



Town Council Regular Meeting - Minutes

Monday, December 16, 2024, at 6:00 PM

The Town Council for the Town of Weaverville held its regular meeting on December 16, 2024, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC.

1. Call to Order

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

Councilmembers present: Mayor Patrick Fitzsimmons and Vice Mayor John Chase, Councilmembers Doug Jackson, Catherine Cordell, Michele Wood, Peter McGuire, and Dee Lawrence.

Staff members present: Interim Town Manager Scottie Harris, Town Attorney Michael Frue, Finance Director Tonya Dozier, Planning Director James Eller, Town Clerk Tamara Mercer, Police Chief Sommer Oberlin, Public Works Director Dale Pennell, Water Plant Superintendent Randall Wilson, Mike DeSerio, and A/V Coordinator Lauren Ward.

2. Approval/Adjustments to the Agenda

Motion to approve and adopt the agenda as presented.

Moved by: John Chase

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried unanimously. 7-0

3. 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.

4. Community Recognition- Gary Burge

Vice Mayor Chase read the Town of Weaverville recognition and appreciation statement for past-Planning Board Chairman and member Gary Burge who served the Town Weaverville. Condolences to the family and friends of Mr. Burge on his passing.

5. Consent Agenda

Interim Town Manager Harris reviewed the consent agenda.

Motion to approve the consent agenda as presented.

Moved by: Dee Lawrence

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried unanimously. 7-0

- 5.1 November 12, 2024, Town Council Workshop Minutes – *approved as presented*
- 5.2 November 18, 2024, Town Council Regular Meeting Minutes – *approved as presented*
- 5.3 Monthly Tax Report, Refunds/Releases – *approved as presented*
- 5.4 Budget Amendment- Police Dept – *approved as presented*
- 5.5 Annexation/Zoning- 21 Parker Cove Rd - *Public Hearing set for January 21, 2025 at 6pm*
- 5.6 Annexation/Zoning- AdventHealth - *Public Hearing set for January 21, 2025 at 6pm*
- 5.7 2025 Town Council Meeting and Holiday Schedule – *adopted with deletion of strategic planning session in January*
- 5.8 Town Manager Hiring Update - *Special Called Meeting to be held on December 18th for a closed session of potential candidate review.*
- 5.9 Board Reappointment - *Metropolitan Sewer District Representative Doug Dearth reappointed for three-year term from 1/1/2025 through December 31, 2027*
- 5.10 Main Street Nature Park Stormwater Project Grant Application – *resolution adopted as presented*

6. Interim Town Manager's Report

Interim Town Manager Harris reviewed his manager's report, including the following:

- Fire Department Solar Panel Project Completion
- Debris Removal SDR, FEMA,
- Damage Assessment Update
- FEMA Recovery Assistance Center
- Community Center event Children Toys Give Away
- Community Center Manager Position Hired
- AdventHealth will hold a public safety officials and community members meeting
- HR Audit
- Succession Planning Eric Cutshall as Assist Director of Public Works Department
- Holiday Closures

7. Public Comment

- 7.1 Mayor Fitzsimmons reviewed the guidelines for Public Comment (see below for additional information)

7.2 Ken Yount from Philly Run Drive addressed Parker Cove area and increased development in the Reems Creek corridor. Mr. Yount was against environmental impacts of higher density caused by development.

Chris Callaway said he is not a Weaverville resident but is from Twin Hills Drive off of Reems Creek Cove. He said he was opposed to the Parker Cove Road development. Mr. Callaway was concerned with increased traffic from growth, higher density and those impacts on the roadway connectors which NCDOT improvements are not expected to address.

Angelica Parker who resides off of Philly Run Drive, said she was opposed to the 21 Parker Cove project as she is concerned with higher density, traffic, unique landscape, and consistency of her neighborhood's character.

Jim Ebert resident of Maple Trace subdivision said he was concerned with property values opposed to 21 Parker Cove Road. Discussed 17 Parker Cove Road.

Jeff Camp resident of Maple Trace subdivision said he was opposed to 21 Parker Cove Road development. Mr. Camp discussed Weaverville and his community.

Joe Kasben resident of Weaverville at Governor Thomson Terrace thanked the Police Department, and stated he disagreed with use of paper bags for trash pick-up. Mr. Kasben requested tarps be allowed instead.

Sherry Shumate resident of Maple Trace subdivision said she was opposed to 21 Parker Cove Road development as she was concerned with traffic, road improvements, ingress and egress, and emergency evacuation.

8. Discussion & Action Items

8.1 FY2023-24 Audit Presentation

Mr. Dan Mullinax of Gould Killian CPA Group presented the audit report findings. Mr. Mullinax highlighted that the auditors issued an unmodified (clean) opinion, there were no material weaknesses, and no instances of material noncompliance with the State laws and regulations. He provided the status and results of the audit, the internal controls, requirements for reporting, as well as the impacts of Hurricane Helene and estimated costs of managing the disaster. He explained the funding levels for the General Fund and Enterprise funds and working capital.

Mr. Mullinax noted the concern that the water fund assets are approximately 50% depreciated. This is indicative of capital needs related to water and sewer infrastructure overall and the LGC (Local Government Commission) comparison data.

The General Fund Summary and funding sources explained, ad valorem taxes, local options sales tax, unrestricted intergovernmental revenues with expenditures for public safety, sanitation, storm water, and general government revenues.

General fund summary expenditures reviewed for the operating budget, sanitation and stormwater, and public safety. Threshold of fund balance was discussed. 40% target balance as per the Town Council policy, the municipal average was noted and population growth trends highlighted. The town has a growing customer base, expansions, new construction and higher earnings on investments, new capital assets were acknowledged.

Mr. Mullinax said the ARPA fund, working capital, expenditures, unrestricted net position, operating income and net position with the cash flows explains the reasons for net increases in cash.

Finance Director Dozier addressed expected monies from FEMA, further impacts of the disaster and indicated that the Town will adhere to the procedures, requirements of the audits and reporting thresholds related to the federal funding.

8.2 **Maple Trace Annexation and Street Acceptance**

Jennifer Jackson reviewed the final report as provided by the Public Works Department to address the street acceptance and indicated that Town Council could now consider taking action to adopt the annexation ordinance with R-2 zoning and to adopt the resolution that addresses the conditional acceptance of the streets within the subdivision.

Jackson reviewed the highlights of the stormwater drainage assessment that was completed by the consulting engineer for Maple Trace HOA, Mattern and Craig, and the Public Work's comments and recommendations based on that report. She further explained the engineers' findings regarding the defects and included the updated and agreements to undertake the repairs of the stormwater pipes. The HOA has agreed to undertake certain repairs and maintenance as requested by the Public Works Director. That agreement and the list is included in an amended resolution. Public Works has offered some assistance to coordinate the work and can help flush the lines and provides the processes and procedures to the complete the work on this project.

Staff recommends adoption of the annexation ordinance and the amended resolution concerning public acceptance of the streets.

Motion to adopt the Ordinance Extending the Corporate Limits of the Town of Weaverville, North Carolina to include Maple Trace Subdivision- Annexation #2023-1 and #2023-2 with an effective date of January 1, 2025, and to adopt the Resolution Concerning the Maple Trace Subdivision and Town Acceptance of the Subdivision Streets as amended.

Moved by: Dee Lawrence

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried unanimously. 7-0

8.3 **Town Staffing Needs**

Vice Mayor Chase has had several recent conversations with management level Town staff that have highlighted a need for Town Council to consider whether there is a need for additional Town staff in order to keep up with the Town's current service level in its various departments. The HR audit that has recently been completed is expected to reveal that Town staffing appears to be too lean, which could lead to retention challenges and risk management issues.

Out of fear that waiting until the new budget year might be too late, Vice Mayor Chase would like some preliminary Town Council discussion on this topic and possible consensus on whether Town Council is willing to consider the creation of some new employment positions in advance of the next budget year. Staffing demands and the

organizational structural were briefly discussed and it was acknowledged that some of the work might be undertaken by an assistant town manager.

Community Center staffing was discussed with good Town Council consensus on being open to managing and operating the facility differently in order to keep the focus on the community programming and less on the events that attribute to so much of the weekend and after hours staffing.

It was agreed that these will be some items to be addressed by the new town manager.

8.4 **Northridge Farms Update and Renewal of Water Commitment**

Public Works Director Pennell addressed Northridge Farms and the new developer's request for water commitment renewal, as the current water allocation expires this month. Staff received the completed application request from the new developer, for the same plans and allocation, and the department recommends renewal for another year.

There was further discussion regarding the private and public streets, the original developer and the plans, rights-of-way and ownership. Mr. Pennell explained site plan and layout of the roads, infrastructure and water lines and a secondary source for a back-up line.

Motion to approve the renewal of water commitment for Northridge Farms Project as presented.

Moved by: Doug Jackson

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried unanimously. 7-0

8.5 **Quarterly Report - Public Works and Water**

Public Works Director Pennell presented the Public Works Department quarterly report and highlights such as the late payments/ cut-off process, which was stopped during Tropical Storm Helene recovery. The Town resumed this procedure in December.

He reviewed water utility calls, servicing and averages, overtime, hurricane stress and the Employee Assistance Program used since the disaster, repairs, debris and conditions assessments, costs for water purchased from Mars Hill, under the shared emergency water agreement with usage and losses highlighted in the report.

The new grapple truck was delivered the day before the storm and is in constant usage for clean-up of Helene debris. Mr. Pennell added that the Maple Trace subdivision services such as sanitation and curbside pickups are scheduled to begin on Mondays and Curbie recycle collections on Mondays effective January 1, 2025.

10. **Closed Session**

Attorney Frue requested that Town Council go into closed session as allowed by N.C.G.S. 143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and public body, which privilege is hereby acknowledged to recess to closed session under client attorney privilege.

Motion to enter into closed session pursuant to N.C. G.S. 143-318.11 (a)(3) at 7:30 p.m.

Moved by: John Chase

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried unanimously. 7-0

[CLOSED SESSION]

Motion to exit closed session and enter into open session at 7:50 p.m.

Moved by: Dee Lawrence

Aye Peter McGuire, Doug Jackson, Dee Lawrence, Patrick Fitzsimmons, John Chase, Catherine Cordell, and Michele Wood

Carried unanimously. 7-0

11. Adjournment

There being no further business and without objection, Mayor Fitzsimmons adjourned the regular meeting at 7:59 p.m.



Tamara Mercer, Town Clerk



Patrick Fitzsimmons, Mayor