	Disc. Levy (\$)	Additional Lew (\$)
2023	0.00	0.00	0.00	0.00	0.00	0.00	6,520.36	0.00	0.00	0.00	67.94	0.00	0.00	0.00	0.00
2022	0.00	0.00	6,520.36	0.00	0.00	0.00	4,861.85	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2021	0.00	0.00	4,861.85	0.00	0.00	0.00	5,050.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2020	0.00	0.00	5,050.81	0.00	0.00	0.00	11,904.51	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2019	0.00	0.00	11,904.51	0.00	0.00	0.00	5,056.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2018	0.00	0.00	5,056.63	0.00	0.00	0.00	316.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2017	0.00	0.00	316.01	0.00	0.00	0.00	39.57	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2016	0.00	0.00	39.57	0.00	0.00	0.00	64.92	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2015	0.00	0.00	64.92	0.00	0.00	0.00	100.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

2014	0.00	0.00	100.08	0.00	0.00	0.00	0.00	NA	0.00	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00	47.72	0.00	NA	47.72	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	47.72	0.00	0.00	NA	0.00	NA	NA	0.00	0.00	0.00	0.00	0.00
2013	0.00	0.00	0.00	0.00	0.00	1,020.36	0.00	0.00	1,020.36	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	1,020.36	0.00	0.00	NA	0.00	NA	NA	0.00	0.00	0.00	0.00	0.00
2012	0.00	0.00	0.00	0.00	0.00	730.74	0.00	0.00	730.74	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	730.74	0.00	0.00	NA	0.00	NA	NA	0.00	0.00	0.00	0.00	0.00
2011	0.00	0.00	0.00	0.00	0.00	12.59	0.00	0.00	12.59	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	12.59	0.00	0.00	NA	0.00	NA	NA	0.00	0.00	0.00	0.00	0.00
Sub.	0.00	0.00	0.00	0.00	0.00	35,726.15	0.00	0.00	35,726.15	0.00	0.00	0.00	0.00	0.00
TAX DISTRICT: WEAVERVILLE LEVY TYPE: LATE LIST PENALTY														
2024	2,330.93	0.00	0.36	181.03	2,511.60	47.12	2,464.48	0.00	47.12	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	47.12	0.00	0.00	1.88 %	98.12 %	0.00	1.88 %	0.00	0.00	0.00	0.00	0.00
2023	9,154.90	55.02	0.36	36.73	9,216.60	9,133.74	82.86	2.98	9,133.74	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	9,133.74	80.35	0.00	99.10 %	0.90 %	0.00	99.10 %	0.00	0.00	0.00	0.00	0.00
2022	2,555.97	4.77	0.80	733.13	3,283.53	3,267.17	16.36	0.00	3,267.17	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	3,267.17	0.00	0.00	99.50 %	0.50 %	0.00	99.50 %	0.00	0.00	0.00	0.00	0.00
2021	1,320.31	65.20	0.54	3,159.35	4,413.92	4,392.09	21.83	0.00	4,392.09	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	4,392.09	0.00	0.00	99.51 %	0.49 %	0.00	99.51 %	0.00	0.00	0.00	0.00	0.00
2020	1,211.84	478.88	0.96	6,083.77	7,047.59	7,032.49	15.10	0.00	7,032.49	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	7,032.49	231.82	0.00	99.79 %	0.21 %	0.00	99.79 %	0.00	0.00	0.00	0.00	0.00
Sub.	16,573.95	603.87	3.02	10,194.01	26,473.24	23,872.61	2,600.63	2.98	23,872.61	0.00	0.00	0.00	0.00	0.00
		0.00	23,872.61	312.17	0.00	90.18 %	9.82 %		90.18 %					0.00
TAX DISTRICT: WEAVERVILLE LEVY TYPE: TAX														
2024	4,247,685.92	0.00	29.10	3,216.33	4,250,873.15	32,704.14	4,218,169.01	0.00	32,704.14	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	32,704.14	0.00	0.00	0.77 %	99.23 %	0.00	0.77 %	0.00	0.00	0.00	0.00	0.00
2023	4,196,765.41	2,948.95	60.16	8,428.28	4,204,333.44	4,201,583.39	2,750.05	1,093.96	4,201,583.39	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	4,201,583.39	2,148.86	0.00	99.93 %	0.07 %	0.00	99.93 %	0.00	0.00	0.00	0.00	0.00
2022	3,986,151.82	1,317.96	43.41	5,719.53	3,990,509.98	3,989,028.72	1,481.26	0.00	3,989,028.72	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	3,989,763.78	0.00	0.00	99.96 %	0.04 %	0.00	99.96 %	0.00	0.00	0.00	0.00	0.00
2021	3,717,652.88	6,296.91	36.26	14,153.16	3,728,407.71	3,725,357.32	3,050.39	0.00	3,725,357.32	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	3,726,083.89	2,934.84	0.00	99.92 %	0.08 %	0.00	99.92 %	0.00	0.00	0.00	0.00	0.00
2020	3,354,216.35	6,680.68	71.80	22,850.56	3,373,041.19	3,372,014.52	1,026.67	0.00	3,372,014.52	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	3,374,170.80	2,726.76	0.00	99.97 %	0.03 %	0.00	99.97 %	0.00	0.00	0.00	0.00	0.00
2013	73,342.49	0.00	1,623.13	0.00	71,719.36	71,719.36	0.00	0.00	71,719.36	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	71,719.36	0.00	0.00	100 %	0 %	0.00	100 %	0.00	0.00	0.00	0.00	0.00
2012	68,037.63	0.00	1,498.22	0.00	66,539.41	66,539.41	0.00	0.00	66,539.41	0.00	0.00	0.00	0.00	0.00

2011	82.56	0.00	66,539.41	0.00	0.00	100 %	0 %	0.00	0.00	0.00	0.00
		0.00	0.00	82.56	82.56	82.56 %	0.00 %	0.00	0.00	0.00	0.00
		0.00	82.56	0.00	0.00	100 %	0 %	0.00	0.00	0.00	0.00
Sub.	19,643,935.06	17,244.50	3,362.08	54,367.86	19,685,506.80	15,459,029.42	4,226,477.38	33,583.51	0.00	12.67	0.00
		3,617.91	15,462,647.33	7,810.46	0.00	78.53 %	21.47 %			0.00	0.00
TAX DISTRICT: WEAVERVILLE LEVY TYPE: WEAVERVILLE TAX											
2019	49,954.82	0.00	193.07	0.00	49,761.75	44,424.98	5,336.77	0.00	0.00	0.00	0.00
		0.00	44,424.98	0.00	0.00	89.28 %	10.72 %			0.00	0.00
2018	1,576.57	0.00	3.29	0.00	1,573.28	914.17	659.11	0.00	0.00	0.00	0.00
		0.00	914.17	0.00	0.00	58.11 %	41.89 %			0.00	0.00
2017	771.97	0.00	566.38	0.00	205.59	145.15	60.44	0.00	0.00	0.00	0.00
		0.00	145.15	0.00	0.00	70.60 %	29.40 %			0.00	0.00
2016	217.62	0.00	2.56	0.00	215.06	168.06	47.00	0.00	0.00	0.00	0.00
		0.00	168.06	0.00	0.00	78.15 %	21.85 %			0.00	0.00
2015	201.36	0.00	8.59	0.00	192.77	160.43	32.34	0.00	0.00	0.00	0.00
		0.00	160.43	0.00	0.00	83.22 %	16.78 %			0.00	0.00
2014	2,126.15	0.00	6.29	0.00	2,119.86	72.85	2,047.01	0.00	0.00	0.00	0.00
		0.00	72.85	0.00	0.00	3.44 %	96.56 %			0.00	0.00
2013	570.35	0.00	0.00	0.00	570.35	1.15	569.20	0.00	0.00	0.00	0.00
		0.00	1.15	0.00	0.00	0.20 %	99.80 %			0.00	0.00
	752.46	0.00	111.58	0.00	640.88	204.72	436.16	0.00	0.00	0.00	0.00
		0.00	204.72	0.00	0.00	31.94 %	68.06 %			0.00	0.00
Sub.	56,171.30	0.00	891.76	0.00	55,279.54	46,091.51	9,188.03	0.00	0.00	0.00	0.00
		0.00	46,091.51	0.00	0.00	83.38 %	16.62 %			0.00	0.00
Total	19,716,680.31	17,848.37	4,256.86	64,561.87	19,767,259.58	15,564,719.69	4,238,266.04	33,654.43	0.00	13.03	0.00
		3,617.91	15,568,337.60	8,122.63	0.00	78.56 %	21.44 %			0.00	0.00

Signature (Tax Collector) _____

District Refunds FY2024 July 2024 through June 2025

NCVTS Pending refund report Fiscal Year 2025

Jul-24

Tax Jurisdiction	District Type	Net Change
BUN	COUNTY	(\$10,499.57)
CAS	CITY	(\$3,459.89)
CBF	CITY	(\$5.14)
CBM	CITY	(\$59.82)
CMT	CITY	(\$78.03)
CWV	CITY	(\$43.97)
CWO	CITY	(\$342.87)
FEB	FIRE	(\$39.78)
FEC	FIRE	(\$280.74)
FFA	FIRE	(\$206.91)
FFB	FIRE	(\$18.30)
FJU	FIRE	(\$45.46)
FLE	FIRE	(\$52.10)
FNB	FIRE	(\$24.58)
FRC	FIRE	(\$251.39)
FRE	FIRE	(\$26.90)
FRI	FIRE	(\$37.29)
FSK	FIRE	(\$219.53)
FSW	FIRE	(\$37.75)
FUH	FIRE	(\$91.67)
FWB	FIRE	(\$194.69)
FWO	FIRE	(\$68.46)
SAS	SPECIAL	(\$812.71)
Total		(\$16,897.55)

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: August 26, 2024
Subject: Budget Amendment – Transfer for FY24
Presenter: Town Finance Director
Attachments: Budget Amendment Form

Description/Summary of Request:

Fiscal Year 2023-2024 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 final phase of the new Recreation Complex at the Community Center, **\$412,005.58** 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 2023-2024.

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>
010-004-320-09964	Transfer to Capital Project Fund - Recreation Complex (070)	\$412,005.58

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	\$412,005.58

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 2023-2024.*

_____ Authorized by Finance Officer	_____ Date
_____ Authorized by Town Manager	_____ Date
_____ Authorized by Town Council (if applicable)	_____ Date

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 26, 2024
Subject: Budget Amendment - Re-appropriations from FY24
Presenter: Town Finance Director
Attachments: Budget Amendment Form

Description:

The Fiscal Year 2023-2024 Budget contained several items that were received and/or budgeted in Fiscal Year 2023-2024 but need to carryforward to Fiscal Year 2024-2025. These amounts reverted to Fund Balance at 6/30/2024 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 2024-2025 Budget:

Police Department

ABC Law Enforcement: **\$7,939.95**; Alcohol Ed & Prevention: **\$25,322.58**; Cops for Kids: **\$793.13**; (All carryovers for unspent funds); Salaries & Wages: **\$52,082.65** (for SRO Reimbursement); Building Repair/Maintenance: **\$10,757.00** (for unfinished flood repairs); Small Equipment: **\$9,833.00** (for equipment ordered but not received by 6/30/24); Capital Improvements: **\$134,616.00** (for unfinished renovations)

Governing Body

Professional Services: **\$5,000.00** (for Diligent contract); Community Promotions: **\$6,000.00** (for Senior Dining Program)

Fire

Capital Equipment: **\$53,000.00** (for Rescue Equipment); Capital Improvements: **\$70,544.00** (Solar Project); Medical Vaccinations: **\$2,260.00** (for annual physical/vaccine program); Building Repair/Maintenance: **\$1,880.00** (for unfinished plumbing work)

Streets

Capital Improvements: **\$564,667.55** (for unfinished paving project); Powell Bill: **\$409,944.00** (for unfinished paving project)

Sanitation

Capital Equipment: **\$373,884.00** (for new garbage truck received after 6/30/24)

Stormwater Management

Capital Improvements: **\$136,000.00** (for Stormwater Program unspent funds)

Recreation

Supplies/Materials: **\$1,880.00** (for equipment ordered but not received by 6/30/24); Building Repair/Maintenance: **\$3,100.00** (for unfinished painting)

Water Production

Capital Equipment: **\$22,290.00** (for unfinished work on water pump)

Water Maintenance

Capital Improvements: **\$407,651.46** (for waterline replacement project carried forward);
Supplies/Materials: **\$18,503.71** (for materials ordered but not received by 6/30/24); Uniforms: **\$2,760.00** (for supplies ordered but not received by 6/30/2024)

Action Requested:

Town Manager recommends approval of the attached Budget Amendment.

Budget Amendment FY 2024-2025

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	52,082.65
010-430-431-26450	Police - ABC Law Enforcement	7,939.95
010-430-431-26400	Police - Alcohol Ed & Prevention	25,322.58
010-430-431-26608	Police - Cops for Kids	793.13
010-430-431-35100	Police - Building Repair/Maint	10,757.00
010-430-431-50100	Police - Small Equipment	9,833.00
010-430-431-50300	Police - Capital Improvements	134,616.00
040-430-434-50500	Fire - Capital Equipment	53,000.00
040-430-434-50300	Fire - Capital Improvements	70,544.00
040-430-434-26100	Fire - Medical Vaccinations	2,260.00
040-430-434-35100	Fire - Building Repair/Maint	1,880.00
010-410-411-19000	Gov Body - Professional Services	5,000.00
010-410-411-39510	Gov Body - Community Promotion	6,000.00
010-450-451-50300	Streets - Capital Improvements	564,667.55
010-450-459-50300	Powell Bill - Capital Improvements	409,944.00
010-470-471-50500	Sanitation - Capital Equipment	373,884.00
010-470-473-50300	Stormwater Mgmt - Capital Imp	136,000.00
010-600-614-26000	Recreation - Supplies/Materials	1,880.00
010-600-614-35100	Recreation - Bldg Repair/Maint	3,100.00
030-700-712-50500	Water Prod - Capital Equipment	22,290.00
030-700-713-50300	Water Maint - Capital Improv	407,651.46
030-700-713-26000	Water Maint - Supplies/Materials	18,503.71
030-700-713-26900	Water Maint - Uniforms	2,760.00

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)	1,741,819.86
030-004-310-09900	Appropriated Fund Bal (Water)	451,205.17
040-004-310-09901	Appropriated Fund Bal (Fire)	127,684.00

Justification: Please provide a brief justification for this budget amendment. *Reappropriations from FY24 Budget to FY25 Budget for: SRO Reimbursement from County; ABC Distribution carryover; Cops for Kids carryover; Unfinished building repairs & renovations in Police Dept.; Unused funds for capital equipment and solar project in Fire Dept.; Unused funds in Governing Body for Diligent software and Senior Dining Program; Unfinished paving project in Streets.; Equipment ordered but not received by year-end in Recreation, Sanitation, Stormwater Management, and Water Dept.*

Budget Amendment FY 2024-2025

Town of Weaverville

Authorized by Finance Officer

Date

Authorized by Town Manager

Date

Authorized by Town Council (if applicable)

Date

Budget Ordinance Section 12:

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

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Board Appointments
PRESENTER: Mayor Fitzsimmons
ATTACHMENTS: Proposed Rosters – ABC, Board of Adjustment, Planning
DESCRIPTION/SUMMARY OF REQUEST:

The Mayor recommends appointments and reappointments to the ABC Board, Board of Adjustment, and Planning Board as outlined below.

Town Council has previously expressed a desire that the ABC Board start transitioning its leadership so that long-serving Board Chairman Rob Chason can rotate off of this Board. With this in mind the Mayor recommends that Michael McNamee be appointed to serve the unexpired term ending September 2025 and that Chip Fuller be appointed to serve a new 3-year term expiring September 2027. The Mayor also recommends that Rob Chason be reappointed as Chairman of the ABC Board for another year.

The Board of Adjustment does not currently have any vacancies and the Mayor recommends that the two members with expiring terms, Cynthia Wright and Larry Murray, be reappointed for new 3-year terms. Both members have agreed to serve an additional term if reappointed by Town Council.

The Planning Board has reappointments and appointments related to a new regular seat vacancy created by a resignation of a regular member received in August. The Mayor recommends the following regarding appointments and reappointments to the Planning Board: (1) Mark Endries reappointment as a regular member; (2) Michael Sollazzo [current alternate member] appointment to fill regular seat vacancy; and (3) Jennifer Young appointment for a new term as an alternate.

COUNCIL ACTION REQUESTED:

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

Chip Fuller – appointment as a regular member of the ABC Board to serve an unexpired term ending September 2025

Michael McNamee – appointment as a regular member of the ABC Board to serve a new 3-year term ending September 2027

Robert Chason – reappointment as Chairman of the ABC Board for a one-year term

Mark Endries – reappointment as a regular member of the Planning Board to serve a new 3-year term ending September 2027

Michael Sollazzo - appointment as a regular member of the Planning Board to serve an unexpired term ending September 2025

Jennifer Young - appointment as an alternate member of the Planning Board to serve a new 3-year term ending September 2027

Cynthia Wright and Larry Murray – reappointment as regular members of the Board of Adjustment to serve new 3-year terms ending September 2027

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				
NAME AND POSITION	CONTACT INFORMATION	FIRST APPT	DATE OF APPT	TERM (3 YEARS)
Robert Chason Chairman	Scenic Mountain Drive Weaverville, NC 28787	2011	August 2023	September 2023 – 2026
Michael McNamee	Highlander Road Asheville, NC 28804	2024	September 2024	September 2024 - 2025
Chip Fuller	Longstreet Court Weaverville, NC 28787	2024	September 2024	September 2024 - 2027
Jennifer Jackson Board Attorney	828-442-1858 (cell) jj1719@gmail.com			

WEAVERVILLE BOARD OF ADJUSTMENT				
Regularly meets 2 nd Monday of the month at 6:00 pm (subject to cancellation) in Community Room/Council Chambers at Town Hall				
NAME AND POSITION	CONTACT INFORMATION	FIRST APPT	DATE OF APPT	TERM (3 YEARS)
John "Tyger" Lewis Chairman	South College Street	2017	August 2023	September 2023 - 2026
Cynthia Wright Vice-Chairman	Hillcrest Drive	2014	August 2024	September 2024 - 2027
Paul Clauhs Regular Member	Hamburg Drive	2011	September 2022	September 2022 - 2025
Roger Parkin Regular Member	Church Street	2017	August 2023	September 2023 - 2026
Larry Murray Regular Member	Alexander Road	2021	August 2024	September 2024 - 2027
Paul DeCrosta Alternate Member	Lofton Street	2023	December 2023	Dec 2023 - Sept 2026
Brent Koenig Alternate Member	Coleman Street	2022	October 2022	October 2022 - Sept 2025
James Eller, Zoning Administrator	828-484-7002 jeller@weavervillenc.org			
Tamara Mercer Town Clerk/BOA Sec.	828-484-7003 tmercerc@weavervillenc.org			

WEAVERVILLE PLANNING BOARD				
Regularly meets 1 st Tuesday of the month at 6 pm in Community Room/Council Chambers at Town Hall				
NAME AND POSITION	CONTACT INFORMATION	FIRST APPT	DATE OF APPT	TERM (3 YEARS)
Jane Kelley Regular Member <i>Chair</i>	Moore Street	2021	August 2023	September 2023 – 2026
Mark Endries Regular Member <i>Vice Chair</i>	Grove Street	2021	August 2024	September 2024 - 2027
Donna Mann Belt Regular Member	Highland Street	2021	August 2023	September 2023 – 2026
Michelle Rippon Regular Member	Holston View Drive	2023	June 2024	June 2024 – 2025
Michael Sollazzo Regular Member	South Main Street	2024	August 2024	September 2024 – 2025
Jonathan Brown Alternate Member	North Main Street	2024	June 2024	June 2024 – 2025
Jennifer Young Alternate Member	South Main Street	2024	August 2024	September 2024 - 2027
James Eller Town Planner	828-484-7002 (direct line) jeller@weavervillenc.org			
Tamara Mercer Clerk/Bd Sec.	828-484-7003 (direct line) tmercerc@weavervillenc.org			

Last updated August 2024

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Waterline Acceptance and Authorization for Staff Level Approval – Chapel Crossing – 601 Clarks Chapel Road
PRESENTER: Public Works Director
ATTACHMENTS: Easement Plat

DESCRIPTION/SUMMARY OF REQUEST:

Alarka Properties LLC is the owner/developer of a 13-lot single family residential subdivision located near 601 Clarks Chapel Road which is now known as Chapel Crossing. The waterlines within Chapel Crossing have now been completed and the Town has been asked to accept the lines into the Town’s public water system. The plat that is attached shows the 6-inch waterline that was constructed and the 20 foot wide easement.

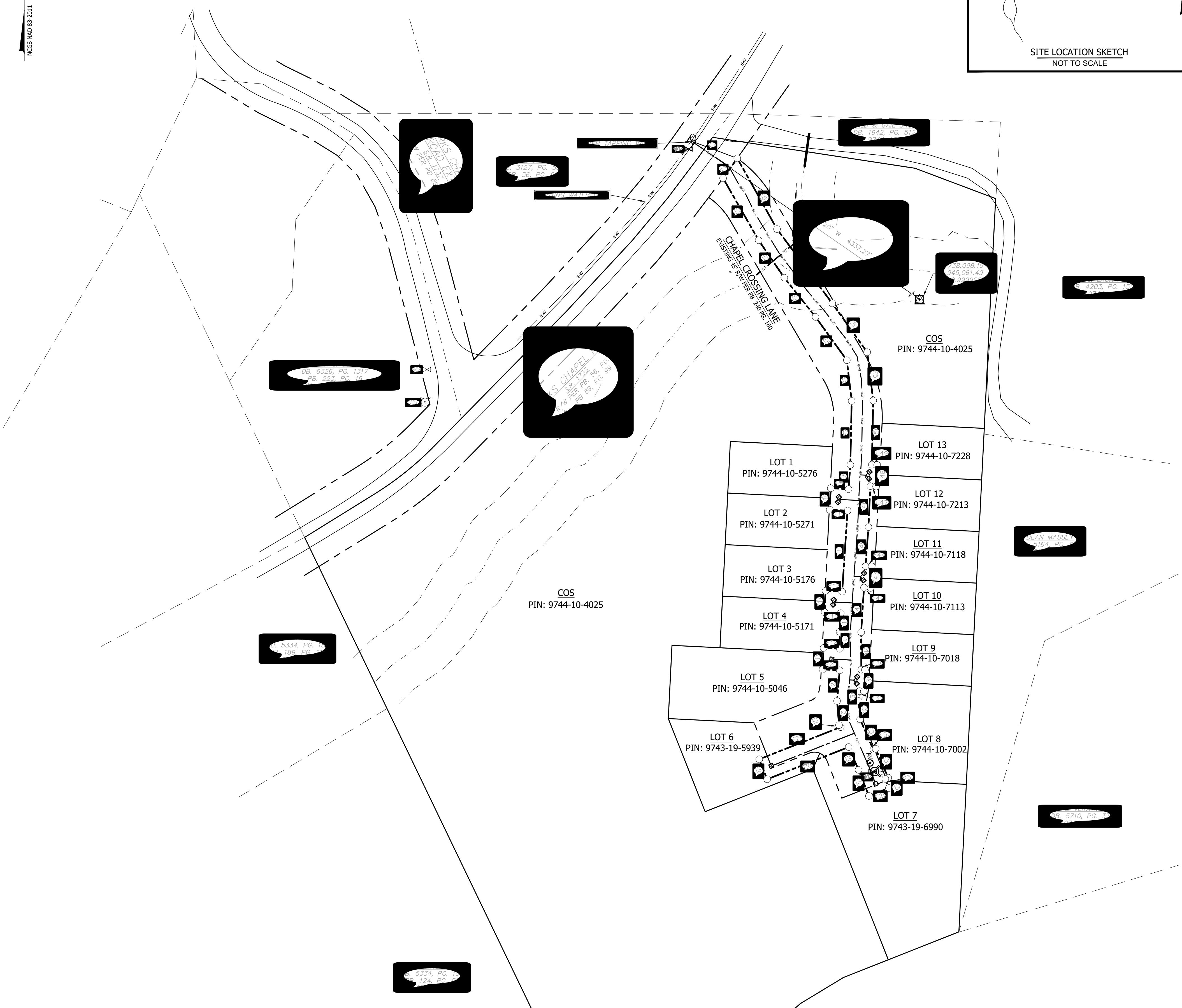
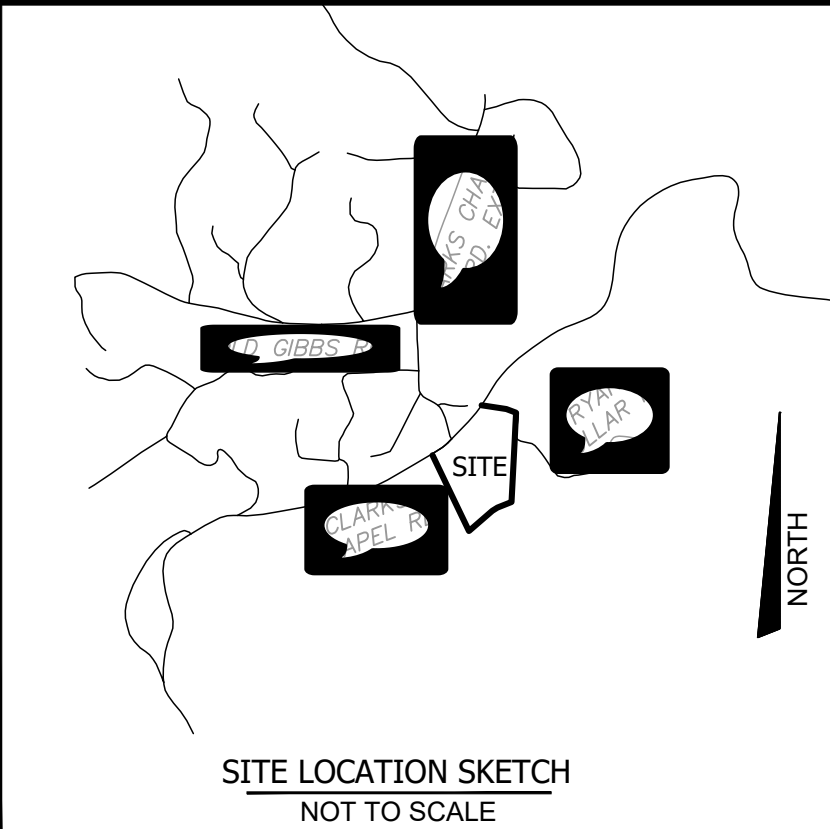
The Public Works Director is requesting that Town Council accept the waterline extension and related improvements into the Town’s water system subject to staff level approval by the Public Works Director, Town Manager and Town Attorney. The Public Works Director also urges Town Council to set a waterline repair guaranty at \$5,000.00 to cover any defects that might be discovered within three years of our acceptance. Upon approval the Town Attorney will be working with the owner to get the necessary easement documents in place.

ACTION REQUESTED:

Council action to (1) accept the waterline extension and related improvements into the Town’s water system subject to staff level approval by the Town Manager, Town Attorney and Public Works Director, and (2) set the repair guaranty amount at \$5,000.00. The following is suggested as a motion:

I move that we accept the waterline extension and related improvements for Chapel Crossing into the Town’s water system subject to staff level approval by the Town Manager, Town Attorney and Public Works Director, and to set the repair guaranty amount at \$5,000.00.

NCSS NAD 83-2011



GLOBAL POSITIONING SYSTEM CERTIFICATION (NC VRS-RTK)

I, Troy A. Shriver, certify that this map was drawn under my supervision from an actual GPS survey made under my supervision and the following information was used to perform the survey:

1. Class of Survey: Class A Survey
2. Positional Accuracy (95% Confidence): 0.03' Horizontal
0.06' Vertical
3. Type of GPS Field Procedure: NC VRS-RTK Network Solutions
Using Carlson BRX-5 System
4. Date of Observations: 11-2-21
5. Datum/Epoch: NAD83/Epoch 2011

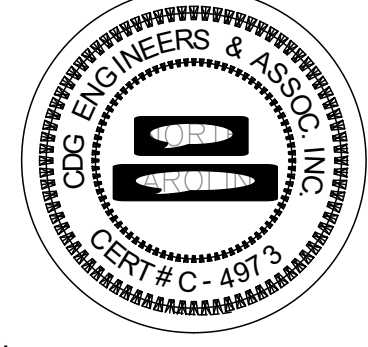
I, Troy A. Shriver, Professional Land Surveyor certify to one or more of the following as indicated (G.S. 47-30(f)(11)):

- C. Any one of the following:
 4. That the survey is of a proposed easement for a public utility as defined in G.S. 62-3.

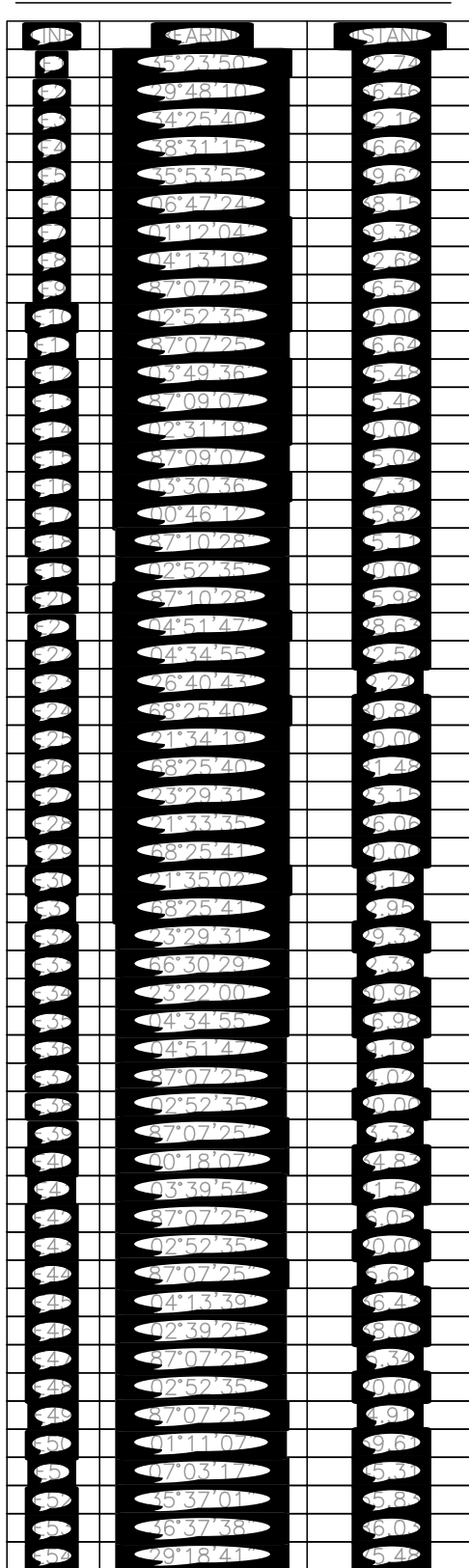
I, Troy A. Shriver, certify that this plat was drawn by me from an actual survey made under my supervision (deed description recorded in Deed Book 6195, Page 1177); that the boundaries not surveyed are clearly indicated as drawn from information found in Plat Book 240, Page 160; that the ratio of precision as calculated is 1:10000; that this plat was prepared in accordance with G.S. 47-30 as amended.

Witness my hand and seal this date of _____

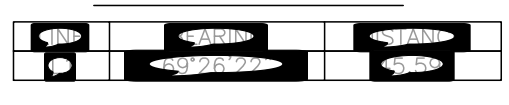
Signature _____
Professional Land Surveyor
Certificate Number L-5063



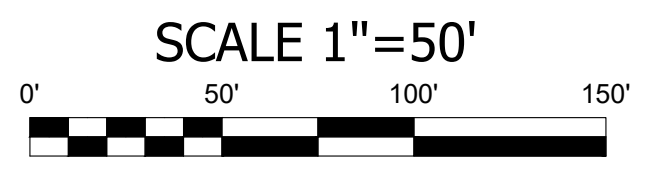
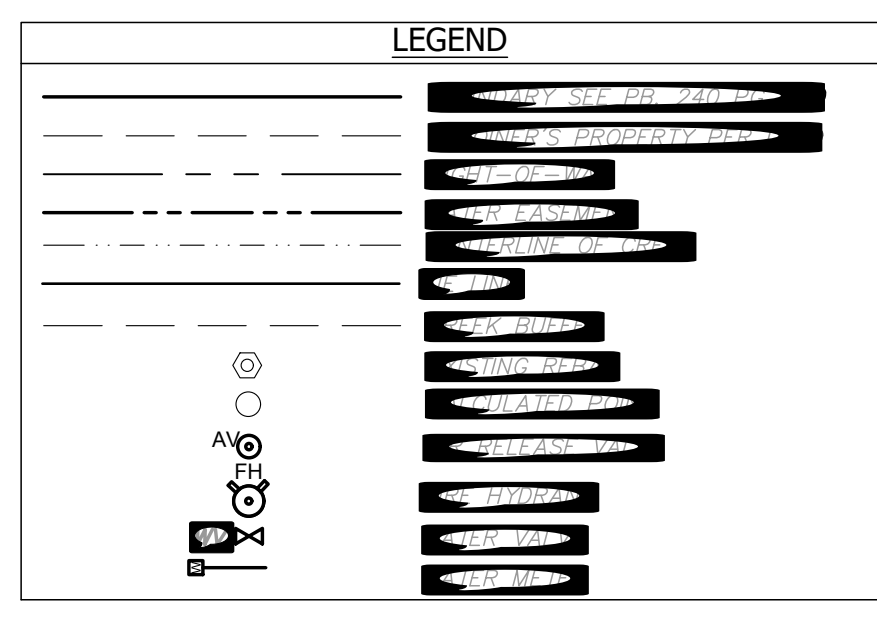
EASEMENT LINE CHART



TIE LINE CHART



- PLAT NOTES:**
1. The bearings on this plat are NC Grid (NAD 83) bearings, and distances shown are horizontal ground distances unless otherwise noted.
 2. Total area of easement: 0.362 Acres or 15,767 square feet (determined by coordinate computation method).
 3. The purpose of this plat is to create an easement for water services to the Clarks Chapel Subdivision
 4. Buncombe County Zoning: Open Use.
 5. By graphic determination, the Subject Parcels are located in "Zone X" per FIRM map number 3700974400J and 3700974300J dated January 6, 2010.
 6. Buncombe County GIS was used to determine adjoining owner information.
 7. Underground utilities were not marked at the time of the survey. The surveyor assumes no responsibility for the accuracy of these marks.
 8. Above ground utilities are located based on visible, above ground structures.
 9. Property subject to all easements, rights-of-way and restrictions of record.
 10. This plat was prepared without the benefit of a title report which may reveal additional conveyances, easements, rights-of-way or building restrictions. A North Carolina licensed attorney-at-law should be consulted.



PROJECT#: 564222

**Water Easement Plat:
CHAPEL CROSSING SUBDIVISION
SUB2022-00431**

Owner of Record: Alarka Properties, LLC (all lots)
Deed Book 6195 Page 1177
Plat Book 240, Page 160
Tax PIN: As Shown
Flat Creek Township Buncombe County, NC
August 16, 2024 Scale: 1" = 50'

Rev No.	Description	Date
1	Initial submittal for review	7-16-24
2	Revised Per Comments	8-16-24



**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Road Closure Ordinances – Art in Autumn, North Buncombe High School Homecoming Parade, and Holiday Parade
PRESENTER: Acting Town Manager Harris
ATTACHMENTS: Proposed Road Closure Ordinances

DESCRIPTION/SUMMARY OF REQUEST:

Road closure ordinances are needed for the following events:

- Weaverville Business Association’s Art in Autumn event – September 21
- North Buncombe High School’s Homecoming Parade – September 27
- Weaverville’s Holiday Parade – December 7

All of these closures have been submitted to NCDOT for approval and the September events have already been approved. If NCDOT requests a modification of the road closure ordinance for the Holiday Parade staff will bring the matter back for Town Council approval of the revisions.

The Acting Town Manager recommends that these road closure ordinances be adopted so that these events can proceed as scheduled.

COUNCIL ACTION REQUESTED:

Suggested motion:

I move the adoption of the road closure ordinances for Art in Autumn, North Buncombe Homecoming Parade, and the Weaverville Holiday Parade as presented

TOWN OF WEAVERVILLE
AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE
WEAVERVILLE ART IN AUTUMN FESTIVAL

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of supporting the annual Weaverville Art in Autumn Festival, that benefits the Weaverville and the North Buncombe community; and

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of providing the Weaverville Art in Autumn Festival for the pleasure of its citizens; and

WHEREAS, the Town Council of Weaverville acknowledges the Weaverville Art in Autumn requires approximately two (2) hours to install signage, and also requires approximately one (1) 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.

NOW, 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:

Event:	Weaverville Art in Autumn
Date:	September 21, 2024
Time:	5:00 am until 10:00 pm
Road Closure:	The portion of Main Street between Church Street and Brown Street will be closed to vehicular traffic and all traffic safely detoured around this area

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

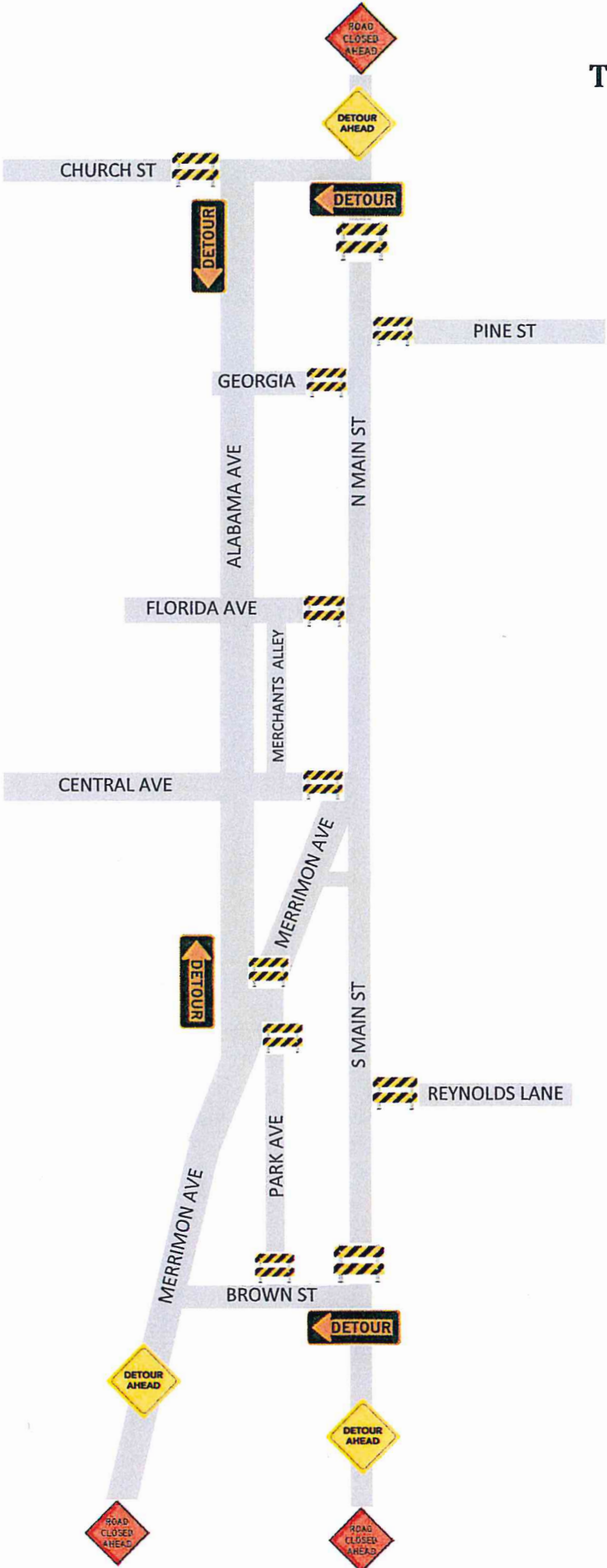
Adopted this 26th day of August, 2024

Patrick Fitsimmons, Mayor

Attest:

Tamara Mercer, Town Clerk

TOWN OF WEAVERVILLE NORTH CAROLINA



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 27, 2024

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.

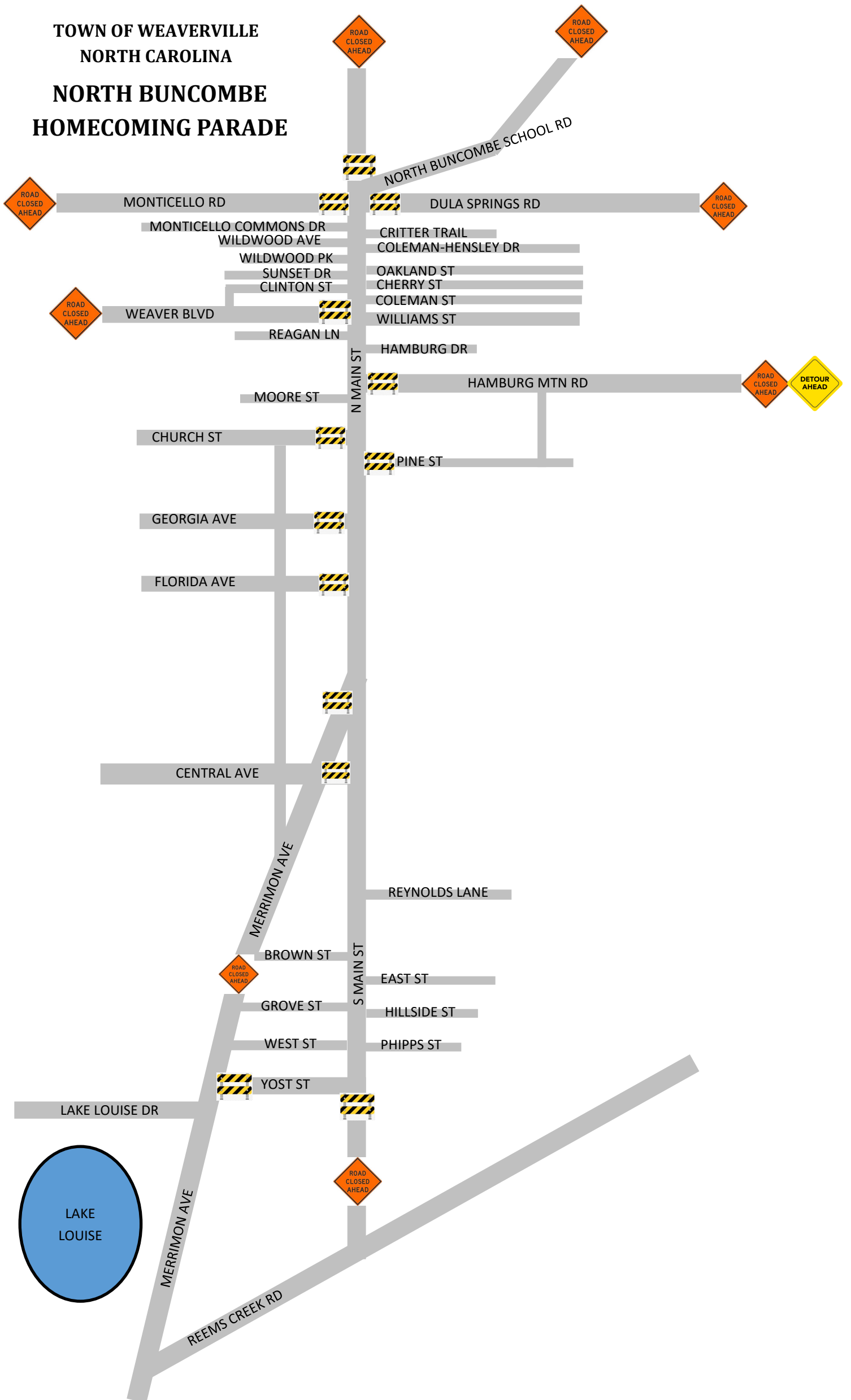
Adopted this 26th day of August, 2024

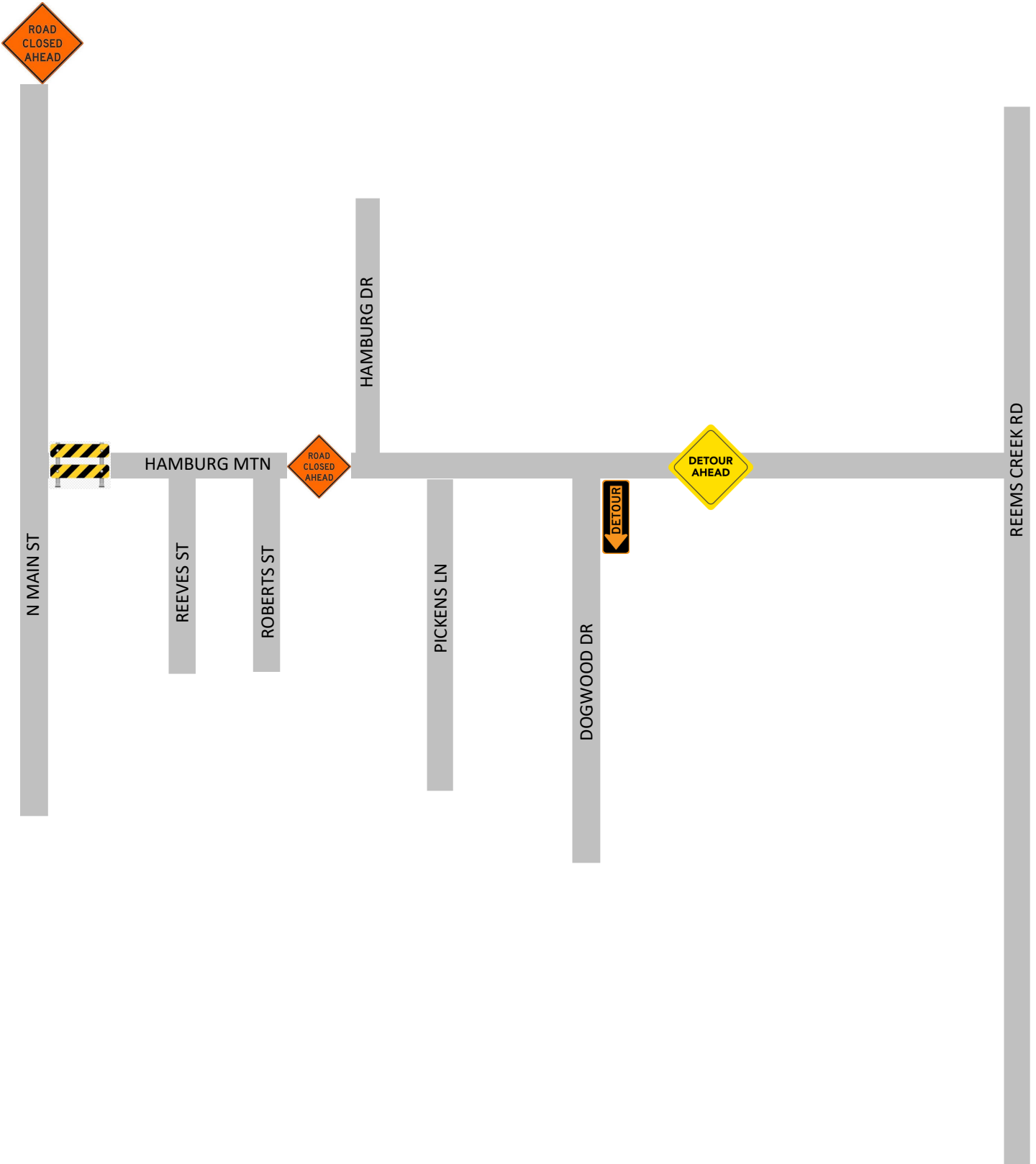
Patrick Fitzsimmons, Mayor

Attest:

Town Clerk

**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 7, 2024
Begin time: 11:00 am
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.

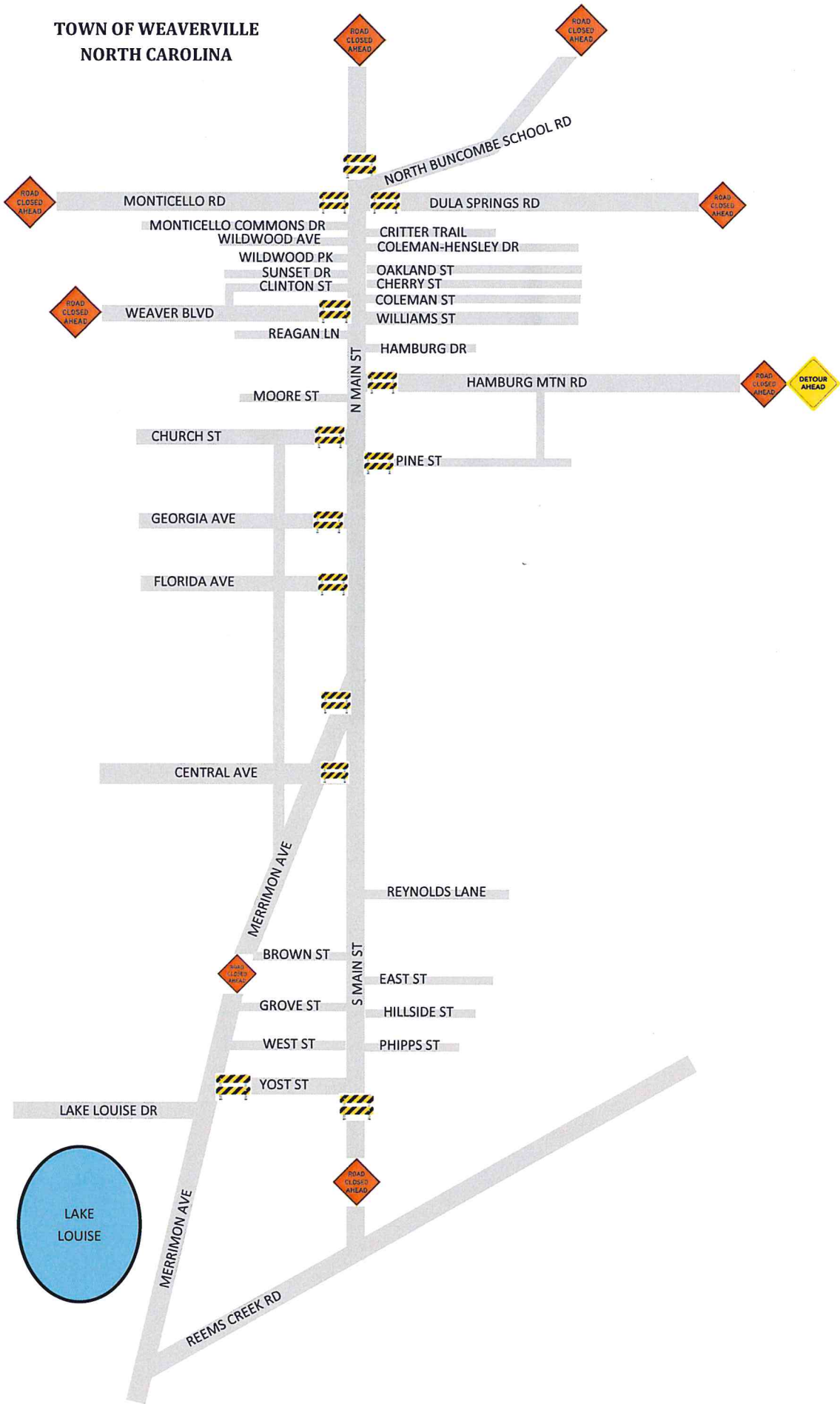
This ordinance is adopted this the ____ day of _____, 2024, and is to become effective when signs are erected giving notice of the road closures and detour routes and the implementation of adequate traffic control.

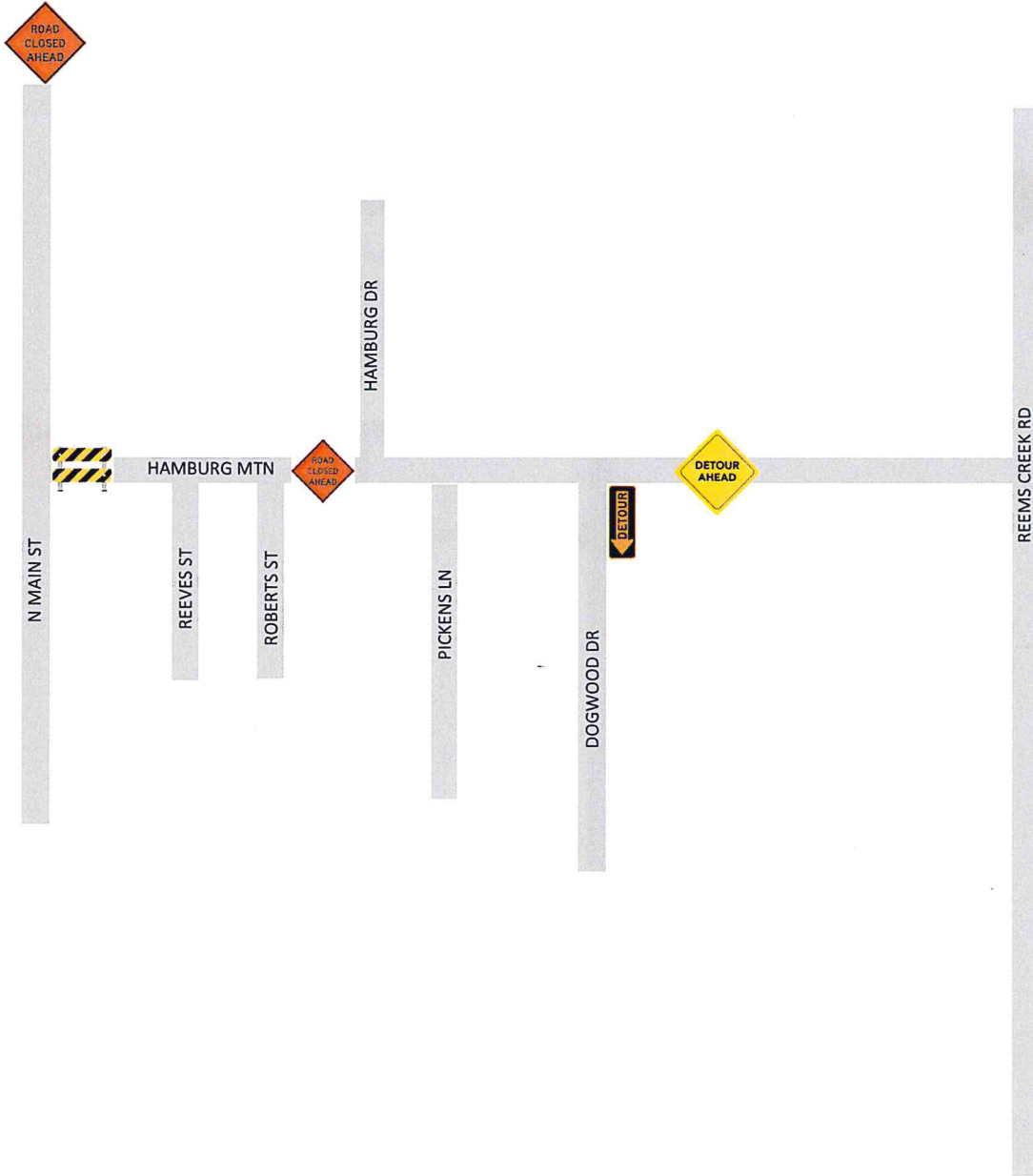
Patrick Fitzsimmons, Mayor

Attest:

Tamera Mercer, Town Clerk

**TOWN OF WEAVERVILLE
NORTH CAROLINA**





**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024

SUBJECT: Weaverville Tailgate Market Memorandum of Understanding – Amendments and Renewal

PRESENTER: Recreation Coordinator Sarah Myers

ATTACHMENTS: Amended and Restated Memorandum of Understanding

DESCRIPTION/SUMMARY OF REQUEST:

The Weaverville Tailgate Market has requested a few minor changes to their use of the Community Center and the renewal of the Memorandum of Understanding (MOU) for 2025.

The Acting Town Manager and Recreation Coordinator/Community Center Manager are in agreement with the modifications and recommend that the attached amended and restated MOU be approved by Town Council. The Town Attorney was involved in the drafting of the revised MOU and also supports its adoption.

COUNCIL ACTION REQUESTED:

Town Council approval is requested. A proposed motion is as follows:

I move that we approve the Amended and Restated Memorandum of Understanding Between the Town of Weaverville and the Weaverville Tailgate Market.

**AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF WEAVERVILLE AND
THE WEAVERVILLE TAILGATE MARKET**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into by and between the Town of Weaverville and the Weaverville Tailgate Market (collectively referred to as the Parties);

WHEREAS, the Town of Weaverville (hereinafter the “Town”) is a municipal corporation organized and existing under the laws of the State of North Carolina; and

WHEREAS, the Weaverville Tailgate Market (hereinafter “Tailgate Market”), is a non-profit corporation organized and existing under the laws of the State of North Carolina, and hosts tailgate and craft markets for local and regional vendors within the Weaverville area; and

WHEREAS, the Town owns and operates the Weaverville Community Center on Dottie Sherrill Knoll, located at 60 Lakeshore Drive, Weaverville, North Carolina (the “Community Center”);

WHEREAS, the Tailgate Market wishes to formalize a relationship between the Town and the Tailgate Market in order to provide for a regular schedule of market offerings at the Community Center;

NOW, THEREFORE, in consideration of the mutual covenants, promises and commitments herein, the Parties agree as follows:

SECTION 1. PURPOSE. The purpose of this MOU is to establish a general framework for cooperation and collaboration between the Town and the Tailgate Market. This MOU is non-binding but will assist in defining the relationship between the Parties in order to ensure that the goals of each are accomplished in a mutually supportive way.

SECTION 2. GUIDING PRINCIPLES AND ASSUMPTIONS.

- The Town wishes to support the agricultural community within the Town and surrounding areas by providing space for a regular schedule of tailgate market events.
- The Tailgate Market is an independent corporate entity and is not legally or financially affiliated with the Town. The Tailgate Market coordinates market events which offer the sale of agricultural products and/or craft and artisan products.
- Town Council is authorized to set fees on the use of its facilities and waive those fees as deemed appropriate and to partner with a non-profit corporate entity for the provisions of certain opportunities and programming.
- The Town may provide programming for certain holidays and special events and the Tailgate Market regular schedule is subject to cancellation for such events.
- The Community Center is an approved polling site and is subject to use by the Buncombe County Board of Elections for early voting and election day voting. **The Board of Elections use preempts all other Town or Tailgate Market events and will result in the cancellation of Tailgate Market events during early voting and election day voting.**

SECTION 3. TAILGATE MARKET ACTIVITIES AND OBLIGATIONS.

The Tailgate Market agrees to generally provide, on a weekly basis, market events available to the general public at the Community Center with said events being focused on the sale of local and regional agricultural products and/or craft and artisan products. Subject to availability, the market events are to be generally held as follows:

A. OPERATIONAL REQUIREMENTS AND LIMITATIONS.

- 1) The Winter Market shall be from January through March;
- 2) The Regular Market shall be from April through October;
- 3) The Holiday Market shall be from November through December;
- 4) All markets are on Wednesdays from 12 pm to 7 pm (includes set up and breakdown);
- 5) All markets include use of the Albert Weaver Room, Multipurpose Room (including tables and chairs reserved for use in the Multipurpose Room), restrooms, and patio;
- 6) The Winter and Holiday Markets include up to eight (8) parking spaces in the lower non-brick parking area in the Community Center parking lot (designated parking spaces), and the Regular Markets include the entire lower non-brick parking area in the Community Center parking lot;
- 7) All markets include a maximum of 20 inside vendors in the Albert Weaver Room and up to 10 inside vendors in the Multipurpose Room;
- 8) The Regular Market includes a maximum of 15 outside vendors arranged in the lower non-brick parking area;
- 9) Except as expressly stated herein, usage does not include Town tables or chairs, the fireplace, or kitchen:
 - i. All markets are allowed the use of the kitchen sink once per month to wash vegetables, provided that the Tailgate Market must leave the kitchen in a clean and orderly condition after such usage;
 - ii. All markets are allowed the use of electrical outlets located in the kitchen once per month to provide electricity to small appliances, provided that all Fire Code provisions and directions of the Fire Marshal must be adhered to;
 - iii. The Tailgate Market is allowed full use of the kitchen up to four (4) times per year for special events, provided that the Tailgate Market must leave the kitchen in a clean and orderly condition after such usage; and
 - iv. The Tailgate Market is allowed the use of Town tables and chairs up to twice per year, provided that the Tailgate Market is solely responsible for setting up and storing the tables and chairs properly after use.
- 10) All vendors must use adequate floor protection for their tables, chairs, and signage, such that the floor is protected from cuts, scratches, marring, and scuffing;
- 11) Access to the Town's guest Wi-Fi will be granted, if available;
- 12) Vendors are allowed to unload and load in the Community Center parking lot but must move their vehicles to any available designated parking spaces or the lower Lake Louise parking lot during the market;

- 13) Plants and other items that tend to be messy are not permitted indoors;
 - 14) Market activities must not impede reasonable pedestrian and vehicular access to the Community Center;
 - 15) Food sampling is allowed, subject to prompt cleanup of spills;
 - 16) Food trucks are allowed within the designated parking spaces in effect for each market but must abide by all applicable rules and regulations established by this MOU;
 - 17) Tents and canopies must be properly weighted on all legs to avoid risk of damage and/or injury in a wind event;
 - 18) Vendors must stay off of the sidewalks, grass, and mulched areas;
 - 19) Long electrical extension cords are not allowed so that electrical and trip hazards are minimized.
- B. **SECURITY DEPOSIT.** The Tailgate Market agrees to submit a \$200.00 standing security deposit for the regular use of the Community Center and its grounds. The security deposit shall be applied towards any damage to the facility due to the Tailgate Market use of the facility and property but does not provide a cap for such charges.
- C. **CLEANING FEES.** In lieu of facility use fees the Tailgate Market agrees to provide \$110.00 per week for the Winter Markets and Holiday Markets and \$110.00 per week for the Regular Markets, to cover cleaning fees. Fees are subject to change to account for any adjustments in pricing from the cleaning company under contract with the Town. Cleaning shall cover the general cleaning of the Albert Weaver Room, if applicable, restrooms, and parking lot areas, if applicable. The Tailgate Market shall be responsible for returning patio furniture to its original positions and sweeping the patio (if used) and disposing of trash and recyclables by utilizing the trash and recyclable receptacles provided at the Community Center. Cleaning shall be scheduled and coordinated by the Town's Recreation Coordinator.
- The Tailgate Market shall not be charged any cleaning fees for Market events that are cancelled due to weather, facility issues (including power outages), election activities, or Town-provided programming.
- D. **SIGNAGE.** Signage for the Tailgate Market may only be placed on the Community Center property on the days that a market is to be held and is limited to two A-frame type signs and not more than 10 small ground signs on the Community Center property. Signs may be placed in the grassy and mulched areas as long as plantings are not disturbed. Signs not removed by the Tailgate Market will be collected by Town staff with a fee of \$20.00 being charged for removal and storage.
- E. **ADDITIONAL REQUIREMENTS OF VENDORS.** The Tailgate Market agrees to require all individuals or organizations operating under it to:
- 1) Comply with all law, rules and regulations governing the Community Center and its operations;
 - 2) Comply with the non-discrimination provisions of this MOU;
 - 3) Coordinate any scheduling changes with the Recreation Coordinator;
 - 4) Make all reasonable efforts to ensure the security of the facilities and property and the safety of the event participants and attendees;

- 5) Be responsible for setting up and breaking down the room or property that is to be used for each event;
- 6) Ensure that the facilities and property are left clean and in good condition for the next program, with the understanding that basic cleaning will be provided for the Albert Weaver Room and the restrooms after each market;
- 7) Offer entry free of charge to the public.

F. **INSURANCE.** The Tailgate Market agrees to maintain, at its expense, comprehensive liability insurance through an A-rated company recognized by the State of North Carolina and must have a combined single limit for bodily injury and property damage of not less than \$1,000,000, insuring the Tailgate Market against all claims, demands, and causes of action for injuries received or damages to property in connection with the use of the Community Center. The Tailgate Market agrees to add the Town as an additional insured on its policy and to provide the Town with a copy of said insurance policy annually and upon request.

SECTION 4. TOWN OBLIGATIONS.

The Town agrees to generally reserve the Community Center for Tailgate Market events as described above, subject to periodic cancellation due to facility issues and facility availability. The Town agrees to waive any and all rental fees associated with regularly scheduled Tailgate Market events.

SECTION 5. COMPLIANCE WITH APPLICABLE LAW AND NON-DISCRIMINATION.

The Tailgate Market shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force, or which hereafter are in force, pertaining to the Community Center and its use.

The Town of Weaverville opposes discrimination on the grounds of race, religion, religious beliefs or non-beliefs, color, national origin, ethnicity, limited English proficiency, income-level, sex, sexual orientation, gender identity or expression, age, or disability, and urges all of its contractors to adopt non-discrimination policies and practices, and to provide a fair opportunity for all individuals, including those individuals historically excluded and under-represented, to participate in their work forces and as subcontractors and vendors under Town contracts. The Tailgate Market agrees to honor these non-discrimination practices and not discriminate on any of the above-stated bases in the programs, services, and activities that it provides under this MOU.

SECTION 6. NOTICES. Any notice to either party hereunder must be in writing signed by the party giving it, and shall be deemed given when mailed postage prepaid by the US Postal Service first class, certified, or express mail, or other overnight mail service, or hand-delivered, when addressed as follows:

TO THE TOWN: Town Manager
30 South Main Street
Weaverville, NC, 28787

TO THE TAILGATE MARKET: Weaverville Tailgate Market
777 Petersburg Road
Marshall, NC 28753

SECTION 7. TERM, TERMINATION, AND AMENDMENT.

The term of this MOU begins upon full approval of this Amended and Restated MOU and will expire on December 31, 2025, but may be extended by mutual agreement of the parties.

The MOU shall immediately terminate in the event that the Tailgate Market dissolves or loses its non-profit tax-exempt status. If the Tailgate Market defaults in the performance of any obligation of condition stated herein, the Town may give notice to the Tailgate Market of such default and if the Tailgate Market does not cure any such default within 30 days after giving such notice then the Town may terminate this MOU on not less than 30 days' notice to Tailgate Market. This MOU can be terminated by either party upon six (6) months advanced written notice.

This MOU may be amended in writing signed by the authorized representative of both Parties.

APPROVED BY the Town of Weaverville on the ___ day of _____, 2024.

APPROVED BY the Weaverville Tailgate Market on the ____ day of _____, 2024.

TOWN OF WEAVERVILLE

WEAVERVILLE TAILGATE MARKET

By: Patrick Fitzsimmons, Mayor

By: Lori Jenkins, President

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Title VI Civil Rights Compliance Policy – Annual Report
PRESENTER: Title VI/Civil Rights Coordinator
ATTACHMENTS: None

DESCRIPTION/SUMMARY OF REQUEST:

In 2020 Town Council adopted a Title VI Civil Rights Compliance Policy that states:

The Town of Weaverville operates its programs, activities, and services, without regard to race, color, national origin, sex, age, disability, or income level, in accordance with Title VI of the Civil Rights Act of 1964 and related statutes. The Town assures every effort will be made to ensure that no person in the Town will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that it administers, whether those programs, activities and services are federally funded or not.

Jennifer Jackson was appointed to serve as the Title VI/Civil Rights Coordinator and as part of her responsibilities she provides a report to the Town Manager and Town Council on this program on an annual basis.

Jackson reports that she has met with the Town Manager and several Department Heads individually to review hiring protocols and procedures and discuss ways in which the Town can increase the diversity within its workforce. This topic has also been discussed during several Leadership Team meetings with some focus on recognition of cultural differences within the workforce.

No civil rights complaints or grievances were received over the last year and Jackson notes that she is unaware of any areas of Title VI noncompliance. There are no recommended program changes at this time.

COUNCIL ACTION REQUESTED:

In the coming months Town Council will need to appoint a new Title VI/Civil Rights Coordinator, but no action is requested at tonight’s meeting.

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Legal Services Agreement – Interim Town Attorney
PRESENTER: Town Attorney
ATTACHMENTS: Letter dated 15 August 2024

DESCRIPTION/SUMMARY OF REQUEST:

Consistent with previous Town Council action and direction, Town Attorney Jackson is transitioning her legal services to an interim legal services contract. Her last day as a Town employee was August 16 and all work that she performs after that date will be billed on an hourly basis. The Mayor and Acting Town Manager put this agreement in place on August 15 so that there would be no lapse in legal services pending the selection and appointment of a new town attorney.

Town Council is now asked to ratify the agreement.

ACTION REQUESTED:

Council action to ratify the legal services agreement as requested. The following motion is suggested:

I move that we ratify the legal services agreement as outlined in the 15 August 2024 letter.

Jennifer O. Jackson
Local Government Attorney

46 Sulphur Springs Road
Asheville, NC 28806

jjackson@weavervillenc.org

828-442-1858

August 15, 2024

Mayor Patrick Fitzsimmons
Acting Town Manager Scottie Harris

Re: Interim Town Attorney – Legal Services Agreement

Dear Patrick and Scottie:

You have both asked that I continue to provide legal services until such time as Town Council has selected and appointed a new town attorney. I am willing to do so but feel it is important to transition to an independent contractor, an arrangement that the Town has used in past years.

This letter serves as confirmation of my continued appointment as the Town Attorney during this interim period and describes the nature and terms of the engagement and representation.

I will continue to provide general legal services to the Town of Weaverville at the direction of Town Council, the Mayor and the Town Manager. It is my understanding that you are specifically requesting that I continue to provide the following legal services:

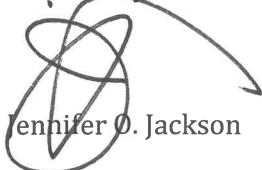
- Attendance at all Town Council meetings unless excused by the Mayor and Town Manager
- Attendance at all Board of Adjustment meetings
- Attendance at all Planning Board meetings unless excused by the Town Manager
- Assistance with the drafting and presentation of all resolutions, ordinances, and orders that are to be considered for adoption
- Assistance with annexation petitions, including certification of sufficiency
- Review of contracts as requested by the Mayor or Town Manager
- Review of legal matters as requested by Town Council, Mayor or Town Manager

As in the past, any communication with me is presumed to be confidential under the attorney-client privilege and much of my work is confidential under the work-product doctrine.



I will keep track of the hours that I work in quarter hour increments and my time will be billed at the rate of \$200 per hour. An invoice will be submitted to Finance Officer Tonya Dozier at such intervals as she prefers.

Thank you, again, for allowing me to serve the Town of Weaverville over the last 8 years.

Yours truly,


Jennifer O. Jackson

Agreed to by the Mayor and Acting Town Manager: 

This instrument was preaudited in the manner required by the
Local Government Budget and Fiscal Control Act:



**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Street Paving Project - Change Order
PRESENTER: Public Works Director Pennell
ATTACHMENTS: Change Order No. 2

DESCRIPTION/SUMMARY OF REQUEST:

In September 2023 Town Council awarded the street paving bid to French Broad Paving. The contractor was able to begin their paving work in October before the cold weather reached the Weaverville area and then picked it up again this Spring.

Change Order No. 2 reflects an increase in cost of \$39,582.60 for the following additional work: (1) paving of a short section of Hawtree Court, (2) adding drainage box back walls on Highland Street, (3) replacement of an asphalt driveway at #42 Lakeshore Drive, and (4) replacement of 50 LF of concrete sidewalk on Weaver Boulevard. It also adds more days to the contract time for this additional work with an anticipated end date of September 14, 2024.

The adjusted project cost is still under the original budget amount and funds are anticipated to be reappropriated to close out this project.

The Acting Town Manager and Public Works Director recommend that Town Council approve this change order.

COUNCIL ACTION REQUESTED:

Town Council action to approve the Change Order No. 2 as presented, with the following suggested motion:

I move the approval of Change Order No. 2 to the French Broad Paving Contract as presented.

CHANGE ORDER

**PROJECT: 2023-24 Paving Project
Town of Weaverville**

Change Order No.: **2**
Date Issued: **08/08/2024**
Effective Date: _____
Date of Contract: **10/09/2024**

**ENGINEER: Dale Pennell, PE, PLS
Public Works Director
Town of Weaverville, North Carolina**

CONTRACTOR: French Broad Paving, Inc.

Contractor's Address: 3684 US Hwy 25/70, Marshall, NC 28753

The Contract Documents are modified as follows upon execution of this Change Order (with documentation as needed):

The Contract Amount is increased by adding the paving of a short section of Hawtree Court, adding drainage box back walls on Highland Street, replacement of an asphalt driveway at #42 Lakeshore Drive, and replacement of 50 LF of concrete sidewalk on Weaver Boulevard, along with adding more days to the contract time for this additional work.

CHANGE IN CONTRACT PRICE

ORIGINAL CONTRACT AMOUNT:	<u>\$ 1,401,104.50</u>
Increase (Decrease) from previously approved Change Orders No. <u>1</u> to No. <u>1</u> :	<u>\$ 123,500.00</u>
CONTRACT PRICE PRIOR TO THIS CHANGE ORDER:	<u>\$ 1,524,604.50</u>
Increase (Decrease) of this Change Order	<u>\$ 39,582.60</u>
CONTRACT PRICE INCORPORATING THIS CHANGE ORDER	<u>\$ 1,564,187.10</u>

CHANGE IN CONTRACT TIME

ORIGINAL CONTRACT TIME (Calendar days):	<u>90 (10/20/2023–01/18/2024)</u>
Increase (Decrease) from previously approved Change Orders No. <u>1</u> to No. <u>1</u> :	<u>60</u>
CONTRACT TIME PRIOR TO THIS CHANGE ORDER:	<u>150 (03/18/2024)</u>
Increase (Decrease) of this Change Order	<u>180</u>
CONTRACT TIME INCORPORATING THIS CHANGE ORDER	<u>330 (09/14/2024)</u>

RECOMMENDED BY ENGINEER: Dale Pennell, PE, PLS

Name _____ Title _____ Date _____

ACCEPTED BY OWNER: Town of Weaverville

Name _____ Title _____ Date _____

ACCEPTED BY CONTRACTOR: French Broad Paving, Inc.

Name _____ Title _____ Date _____

Summary of Change Order No. 2

Weaver Boulevard (across from Goodwill store)

Remove damaged and broken concrete sidewalk along north side of Weaver Boulevard (5' width x 50' length x 4" depth) including traffic control and replace with 4000 psi concrete sidewalk = \$12,500.00

Highland Street

Install back walls in drainage box to permit adjustment and realignment of box grate (approximately 3' deep x 3' wide x 6" thickness) in 2 locations @ \$2,200.00 each = \$4,400.00

42 Lakeshore Drive

Remove and haul off 17 SY of asphalt driveway, add and compact ABC stone, and pave with 2" S9.5C asphalt to adjust grade of driveway at property owner's request @ Lump Sum price = \$3,619.00

Paving of Hawtree Court (approx. 300 LF from Birkdale Drive to cul-de-sac)

Mobilization, Milling and disposal of existing asphalt pavement (873 SY) and paving with 2" S9.5B asphalt surface course over ABC stone (103.42 TN) = \$19,063.60

Total of Change Order No. 2

\$39,582.60

French Broad Paving Inc
 3684 US 25/70 Hwy
 Marshall, NC 28753 US
 828-649-0077
 reedpaving@aol.com

Invoice

BILL TO
 Town of Weaverville

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
4859	04/23/2024	\$12,500.00	05/23/2024	Net 30	

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
04/17/2024	concrete sidewalk	5 X 50 Remove and Replace Plus traffic control	1	12,500.00	12,500.00

If not paid within 30 days, 18% interest will accrue

SUBTOTAL	12,500.00
TAX	0.00
TOTAL	12,500.00
BALANCE DUE	\$12,500.00

French Broad Paving Inc
 3684 US 25/70 Hwy
 Marshall, NC 28753 US
 828-649-0077
 reedpaving@aol.com

Invoice

BILL TO
 Town of Weaverville
 Highland St.

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
4860	04/23/2024	\$4,400.00	05/23/2024	Net 30	

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
03/19/2024	concrete drainwall	3 feet deep by 3 Feet wide and 6 inches thick For 2 drain walls on Highland St.	2	2,200.00	4,400.00

If not paid within 30 days, 18% interest will accrue

SUBTOTAL	4,400.00
TAX	0.00
TOTAL	4,400.00
BALANCE DUE	\$4,400.00

French Broad Paving Inc
 3684 US 25/70 Hwy
 Marshall, NC 28753 US
 828-649-0077
 reedpaving@aol.com

Invoice

BILL TO
 Town of Weaverville
 42 Lakeshore Drive
 Mr. Tesla

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
4858	04/23/2024	\$3,619.00	05/23/2024	Net 30	

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
03/11/2024	Asphalt driveway	17 Total square yards Dig up, haul off and add stone Paved using an average of 2 inches, S9.5C compacted asphalt Paved according to design provided by homeowner	1	3,619.00	3,619.00

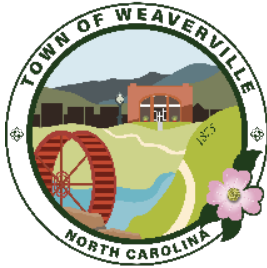
If not paid within 30 days, 18% interest will accrue	SUBTOTAL	3,619.00
	TAX	0.00
	TOTAL	3,619.00
	BALANCE DUE	\$3,619.00

Town of Weaverville Billing

Haw Tree

ITEM #	Description	QUANTITY	UNITS	UNIT PRICE	TOTAL
1	Mobilization	1	LS	\$3,000.00	\$3,000.00
2	Milling and disposal of existing asphalt surface	873	SY	\$3.00	\$2,619.00
3A	Adjust Valve Box to grade	0	EA	\$0.00	\$0.00
3B	Adjust Manhole lid to grade	1	EA	\$1,000.00	\$0.00
4	Patch Concrete base excavating 6" and replace with binder	0	SY	\$0.00	\$0.00
5	Seal cracks in concrete	0	POUND	\$0.00	\$0.00
6	Place Split-Seal surface treatment over concrete	0	SY	\$0.00	\$0.00
7	Place 2" 119 asphalt binder	0	TON	\$0.00	\$0.00
8	Place 1.5" S9.5B asphalt surface	0	TON	\$0.00	\$0.00
9	Remove 4" depth of existing gravel or asphalt driveway apron replace with 2" compacted ABC stone and 2" S9.5B	0	EA	\$0.00	\$0.00
10	Remove concrete driveway apron replace with 6" concrete	0	EA	\$0.00	\$0.00
11	Repair stone base where directed after proofrolling by excavating 12" and replace with compacted stone	0	SY	\$0.00	\$0.00
12	Place 1" to 3" ABC stone over stone base to create proper crown	0	TON	\$0.00	\$0.00
13	Place 2" S9.5B asphalt surface course over ABC stone	103.42	TON	\$130.00	\$13,444.60

14	Remove concrete driveway apron and 5' of concrete sidewalk on each side of apron and replace with 6" concrete	0	EA	\$0.00	\$0.00
15	Remove concrete handicap ramp and adjoining curb and replace with 2" compacted ABC stone and 2" S9.5B	0	LF	\$0.00	\$0.00
16	Install asphalt curb	0	LF	\$0.00	\$0.00
	Drive entrances with sloping sidewalk ramps	0	EA	\$0.00	\$0.00
	Sloping sidewalk ramps (no drive apron)	0	EA	\$0.00	\$0.00
TOTAL:				\$19,063.60	



ACTING TOWN MANAGER'S REPORT *August 2024*

Respectfully submitted,
Scottie Harris, Acting Town Manager

WATER TREATMENT PLANT IMPROVEMENTS

On July 30th the Town received its formal Letter of Intent to Fund the Town's Water Treatment Plant Expansion and Resiliency Projects which sets out the procedures for drawing down the \$15 million granted by the NC Legislature last summer. The administrative fees were reduced from 3% to 1.5%, which in turn put \$225,000 back into the project for a full funding amount of \$14,775,000.

The first of two generators for the Water Treatment Plant project was received on August 6. The Town is waiting for DEQ approval on the resiliency projects and plans are due to be submitted to DEQ on the expansion in the next month.

ELLER COVE WATERSHED TRAIL SYSTEM

The Passive Lands Subcommittee will be making their recommendations to the Buncombe County Board of Commissioners in September. Those recommendations will include which projects they think should be funded and at what monetary amounts. It will be the County Commissioners who will make the final decisions on the funding and the project will not proceed without approval by Town Council.

The concerns about safety and parking have been heard and Town staff continues to do its due diligence in exploring all possible options. The Passive Lands Subcommittee is aware of these efforts and has noted that the safety concerns are balanced with a lot of enthusiasm for opening up this property to passive recreation opportunities while holding to the vision of conserving this beautiful, forested land.

Elevated Trail Design and some community members, including specifically Mark Endries and Byron Hamstead, have provided a great deal of support on this project.

MAPLE TRACE ANNEXATION

Town staff met with a representation of the Maple Trace HOA to discuss a plan to accomplish the mutual goal of annexing the Maple Trace subdivision. I am told that the HOA will be proceeding with the stormwater system assessment and discussions are underway on the timing of the \$134,000 payment to the Town for repairs to the connector portion of Water Leaf Drive. Staff will provide additional updates to Council as the project progresses.

DUKE ENERGY VEGETATION CLEARING

Duke Energy has a contractor that has been performing vegetation clearing along its electrical lines in Town, most recently along the Main Street corridor, including the Weaver Blvd intersection and Hamburg Mountain intersection.



NEW SANITATION TRUCK

The Town's new sanitation truck arrived and is expected to be in service in the coming weeks. Town staff will be rolling out information on the proper way to set out garbage cans so that the truck can be used as effectively and efficiently as possible.

WEAVERVILLE CENTER FOR CREATIVE & HEALTHY LIVING, INC.

Community programming that began under the leadership and oversight of Weaverville Center for Creative & Healthy Living, Inc. ("WCCHL") is being incorporated into Town services and is now known as "Weaverville Community Programming and Arts." Town staff is working on a more user-friendly calendar that will be on the Town's website soon. WCCHL operated as a nonprofit entity which was dissolved effective August 11, 2024. The Memorandum of Understanding that Town Council entered into with WCCHL automatically terminated upon the dissolution of WCCHL. A big thanks to Tom Balestrieri, the WCCHL Board, and the many programming champions and supporters for getting this popular community programming started.

WEAVERVILLE BUSINESS ASSOCIATION (WBA)

A Special Events permit was approved for the WBA "Salute To Summer" Kids party event that is scheduled in the Nature Park on August 24th from 11 am – 2pm. This was designed to be a community connection program and not a fundraiser for the WBA.

Town staff met with WBA representatives for a planning session for the WBA's Art in Autumn event that is scheduled for September 21.

FY2023-2024 FINANCIAL AUDIT

The field work for the FY2023-2024 Financial Audit was conducted during the week of August 5th and seemed to go well. Finance Director Dozier and her staff are to be commended for their hard work in preparing all of the required documentation in advance and then assisting the auditors with what they need while they are on site. The final audit report is usually presented to Town Council in November.

LAKE LOUISE PARKING

A gravel parking lot has been installed off Quarry Road near the Public Works Facility and will provide needed overflow parking for 20 cars. Signage will be going up soon to direct people to this additional lot and plans are in place for paving in Spring 2025.

9/11 REMEMBRANCE

Under the leadership of Councilmember Jackson, the Patriotic Committee has decided that due to some planning challenges the Town will not host a guest speaker for the remembrance ceremony this year. While there will not be any formal program, we will observe a moment of silence beginning at 8:46 am (the time the first plane struck the World Trade Center) at the Community Center flagpole off the patio area to remember all those that perished and honor all first responders. This is open to the public and anyone wishing to attend is welcome.

REEMS CREEK VALLEY FIRE DEPARTMENT PARTNERSHIP

Fire Department staff has been meeting with the Reem's Creek Fire Department for several months regarding joint responses into their district as well as recent and proposed annexations. Fire Chief Justice has agreed that we can put staffing in their station during the day and Town staff will return to our station at night due to sleeping accommodations. We feel this continues to build off a great partnership for a collaborative effort for service delivery to the community.

HR AUDIT AND POSSIBLE OUTSOURCING

I have heard previous Council discussion around Human Resources and possible outsourcing or dedicated/credentialed personnel. I recently graduated from the UNC Charlotte Human Resources Management Program. With that background and some initial discussions with experts in the area in mind, I think that a good first step is to have an HR Audit performed so that all areas of HR can be reviewed and strengths and weaknesses identified. This audit could be performed for approximately \$3,000. The Finance Director does not believe a budget amendment is need for this expenditure, but any HR services beyond the audit would need Town Council approval. If Town Council has any objection in my proceeding with an HR audit, please let me know.

LABOR DAY – A reminder that Town offices are closed Monday, September 2, 2024.

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Capital Project Ordinances and Capital Reserve Funds Update
PRESENTER: Finance Director
ATTACHMENTS: Amended and Restated Capital Project Ordinances
Amended and Restated Resolution – CRF – General Fund
Budget Amendment – Transfers

DESCRIPTION/SUMMARY OF REQUEST:

Town staff will be at tonight’s meeting to review needed updates to the Town’s capital project ordinances and capital reserve funds. All noted recommendations have the support of the Finance Director, Acting Town Manager, and Town Attorney.

- 1. Water Treatment Plant Expansion and Resiliency Projects**
A Capital Project Ordinance was adopted in 2021 for the WTP Expansion Project and Resiliency Project and has since been amended. This ordinance needs to be updated again to reflect the grant awards and funding plan that Council approved by consensus on January 16, 2024, and the engineer’s current cost estimates.
- 2. Community Center/Recreation Complex**
The Recreation Complex portion of this capital project ordinance is still active but nearing an end. This ordinance needs to be updated to reflect actual expenditures and additional revenue. You will note that the project will need additional funding if Town Council wishes to construct the pavilion, bathrooms, and/or storage.
- 3. Capital Reserve Fund – Water Fund**
Town Council has previously adopted a resolution which created a capital reserve fund for the water fund. This fund was originally required for system development fees. Since all of the Town’s system development fees are being used to pay debt service related to the water system, this is no longer needed due to a change in legislation. It is recommended that this capital reserve fund be dissolved and the balance of \$384,158 be transferred to the WTP Capital Project.
- 4. Capital Reserve Fund – General Fund**
Now that the Fire Department revenues and expenditures are in a special fund it is recommended that the portion of this capital reserve fund be deleted. Funds totaling \$525,000 have been saved in this fund for the anticipated purchase of a fire truck and should be transferred to the Fire District Special Fund. Town Council recently adopted fees in lieu of sidewalk construction. Those fees are best accounted for in a capital reserve fund, so those provisions have been added.

COUNCIL ACTION REQUESTED:

Town Council is requested to (1) adopt the Amended and Restated Capital Project Ordinances as presented, (2) approve the attached budget amendment to make the recommended transfers, (3) dissolve the capital reserve fund related to the water fund, and (4) adopt the Amended and Restated Resolution to Establish a Capital Reserve Fund Related to Anticipated Future General Fund Expenditures for Capital Projects and Equipment.

**AMENDMENT AND RESTATED CAPITAL PROJECT ORDINANCE
FOR WEAVERVILLE WATER SYSTEM CAPITAL PROJECTS**

WHEREAS, on 28 June 2021 Town Council adopted a capital project ordinance for the Water Treatment Plant Expansion Project and that capital project ordinance was amended and restated on 25 July 2022;

WHEREAS, the Town has separated the project into two projects, one which accomplishes water resiliency and safety projects and one which expands the Water Treatment Plant’s production capacity from 1.5 MGD to 3.0 MGD;

WHEREAS, the Town wishes to update its capital project ordinance in order to provide for both projects;

BE IT ORDAINED by Town Council of the Town of Weaverville, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following amended and restated capital project ordinance is hereby adopted:

Section 1. The project funds authorized herein are to be known as the “Water Treatment Plant Expansion Project” and “Water System Resiliency Project”.

Section 2. The Town Manager, Finance Officer/Director, Public Works Director and other officers and employees are hereby directed to proceed with the capital projects within the terms and provisions of Chapter 159 of the North Carolina General Statutes, the USDA loan agreements, and the budget contained herein.

Section 3a. The following revenues and resources are anticipated to be available to complete the Water Treatment Plant Expansion Project activities:

WTP Expansion Project Revenues		
	<i>Restated Budget</i>	<i>Budget w/ Amdmts</i>
Transfers from Water Capital Reserve Fund	\$724,038	\$724,038
Transfer from Water Fund (ARP)	\$1,283,395	\$1,283,395
Transfer from Water Fund	\$917,342	\$917,342
NCGA Direct Appropriation Grant Funding (net of 1.5% Admin Fee)	\$14,775,000	\$14,775,000
Federal Grant Funding	\$1,000,000	\$1,000,000
Loan from General Fund	\$1,500,000	\$1,500,000
Total Project Revenues		\$20,199,775

Section 3b. The following expenditures are hereby appropriated for the Water Treatment Plant Expansion Project activities:

WTP Expansion Project Expenditures		
	<i>Restated Budget</i>	<i>Budget w/ Amdmts</i>
Engineering Fees	\$1,068,740	\$1,068,740
Construction	\$18,634,000	\$18,634,000
Administrative Costs	TBD	TBD
Contingency – Construction	TBD	TBD
Contingency – Other	\$497,035	\$497,035
Total Project Expenditures		\$20,199,775

Section 4a. The following revenues and resources are anticipated to be available to complete the Water System Resiliency Project activities:

Water System Resiliency Project Revenues		
	<i>Restated Budget</i>	<i>Budget w/ Amdmts</i>
Transfer from Water Fund	\$1,698,500	\$1,698,500
Total Project Revenues		\$1,698,500

Section 4b. The following expenditures are hereby appropriated for the Water System Resiliency Project activities:

Water System Resiliency Project Expenditures		
	<i>Restated Budget</i>	<i>Budget w/ Amdmts</i>
Engineering Fees	\$98,500	\$98,500
Capital Equipment Purchase	\$1,196,400	\$1,196,400
Construction	\$403,600	\$403,600
Administrative Costs	TBD	TBD
Contingency - Construction	TBD	TBD
Contingency - Other	TBD	TBD
Total Project Expenditures		\$1,698,500

Section 5. The Town of Weaverville Finance Office is hereby directed to maintain within the Capital Project Fund established with this ordinance, sufficient detailed accounting records to provide accounting information as required by Chapter 159 of the North Carolina General Statutes and to comply with USDA funding requirements.

Section 6. The Budget Officer and/or Finance Officer is directed to include a detailed analysis of past and future costs and revenues of these capital projects in every budget submission made to Town Council.

Section 7. The Finance Officer is directed to report at least quarterly on the financial status of each project and their respective elements as described in Sections 3b and 4b and the revenues received or expected on the respective projects.

Section 8. The Town Manager is hereby authorized and empowered to execute any and all documents necessary to commence, carry out, and complete each capital project set forth herein without any further direction, authorization, or consent, including without limitation any and all contract documents, change orders, or any other such documents as may be necessary to give direction to engineers, contractors, and others in completing this capital project, subject to compliance with law.

Section 9. The Town Manager is authorized to transfer appropriations within the various line items of each project in this capital project ordinance except for the contingency line item entitled “Contingency – Other”, as she, in her discretion, deems necessary and if allowable by law. Funds budgeted within the contingency line item entitled “Contingency – Other” cannot be expended without Town Council approval.

Section 10. The Town Manager shall from time-to-time report to Town Council as they shall direct as to the status of completion of the capital project and/or the status of the budget for the capital project.

Section 11. Copies of this capital project ordinance shall be furnished to the Town Clerk, the Budget Officer, and the Finance Officer for direction in carrying out this project.

Section 12. This ordinance shall be effective immediately upon adoption but shall not be codified.

ADOPTED the 28th day of June, 2021, **AMENDED AND RESTATED** on the 25th of July, 2022, and on the 24th day of April, 2023, and **FURTHER AMENDED AND RESTATED** on this the ___ day of August, 2024, by a vote of ___ in favor and ___ against.

PATRICK FITZSIMMONS, Mayor

ATTESTED BY:

APPROVED AS TO FORM:

TAMARA MERCER, Town Clerk

JENNIFER O. JACKSON, Town Attorney

**TOWN OF WEAVERVILLE
 AMENDED AND RESTATED CAPITAL PROJECT ORDINANCE FOR THE
 COMMUNITY CENTER AND RECREATION COMPLEX PROJECTS**

BE IT ORDAINED by Town Council of the Town of Weaverville, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The Phase 1 project is to be known as the “Community Center Project” and consists of the construction of a new community center and improved restrooms within the Lake Louise Park. The Phase 2 project is to be known as the “Recreation Complex” and consists of the construction and installation of multi-sports courts, including pickleball, basketball, and other recreational amenities, located on the Community Center property;

Section 2. The Town Manager, Finance Officer/Director, Public Works Director and other officers and employees are hereby directed to proceed with the capital project within the terms and provisions of Chapter 159 of the North Carolina General Statutes and the budget contained herein.

Section 3. The following actual revenues and expenditures were used to complete the Phase I Community Center project activities which is considered closed out as of the effective date of this ordinance:

PHASE 1 – COMMUNITY CENTER		
Transfer from General Fund (incl. Eller Cove Proceeds of \$550,000)		\$3,405,616.45
Revenues from Fundraising Donations		\$35,118.66
TOTAL PH 1 PROJECT REVENUES		\$3,440,735.11
Construction Cost		\$2,772,396.96
Architect Fees		\$257,575.01
Engineering Fees		\$61,811.00
Surveys & Geotechnical Engineering/Testing		\$31,066.42
Fixtures & Equipment		\$169,817.92
Furniture and Furnishings		\$101,285.49
Construction Admin/Permit Fees		\$1,500.00
Landscaping/Site Work		\$45,282.31
TOTAL PH 1 PROJECT EXPENSES		\$3,440,735.11
REMAINING BALANCE – TRANSFER TO PH2		\$18,997.55

Any further fundraising donations received on the Phase I project shall be applied to Phase 2, unless the donor specifically directs otherwise.

Section 4. The following revenues are hereby appropriated for the Phase 2 project activities and expenditures authorized:

PHASE 2 – RECREATION COMPLEX		
Appropriated Fund Balance (from Phase 1)		\$18,997.55
Transfer from General Fund		\$449,633.07
Revenues from Fundraising Donations		\$11,499.38
TOTAL PH 2 PROJECT REVENUES		\$480,130.00
Landscape Architect/Engineering Fees		\$14,500.00
Construction Contract – Sports Courts, Parking Lot		\$369,630.00
Landscaping		\$11,000.00
Miscellaneous Fixtures & Equipment (sound barriers, security cameras, lighting)		\$85,000.00
TOTAL PH 2 PROJECT EXPENSES		\$480,130.00

Section 5. The Town of Weaverville Finance Office is hereby directed to maintain within the Capital Project Fund established with this ordinance, sufficient detailed accounting records to provide accounting information as required by Chapter 159 of the North Carolina General Statutes.

Section 6. The Budget Officer and/or Finance Officer is directed to include a detailed analysis of past and future costs and revenues of this capital project in every budget submission made to Town Council.

Section 7. The Finance Officer is directed to report at least quarterly on the financial status of each project element in Section 4 and the revenues received or expected on the project.

Section 8. The Town Manager is hereby authorized and empowered to execute any and all documents necessary to commence, carry out, and complete the capital project set forth herein without any further direction, authorization, or consent, including without limitation any and all contract documents, change orders, or any other such documents as may be necessary to give direction to architects, engineers, contractors, and others in completing this capital project, subject to compliance with law.

Section 9. The Town Manager is authorized to transfer expenditures within any line item of this capital project ordinance except for the contingency line item (if provided), as she, in her discretion, deems necessary and if allowable by law. Funds budgeted within the contingency line item cannot be expended without Town Council approval.

Section 10. The Town Manager shall from time-to-time report to Town Council as they shall direct as to the status of completion of the capital project and/or the status of the budget for the capital project.

Section 11. Copies of this capital project ordinance shall be furnished to the Town Clerk, the Budget Officer, and the Finance Officer for direction in carrying out this project.

Section 12. This ordinance shall be effective immediately upon adoption but shall not be codified.

ADOPTED 27 January 2020, **AMENDED AND RESTATED** on 28 February 2022 and 18 July 2023, and **FURTHER AMENDED AND RESTATED** this the ____ day of August, 2024 by a vote of ____ in favor and ____ against.

PATRICK FITZSIMMONS, Mayor

ATTESTED BY:

APPROVED AS TO FORM:

TAMARA MERCER, Town Clerk

JENNIFER O. JACKSON, Town Attorney

**AMENDED AND RESTATED RESOLUTION TO ESTABLISH A CAPITAL RESERVE FUND
RELATED TO ANTICIPATED FUTURE GENERAL FUND EXPENDITURES FOR
CAPITAL PROJECTS AND EQUIPMENT**

WHEREAS, the Town of Weaverville has certain capital projects and equipment that involve anticipated general fund future expenditures that would benefit from general funds being set aside and accumulated for those purposes; and

WHEREAS, NCGS §159-18 authorizes the creation of a capital reserve fund and NCGS §159-19 authorizes amendments to capital reserve funds previously established;

WHEREAS, by adoption of a resolution on June 17, 2019, the Town of Weaverville created a capital reserve fund related to its general fund capital projects and equipment, and Town Council now wishes to amend and restate such resolution;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF WEAVERVILLE, NORTH CAROLINA, ACTING THROUGH ITS COUNCIL MEMBERS, AS FOLLOWS:

SECTION 1. Town Council hereby creates a Capital Reserve Fund (“CRF”) related to the Town’s General Fund (hereafter known as the “Capital Reserve Fund – General Fund”) that shall be in place for 5 years or until such time as it shall be amended or terminated. This CRF may be amended by Town Council as needed to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital projects, or to modify or extend the term.

SECTION 2. The following are declared as capital projects & equipment subject to this CRF:

- (a) **Fire Truck Replacement** – The Town of Weaverville wishes to provide funds for anticipated future expenditures related to the replacement of those fire trucks which are expected to exceed their useful and safe lives by as early as 2024.

	ACTUAL REVENUE	ESTIMATED REVENUE	FUNDING SOURCE
FY20	\$75,000		FY20 General Fund Revenue or Fund Balance
FY21	\$-0-		FY21 General Fund Revenue or Fund Balance
FY22	\$75,000		FY22 General Fund Revenue or Fund Balance
FY23	\$75,000		FY23 General Fund Revenue or Fund Balance
FY24	\$300,000		FY24 Transfer from Fire Department Capital
TOTAL	\$525,000		
		\$525,000	CURRENT BALANCE
FY26		\$TBD	FY26 General Fund Revenue or Fund Balance
TOTAL		\$TBD	

New Sidewalk Construction – The Town of Weaverville wishes to provide funds for anticipated future expenditures related to the installation of new sidewalks. The primary revenue source for this shall be fees in lieu of sidewalk construction and appropriations from the General Fund Revenue or Fund Balance

	ACTUAL REVENUE	ESTIMATED REVENUE	FUNDING SOURCE
FY25		\$262,560	FY25 Approved Sidewalk Fees/Appropriation
FY26		TBD	FY26 Approved Sidewalk Fees/Appropriation
FY27		TBD	FY27 Approved Sidewalk Fees/Appropriation
FY28		TBD	FY28 Approved Sidewalk Fees/Appropriation
TOTAL		\$262,560	

SECTION 3. This Resolution shall become effective upon adoption.

ADOPTED this ____ day of _____, 2024.

PATRICK FITZSIMMONS, Mayor

ATTEST:

TAMARA MERCER, Town Clerk

Budget Amendment FY 2024-2025

Town of Weaverville

What expense accounts are to be increased?

<u>Account</u>	<u>Account Description</u>	<u>Transfer Amount</u>
011-004-320-60500	Transfer to NBFD Special Rev Fund	\$525,000
031-004-320-60061	Transfer to Cap Proj Fund -WTP (061)	\$384,154

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>
040-000-300-60011	Transfer from General Capital Reserve Fund	\$525,000
061-000-300-60031	Transfer from Cap Reserve Fund	\$384,154

Justification: Please provide a brief justification for this budget amendment. *Transfer from General Capital Reserve Fund to Fire Special Revenue Fund for future fire truck purchase; Transfer from Water Capital Reserve Fund to WTP Capital Project Fund to help fund expansion project.*

_____	_____
Authorized by Finance Officer	Date
_____	_____
Authorized by Town Manager	Date
_____	_____
Authorized by Town Council (if applicable)	Date

Budget Ordinance Section 12:

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

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: August 26, 2024
SUBJECT: Proposed Amendment to Personnel Policy
PRESENTER: Acting Town Manager
ATTACHMENTS: Current and Proposed Language
Proposed Resolution Amending the Town’s Personnel Policy

DESCRIPTION/SUMMARY OF REQUEST:

At times the Town has struggled to find applicants for open employment positions and the Acting Town Manager has been considering some ways to increase the Town’s pool of employment applicants.

Many communities are now embracing the hiring of relatives as a recruitment tool and Town Council could consider an amendment to the Town’s Personnel Policy to increase opportunities to recruit and hire employees that are related to current employees while ensuring that supervisory conflicts are avoided.

The current language concerning employment of relatives is attached and is some suggested alternative language. In the event that Town Council wishes to proceed with this change to the Personnel Policy the attached resolution could be considered.

This amendment will not require a budget amendment.

The Town Attorney assisted in the drafting of this amendment and joins in the recommendation that it be adopted.

COUNCIL ACTION REQUESTED:

Town Council discussion and possible action to approve this amendment to the Town’s Personnel Policy. A resolution that accomplishes this requested action is attached for Town Council’s consideration. A suggested motion is as follows:

*I move the adoption of the **RESOLUTION AMENDING THE TOWN’S PERSONNEL POLICY** as presented.*

CURRENT

Personnel Policy

Article VI. Conditions of Employment

Section 8. Employment of Relatives

Except as stated herein, the Town prohibits the hiring and employment of immediate family in full or part-time positions within the same work unit. The Town also prohibits the employment of any person into a regular position who is an immediate family member of individuals holding the following positions: Mayor, Vice Mayor, Town Council Member, Town Manager, Town Attorney, Town Clerk, or any Department Head. Otherwise, the Town will consider employing family members or related persons in the service of the Town, provided that such employment does not:

- (a) result in a relative supervising a relative;
- (b) result in a relative auditing the work of a relative;
- (c) create a conflict of interest with either relative and the Town; or
- (d) create the potential or perception of favoritism.

This provision shall not apply retroactively to anyone employed when the provision is adopted by the Town. Should an immediate family member of a Town employee be elected to Town Council, the employee shall resign within six months of the beginning of the relative's term of office.

PROPOSED

Personnel Policy

Article VI. Conditions of Employment

Section 8. Employment of Relatives

Under no circumstance is the Town allowed to employ any person into a regular fulltime or parttime position who is an immediate family member of individuals holding the following positions: Mayor, Vice Mayor, Town Council Member, Town Manager, Town Attorney, or Finance Director.

Members of an immediate family, as defined in Article II, shall not be employed within the same department if the employment results in one member supervising or auditing another member of the employee's immediate family, or if one member will occupy a position that has influence over another member's employment, promotion, salary administration, or other related management or personnel considerations.

TOWN OF WEAVERVILLE
RESOLUTION AMENDING THE TOWN'S PERSONNEL POLICY

WHEREAS, Part 4 of Article 7 of Chapter 160A of the North Carolina General Statutes sets forth certain requirements and provides certain authority to Town Council regarding its employees and the establishment of policies regarding its employees; and

WHEREAS, pursuant to Article I, Section 6 of the Personnel Policy, the Town Manager provided Town Council with copies of the adopted policies and her recommendations on certain amendments and additions to the Town's policies; and

WHEREAS, Weaverville has previously adopted a Personnel Policy and related policies, routinely reviews those policies, and now wishes to adopt new and revised policies regarding personnel and related matters to set forth general guidelines for its employees' conduct and benefits; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WEAVERVILLE, NORTH CAROLINA, ACTING THROUGH ITS COUNCIL MEMBERS, AS FOLLOWS:

1. Town Council hereby amends Article VI of the **PERSONNEL POLICY** to replace Section 8 with the following new language:

Section 8. Employment of Relatives

Under no circumstance is the Town allowed to employ any person into a regular fulltime or parttime position who is an immediate family member of individuals holding the following positions: Mayor, Vice Mayor, Town Council Member, Town Manager, Town Attorney, or Finance Director.

Members of an immediate family, as defined in Article II, shall not be employed within the same department if the employment results in one member supervising or auditing another member of the employee's immediate family, or if one member will occupy a position that has influence over another member's employment, promotion, salary administration, or other related management or personnel considerations.

2. The Town Manager is hereby directed to continue to maintain a Policy and Procedures Manual which is to include, but is not limited to, all personnel and related policies adopted by Town Council and the Town Manager, and, in accordance with Section 6 of Article I of the Personnel Policy, is directed to continue to develop, maintain and administer such guidelines, policies, and procedures indicated in the Personnel Policy, and to provide copies of those adopted policies to Town Council on an annual basis or upon request.
3. All amendments shall become effective upon adoption.

ADOPTED this ____ day of August, 2024.

PATRICK FITZSIMMONS, Mayor

ATTEST:

TAMARA MERCER, Town Clerk

Town of Weaverville
Town Council Agenda Item

Date of Meeting: August 26th 2024
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

3 MONTICELLO RD.
WEAVERVILLE, NC 28787

Celebrating 100 years of service to our community

Fire Marshals Office Stats. May 2024, June 2024 and July 2024.

SafeKids. Child Car Seat Installation.

May = 8 installations.

June = 4 installation.

July = 8 installations.

Fire Prevention and Education Classes.

May 9th . Transportation Day. Reynolds Mountain Christian Academy. (150 kids.)

June 3rd . Field Day. North Windy Ridge Intermediate School. (260 kids)

June 5th . Field Day. North Windy Ridge Intermediate School. (210 kids)

June 6th . End of Year Party. Weaverville Primary School. (240 kids)

June 15th . Music on Main. Street Festival. (Approx. 150 kids)

July 4th . Fireworks. Street Festival. (Approx. 200 kids)

Commercial Business Inspections.

May = 20 inspections.

June = 28 inspections.

JULY = 26 inspections.

Kile R. Davis

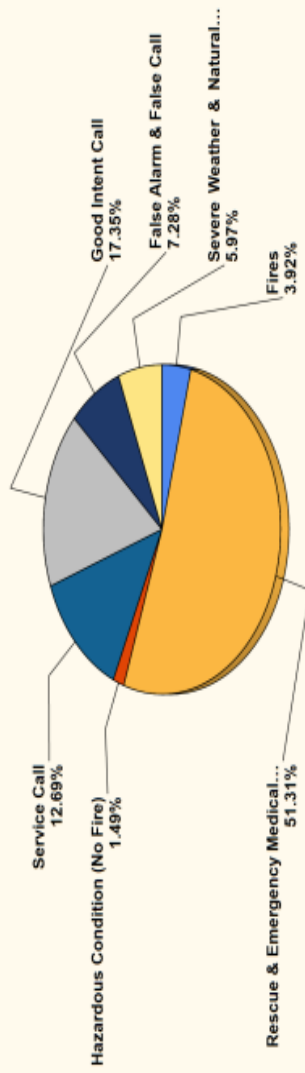
Fire Marshal

Weaverville Fire Department

kdavis@weavervillefd.org

WEAVERVILLE FIRE DEPARTMENT QUARTERLY REPORT

MAY 1, 2024 – JULY 31, 2024



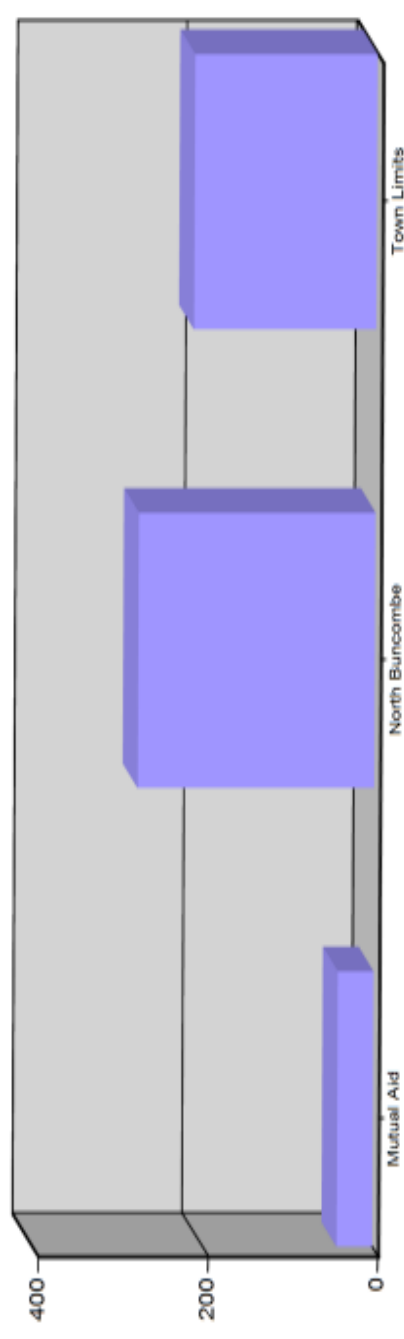
FIRE LOSS

LOSSES		PRE-INCIDENT VALUES	
PROPERTY	CONTENTS	PROPERTY	CONTENTS
\$116,800.00	\$530,500.00	\$366,800.00	\$601,000.00
\$7,500.00	\$350.00	\$7,500.00	\$350.00

PROPERTY SAVED

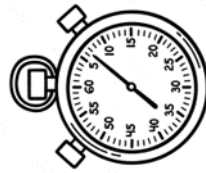
TOTAL PRE-INCIDENT PROPERTY	TOTAL PRE-INCIDENT CONTENT	TOTAL PRE-INCIDENT INCIDENT	TOTAL PROP. SAVED	TOTAL CONT. SAVED	TOTAL SAVED
\$374,300.00	\$601,350.00	\$975,650.00	\$250,000.00	\$70,500.00	\$320,500.00

ZONE		# INCIDENTS
Mutual Aid - Mutual Aid		42
North Buncombe - North Buncombe District		279
Town Limits - Town Limits		215
TOTAL:		536



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	21	3.92%
Rescue & Emergency Medical Service	275	51.31%
Hazardous Condition (No Fire)	8	1.49%
Service Call	68	12.69%
Good Intent Call	93	17.35%
False Alarm & False Call	39	7.28%
Severe Weather & Natural Disaster	32	5.97%
TOTAL	536	100%

# OVERLAPPING	% OVERLAPPING	TOTAL
114	21.27	536



AVERAGE RESPONSE TIME (Dispatch to Arrived)

0:05:58



TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, August 26, 2024

Subject: Quarterly Report from Weaverville Police Department for August 2024

Presenter: Police Chief Somer Oberlin

Attachments: Quarterly Report

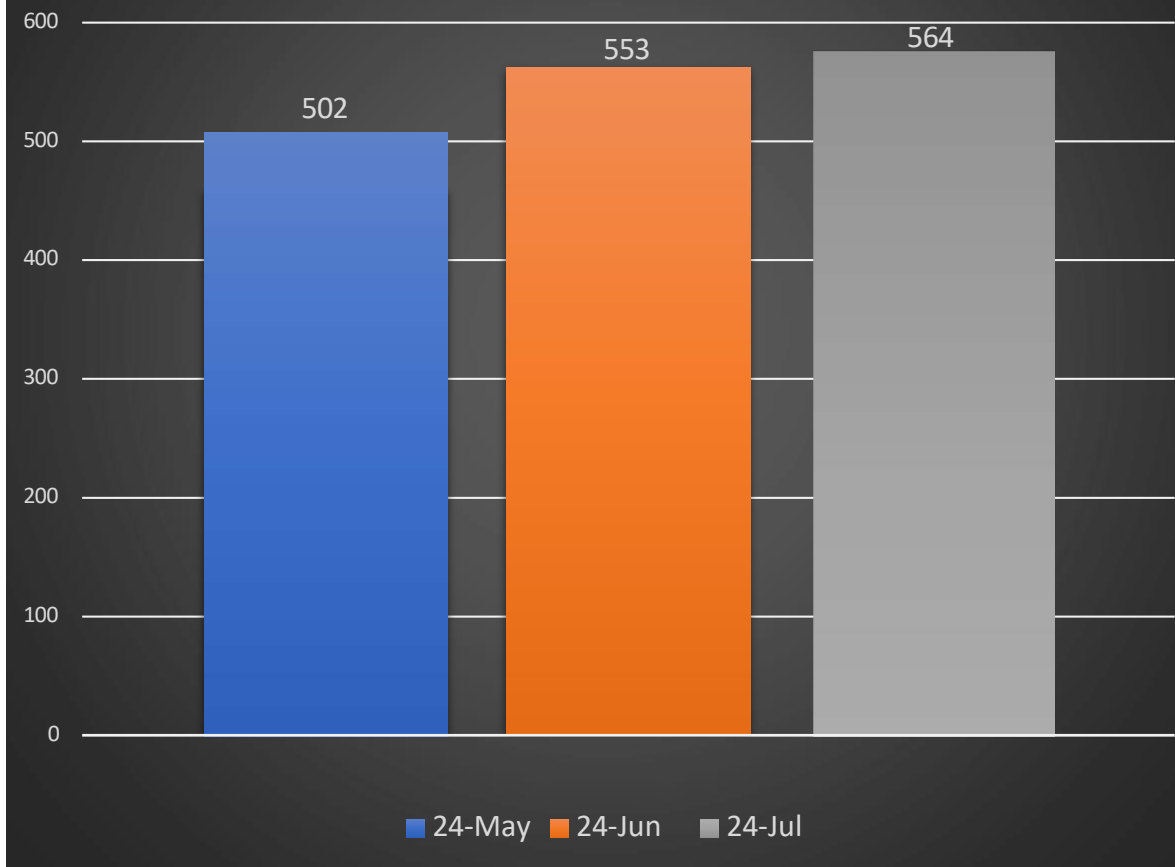
Description:

Attached please find the Weaverville Police Department quarterly report for August 2024. Chief Oberlin will be present at the meeting to review this quarterly report.

Council Action Requested:

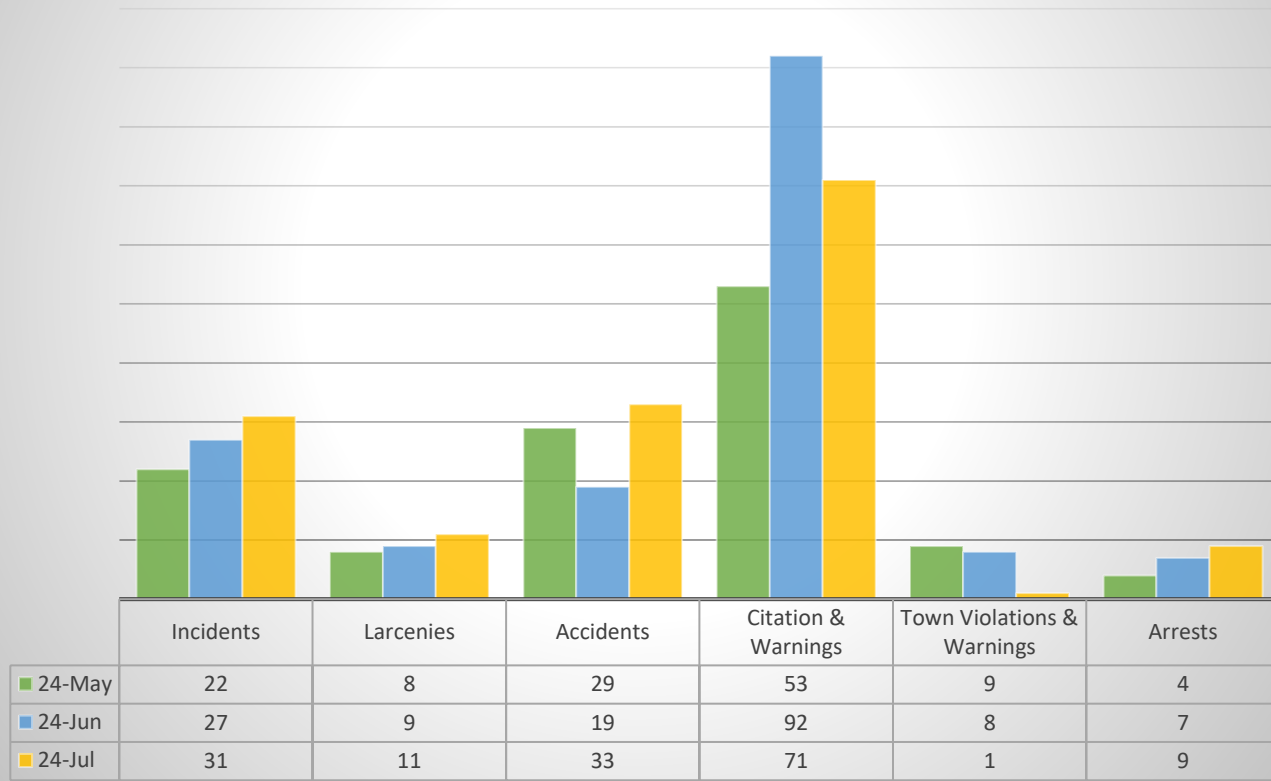
No action required.

Weaverville Police Department Quarterly Report - Calls for Service May, June, July 2024



*Calls for service refer to the requests made to police departments by members of the public for assistance with various issues or emergencies. Some examples may be suspicious events, motor vehicle accidents, business or home alarms, welfare checks, stranded motorists, panhandlers, business checks, funeral escorts, dogs running at large, dogs left in vehicles, and many others.

Weaverville Police Department Quarterly Report May, June, July 2024



*Incidents Include-Larcenies, Death Investigations, Drug Offenses, Animal Bites, Trespassing, Fraud/ID Theft, Elder Abuse, Info Only Reports, Sexual Offenses, Involuntary Commitments, and other reportable crimes.

*Citations & Warnings Include- Traffic Offenses (109), Criminal Offenses (24), Warnings (83)

*Ordinance Violations Include-Parking, Noise, Dogs Running at Large, Public Urination, Firearms

Training and Professional Development

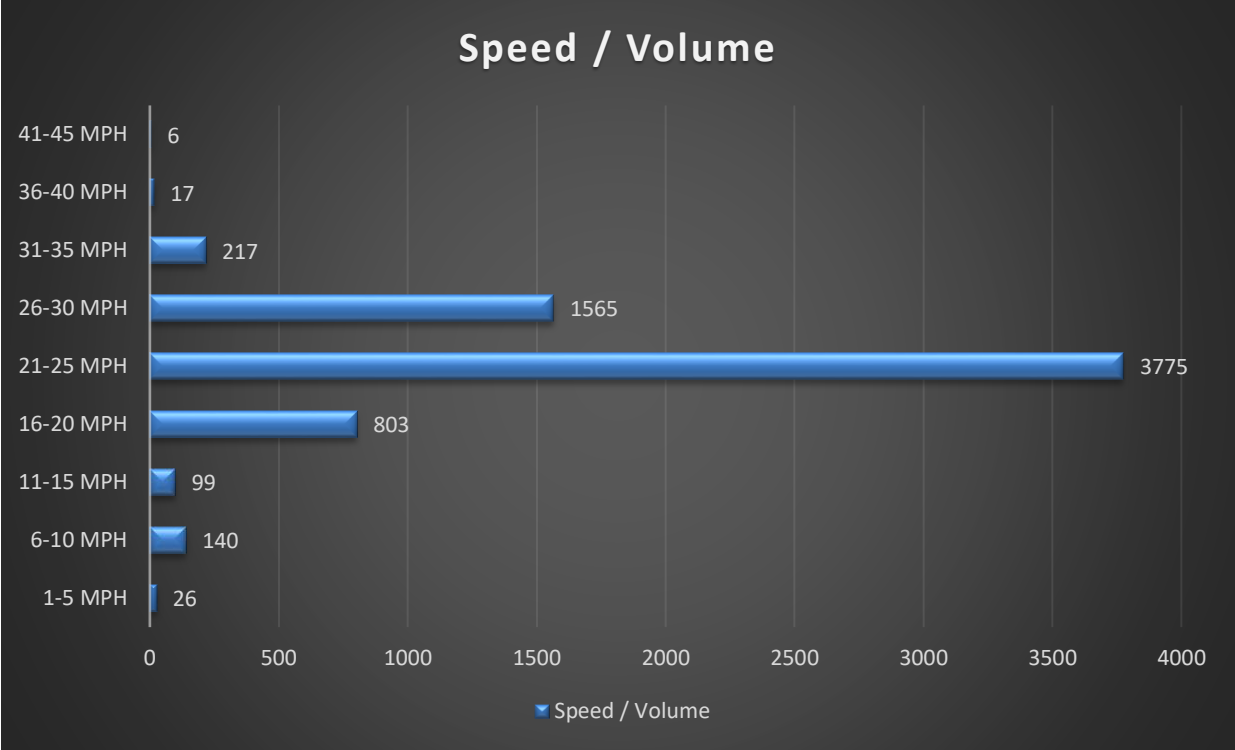
- Multiple officers completed DCI training
- Officers continued annual firearms training and qualification
- Two newest officers successfully completed an extensive field training program
- An officer completed a multi-part series about understanding homelessness
- An officer completed a child sex crimes investigations class
- Two officers attended the NC Police Executives Conference
- Two officers attended a three-day Incident Command Training
- Supervisors were trained on SBI behavioral threat assessments.



Activities of Interest

- Officers located and arrested 3 violent suspects that came into Weaverville after an out of county vehicle chase. The subjects were under federal investigation and were allegedly on their way to commit a kidnapping and murder.
- Officers recovered a stolen firearm from a suspect in a local restaurant
- Department worked a critical wreck on Church Street, including life-saving measures from first responders. Attended neighborhood debrief.
- Officers responded to assist Buncombe County Sheriff's Office with a murder and were first on scene
- Evidence Technician, Brenda Redmon, celebrated her 1-year anniversary with the department.
- \$3,914.19 turned over from evidence to Buncombe County School Fund over the last year by the evidence technician
- Worked at Music on Main and monitored first Social District
- Completed a successful July 4th event
- Sponsored a female student in Basic Law Enforcement Training (BLET)
- Renovations continue...





Summary: Citizen complaint of speed on Hillside Street

Dates of data collection: 06/23/2024 – 06/29/2024 (Sunday – Saturday)

Speed Limit: 25 mph. **Total Volume of Vehicles:** 6,648

Average Speed: 23.44mph **50th percentile:** 23.5mph **85th percentile:** 26.65mph

Vehicles travelling 6-10 miles per hour over the speed limit: 240 Vehicles

(1 at 67 mph @ 1 a.m.) or 3.6%

Conclusion: Factors in the area influencing the perception of danger: no sidewalks, homes located close to the roadway, narrow traffic lanes and curves, and higher speed traffic noise coming from Reems Creek Rd.

96.38% of vehicles are travelling at or below 30 mph.

No collisions have occurred in the past year on Hillside Street.

Plan of action: Deploy a utility pole-mounted speed sign for continued awareness and targeted traffic enforcement during times of higher speeding. Afterward, continue monitoring, high-visibility patrol, and further enforcement if needed.