

## Minutes of Town of Woodfin Board of Commissioners

Regular Meeting Tuesday, October 20, 2020

Regular Meeting 6:30 PM

Be it remembered: That the Board of Commissioners met in regular session on Tuesday, October 20, 2020 at the Woodfin Town Hall Boardroom, Woodfin, North Carolina at 6:30 pm. The following town business was conducted:

Mayor Jerry VeHaun, called the meeting to order at 6:37 p.m. with the following board members present:

Jackie Bryson

Jim Angel

Ronnie Lunsford

Debbie Giezentanner

Donald Honeycutt

The Agenda was read by Mayor Jerry Vahaun.

The Invocation was led by Commissioner Honeycutt.

**Approval of the Agenda** –A motion to approve Agenda as presented was made by Vice Mayor Giezentanner. Motion 2 was made by Commissioner Honeycutt. All in favor.

**Approval of the Minutes** –A motion to approve the Minutes as presented was made by Commissioner Angel. Motion 2 was made by Commissioner Bryson. All in favor

**Public Forum-** Due to the COVID-19 pandemic and the limits of social distancing, no public attendance will be permitted. However, the public is invited to watch the meeting via Facebook Live <https://www.facebook.com/townofwoodfin/> Begin/6:58pm End/6:59pm

Town Administrator (Eric Hardy) Introduced the Board to the new Planning Director (Adrienne Isenhower) as an addition to the Administrative Staff.

### New Business:

1. Presentation by Nancy Lux of the FY 2020 Audit by Ray, Bumgarner, Kingshill & Assoc., P.A.

Lead Auditor (Nancy Lux) Presented the Town of Woodfin's FY 2020 Audit Report to the Board.

- Thanked Board for allowing their Accounting group to continue to perform the Towns Audit since 2014.
- Towns work in great order- Solid numbers -True Audit.
- No new Accounting policies.
- Only found minor issues.
- Sales tax revenue higher than expected.
- No Compliance issues.
- Cited one internal control matter.

**Greenway- Blueway:**

- No overspending issues.
- Had to create a Capital Budget Subset Fund.

**Independent Auditors Report:**

- Gave the Town of Woodfin it highest level of achievement (Unmodified Audit Opinion).
- Revenues higher than Expenses.
- Healthy General Fund Balance.
- Greenway- Blueway biggest Capital outlet.
- Discussed Economic factors with Budget for the next year.
- Area growing- Tax Revenue growing.
- Tax rate this year .33 cents per \$100.00 compared to previous year of .28 cents per \$100.00 Tax rate will stay at .33 cents next year.

**Main sources of Revenue:**

- Property Tax Revenue, Sales Tax, Unrestricted, Powell Bill. Community Center Rentals down.
- Expenditures up slightly.

**Eric Hardy thanked Auditor for Report.**

**2. Rezoning request – 119 New Life Drive.**

**Planner (Michael Saunders)** read the Agenda item. Second Step of process. Already received approval from the Planning and Zoning Board.

**Daryle Dodd** spoke on behalf of property Owner (Josh Holat). Property Owner requesting change from R-7 zoning to R-10 zoning to allow for Short Term Rentals. Offered to answer questions from the Board.

**Vice Mayor Giezentanner**- Concerned about Spot Zoning. Prefers to wait to make decision until there is a revamp of Short- Term Rental Ordinance.

**M Saunders**- Project came before Board originally before Moratorium was put in Place.

**Giezentanner**- Still Concerned.

**a. Public Hearing on a Proposed Rezoning Request for 119 New Life Drive (PIN #97300964) from Zoning R-21 Zoning to R-10. Begin/6:58pmEnd/ 6:59pm**

No Comments.

**b. Consideration of a Rezoning Request from R-21 to R-10 Located at 119 New Life Drive.** Vice Mayor Giezentanner made a motion to postpone decision on Rezone request for 119 New Life Drive until revamp of Short-Term Rental Ordinance. Motion 2 was made by Commissioner Lunsford. All in favor.

**3. Subdivision Approval – Springs of North Asheville (Walnut Springs Drive).**

**Michael Saunders**- Read and Agenda item to the Board. This project was approved before the housing crisis in 2008 and went into foreclosure before completion of project. Infrastructure already in place. Planning and Zoning Board approved Subdivision on September 17, 2020 and recommend approval by the Board of Commissioners.

**a. Presentation by Max Cookes on a proposed Subdivision located at 19 Walnut Springs Drive (PIN #9731462743).**

**Representative of St. Burke (Adam Mitchell)** discussed his credentials with the Board and introduced his Partners. VP of Planning (**Dan Mason**), VP of Zoning (**Joel Tew**).

Adam discussed initial conversation with Jason Young at the Beginning of this project. Explained his group was the asset management development arm of Drapac Capital Partners. His group work together with Drapac on distressed assets. Presented to Board a similar plan to the 2005 plan with just a few updates to keep up with code. Initially Storm water would have flowed into retention pond. Now plans are to have underground Stormwater Retention. Majority of Infrastructure in place. Trying to mirror plans that previously approved. Want to bring back original design with current standards. Secured Madison-Simmons as Builder out of Charlotte.

- Shared other projects their group have worked on in the area.

- Meet standard with rest of Town Homes.

- Craftsman Style housing.

**Commissioner Honeycutt**-Had questions for the group on plans. What is existing now?

**Mitchell**- 19 Unit existing and 6 platted lots graded and ready to pull permits.

**Vice Mayor Giezentanner**-What was involved in original construction in 2005?

**Mitchell**- All permits necessary were pulled for original construction. Building 1 more Unit than the original plan. Zoning had previously been changed from R-7 to Mountain Village.

**Walnut Springs Resident (Richard Henning)** attended previous Planning and Zoning meeting with a from the Waterstone HOA. He expressed concern over the fact that there is only one entrance to property with no traffic light. All traffic will come out on Old Marshall Highway.

**Vice Mayor Giezentanner**- Has anyone talked to Developer about second entrance?

**Henning**- Has not heard of any plans for a second entrance.

**Commissioner Lunsford**-Asked Mr. Henning if he had knowledge that project would eventually be completed.  
**Henning**- Yes.

**Lunsford**- Old Marshall Highway is a DOT maintained road.

**Jim Weber**- 5 Mountain Glen Drive – Lives West of Development. Lived in area for 18 years. Concerned over extra traffic and speeding. Used to be second entrance on the East side of property, but one entrance closed. Performed his own assessment of the Traffic on Old Marshall Highway. His vehicle has the appearance of the Police Vehicles and traffic did slow down.

**Mayor Vehaun**- Asked where entrance was previously.

**Commissioner Honeycutt**-What is speed limit on Old Marshall Highway?

**Weber**- 45 mph.

**Chantreu**-Talked about Erosion concerns for her and her neighbor. Will wall be built to help with Erosion control?

**Mitchell**- Yes. Wall will be built.

**VP of Zoning and Development (Joel Tew)** Will consider second entrance to Subdivision when Construction of Phase 3 begins. Town could work with DOT to reduce speed limit on Old Marshall Highway.

**Honeycutt**-How many units in Phase 3?

**Tew**- 78 Units in Phase 3.

**b. Public Hearing on a proposed Subdivision Approval located at 19 Walnut Springs Drive (PIN #9731462743). Begin /7:26pm End/7:28pm**

**Rebecca Mason**- Provided a written statement from several Waterstone HOA Members in objection to the completion of Town Homes located at 19 Walnut Springs Drive. Members of the HOA are opposed to completion of Subdivision for this specific building plan provided by developer.

**c. Consideration of a Proposed Subdivision Located on 19 Walnut Springs Drive (Pin #**

**97314622743). Commissioner Honeycutt**- Will the Board be voting on all three phases of Construction for Townhomes? Will developer need to come before the Board before Phase 3 begins to revisit the opening of 2<sup>nd</sup> entrance into Subdivision? **Planner (Michael Saunders)**- Board will be voting on all 3 phases of Subdivision. **Commissioner Bryson**- Was this already approved by the Planning and Zoning Board? **Saunders**- Yes. Planning and Zoning approved.

**Commissioner Lunsford**- Traffic tends to use Old Marshall Highway as a shortcut greatly increasing traffic on road. This area has also seen a lot of development over the past 20 years. Motion 1 to approve proposed Subdivision located at 19 Walnut Springs Drive was made by Commissioner Lunsford. Motion 2 was made by Vice Mayor Giezentanner. All in favor.

**Vice Mayor Giezentanner**- Thanked Developers for trying to be responsive to neighbors.

**Rebecca Mason**-Disagreed with Developers being good neighbor. Did not receive notices from the Town regarding completion of Subdivision in a timely matter. Asked if Board read Statement from the Member of the HOA?

**Vice Mayor Giezentanner**-Board did read document. Referred her to Zoning Administrator (M. Saunders) to keep up to date with project. Developer will be accommodating to residents if conversation is started.

**Mayor Vehaun-** Asked M. Saunders when construction will start.

**Saunders-** No definite date but hoping to start February or March 2021

**Secretary of Waterstone HOA (Laura Langwell)** asked if HOA will be notified on time- line of construction and when it will begin.

**Vice Mayor Giezentanner-** Referred Mason to Administrative Staff to keep updates regarding project at Walnut Springs.

**4. Consideration of a Resolution of the Board of Commissioners of the Town of Woodfin, North Carolina Providing for the Issuance of Not to Exceed \$3,000,000.00 General Obligation Bonds, Series 2020 of the Town of Woodfin, North Carolina. Mayor VeHaun – read the Agenda item.**

**Town Administrator (Eric Hardy)** reviewed Resolution with the Board. In 2016 the voters approved the Referendum for the General Obligations Bond. This fund is used specifically for Park facilities and Greenway. Plans to use \$3,000,000.00 of the 4,500,000.00 initially. Part of funding to finance park will be through a Bank loan. Bank will be sole purchaser of Bonds, and Financial Advisors will oversee process. The Town solicited proposals from 41 Banks and received 4 proposals. The winning bid went to First Horizon Bank which is also the Towns Bank.

**Commissioner Lunsford-** Are there any upfront fees?

**Hardy-** Only upfront fees will come from attorney fees.

**Financing Calendar:**

November 10, 2020- Approval of Bonds.

November 17, 2020- Closing.

Use money to Reimburse ourselves.

**Giezentanner-** What methodology will we be using to collect on Tourism Grant money?

**Eric-** Can collect on grant money after completion on Silverline Park and Greenway.

**5. Consideration of FY 2021 Budget Amendment. Eric Hardy-**Reviewed Budget Amendment with the Board. Discussed debt service for the year. The only cost incurred by the Town this year is repayment of Bond in the amount of \$225,000.00. Town will make 2 payments per year. 1<sup>st</sup> payment Interest paid. 2<sup>nd</sup> payment Principle plus Interest paid. Asking for approval from the Board to reduce Service Debt by \$195,000.00 to get a Service Debt of \$30,000.00. Discussed use of Contingency Line. 5% of Budget now dedicated to Contingency Annually. Allows for flexibility for unexpected expenses. No change to budget. A separate result of the amendment is distinct budget for Planning Department separate from Administration. Motion 1 was made by Commissioner Honeycutt to approve Budget Amendment. Motion 2 was made by Vice Mayor Giezentanner. All in favor.

**6. Consideration of Health Insurance Proposal.**

**Mayor VeHaun -**Read the agenda item.

**Eric Hardy-**Discussed with Board the different Health Insurance options available to employees. Compared current plan to a more affordable option. The Town proposes offering to employees the Platinum Plan plus Dental or Silver Plan plus Dental in addition to a \$200.00 Subsidy for Dependents. Compared different rates for number of Dependents in family. **Giezentanner-** Asked if ABC will be able to be added on policy.

**Eric-** No. ABC is not considered to be directly involved with the Town. Motion 1 was made to approve

Health Insurance Proposal by Vice Mayor Giezentanner. Motion 2 was made by Commissioner Honeycutt.  
All in favor.

#### **REPORTS:**

**Police:** Chief Mike Dykes reviewed monthly report. Dispatch calls and Incident reports up, and # of crash reports down. Discussed theft of Storage Units and other Investigations Officers are working on. Talked to Board about new Employee (Ian Bradley) and still looking to hire one additional Officer. K-9 officer resigned so Police Department will be holding interviews for new K-9 Officer.

**Commissioner Honeycutt-** Asked about the Climate of Officers. **Chief Dykes-** Officers feeling the stress with current events. Thanked Board for Support.

**Public Works: Eric Hardy-** reviewed Public Works report for the Month. No great concerns. Parks are now open, but restrooms still closed. Town Hall and Community Center are still closed. Issues for Fiscal Year 2022 might be Stormwater maintenance, Street Maintenance, Trash Collection, and Condition of Public Works equipment.

**Public Works-** Guidelines for Street Acceptance: The Town requires a (5) year warranty for new road repair, and (2) year warranty on repair of existing roads. Activity since last meeting: Informal scoring for all Town Streets, and request traffic engineer proposal for pavement condition ratings. Other considerations for future discussion: Least expensive alternatives to full repaving or patching, minimum build requirements (based on types of streets), right-of-way width, drainage minimums, speed controls.

**Director of Public Works (Johnny Brooks)-** Put a grade on conditions of roads.

**ABC Report: Eric Hardy-**ABC minutes and Financials were provided to the Board. Saw no real issues. ABC Board chair (Tom Spradling) is on vacation. Strong sales.

**Administration: Eric Hardy-** Reviewed Administrative Report. Discussed FY 2021 YTD budget vs. actual, FY 2021 YTD revenue over/(under) expenditures, FY 2021 major revenue trends, Pension spiking, and New Contracts. Sales tax rebounded.

**Commissioner Lunsford-** How often does Town sale tax? Eric- Once a month.

**Pension spiking-** Required reporting by the BOC. Purposes: Protect retirement system, alert employers to potential liability. Identifies any current employee: Eligible for regular or early retirement within the next 12 months, Average earnings > \$100,000.00.

**Contracts-** 2 contracts since last meeting. **Linda Giltz consulting services:** Provides WG&B project support, Grant Identification, writing and communications, FY 2021 > \$20,000.00. **Sharpe Business Systems:** Copier replacement. No impact on Budget.

**Greenway-Blueway: General project update:** TDA Board meeting October 28,2020. **Silverline:** Construction underway. Roof replacement complete of the Doggie Daycare. **Riverside Park Expansion:** RFQ draft incomplete. **Greenways:** NCDOT board funds released. NCDOT has combined Beaverdam Creek Greenway with French Broad River I and II.

***Motion 1 was made to move to closed session was made by Vice Commissioner Angel. Motion 2 was made by Commissioner Honeycutt. All in favor. Close/ 8.32pm***

**Closed Session: The Board will adjourn into closed session to discuss legal matters in compliance with NCGS § 143-318.11(a)(5) as well as personnel administrative matters.**

**Begin/ 8:36pmEnd/9:23pm**

Discussed Property owned by Mike Parish.

Board discussed current issue with the Planning and Zoning Board.

Builders suggested moving sewer line at Silverline Park. Discussed with MSD. Not a good idea to move line.

***Commissioner Angel made a motion to go back to regular session. Motion 2 was made by Vice Mayor Giezentanner. All in favor.***

***Adjournment: 9:23pm***

