

**Town of Woodfin
Board of Commissioners
Regular Meeting Minutes
February 16, 2021
Town Hall**

Board Members Present: Mayor Jerry Vebaun
Vice Mayor Debbie Giezentanner
Commissioner Jim Angel
Commissioner Ronnie Lunsford
Commissioner Donald Honeycutt
Commissioner Jackie Bryson
Commissioner Donald Hensley

Board Members Absent: None

Town Staff Present: Eric Hardy
Adrienne Isenhower
Michael Saunders
Michael Dykes
Sherri Powers

Mayor Vebaun called the meeting to order at 6:30 p.m. and asked Commissioner Honeycutt to lead the invocation.

Mayors Recitation

Mayor Vebaun read the following: In accordance with the Code of Ethics adopted by the Board, all town commissioners have a duty to obey all applicable laws regarding official actions; to uphold the integrity and independence of the office; to avoid impropriety in the exercise of official duties; to faithfully perform the duties of the office; and to conduct the affairs of the governing board in an open and public manner. Is there any item on the agenda the outcome of which will have a direct, substantial, and readily identifiable financial impact for any Board member? Also, does any Board member have a financial interest in any public contract coming before this Board today? There being none all Board members have a duty and obligation to vote.

Agenda Approval

Commissioner Angel moved to adopt the agenda as presented. Commissioner Giezentanner seconded and the motion carried 6/0.

Approval of the January 19, 2021 Regular Meeting Minutes

Commissioner Lunsford moved to approve the January 19, 2021 regular meeting minutes. Commissioner Hensley seconded and the motion carried 6/0.

Public Forum

The public was invited to view the meeting via Zoom. All documents related to the agenda items were available at Town Hall for viewing prior to the meeting.

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Public Comment

General public comments were submitted in writing prior to the meeting and were read into the record in the order they were received for a fifteen-minute period. These comments and any additional unread comments were provided to each member in writing. Michael Saunders read the following emailed comments aloud.

Patty Keeran (no address provided) asked if anyone on the board was opposed to the building at Richmond Hill and what study has been done to the effects and impact to the French Broad River. She stated the town needs more parks and building just to get money was not the smartest.

Uta Brandstatter (90 Elkwood Avenue, Woodfin) expressed strong opposition to the Bluffs development. She stated her strong interest in maintaining the small town feel and developments that increase quality of life such as the Woodfin Greenway, Silverline Park and the Wave Whitewater Park and believes the Bluffs will congest narrow roadways, cause environmental degradation, and take away from the natural beauty of the area.

Marcie Bernardo (201 Old Weaverville Road, Woodfin) stated firm opposition to the project and referenced the greed of the developer and the town government overriding desires of citizens. She shared concerns about potential deforestation, increased traffic, and questioned the Town's ability to cover expenses for police, fire, water and sewer services. She also asked about environmental studies from the Army Corp of Engineers and NCDEQ.

Robert McGee (5 Martel Lane, Woodfin) stated he has owned property in Woodfin for more than 20 years and opposes the Bluffs for many reasons, including the size of the development, absence of proper studies for traffic and environment, state of current infrastructure, noise during construction, the developer's lack of experience in North Carolina, issues with approval of the potential bridge for the development, and lack of affordable housing.

Jessie Conner (no address provided) opposes the Bluffs development for several reasons including increase of traffic, state of the current road, deforestation and the environmental impact to the French Broad river.

Jo Anne Lorensen (57 Stone Crest Mountain Rd, Black Mountain) voiced opposition to the gigantic apartment complex and commented that approval smacks of greed and power. She stated she had made two donations to the Go Fund Me campaign because of her strong feelings against the development.

Ben Saylor (2 Union Street, Woodfin) stated the Bluffs at River Bend endangers the character of Woodfin and damages efforts to preserve the scenery. He feels the project will be a burden to the town and encouraged the town to stop approving developments until land use planning is revised.

Katherine Day stated opposition to the size and scope of the Bluffs and concern that current infrastructure cannot support the development. She also protested format changes to public comment.

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Steven Hooper (no address provided) shared his opposition to the Bluffs and voiced concerns of marring the French Broad river landscape.

Ben Steere (99 Richmond Hill Drive, Asheville) expressed his concern about the Bluffs at River Bend and negative impacts to the environment, traffic, and pollution. He also expressed concern about negative impacts to historical and archeological resources in the project area and potential for disturbance of previously unrecorded sites.

Liz Hurlbutt (Green Oak Rd, Woodfin) voiced opposition to the Bluffs and noted the community's footprint of single family homes and respect for the waterway.

Travis Keller (no address provided) requested the board to view the development from the community's standpoint as he has tried to view it from theirs and commented that Mr. Holdsworth is not a community member. He expressed concern about the permanent impacts of the development and the lack of concern for working class people.

Mayor Vehaun and Administrator Hardy introduced the new Finance Director, Sherri Powers.

New Business

1. Recognition of Sgt Jonathan Ammons, 2020 Woodfin Police Department Officer of the Year Police Chief Dykes presented the award to Jonathan Ammons. Chief Dykes reported the officer is chosen through a secret ballot by colleagues in the department and Sgt. Ammons was overwhelmingly chosen by his fellow officers. He stated Sgt. Ammons was a driving force with a lot of heart and he could not agree more with the award. Sgt. Ammons thanked town administration and the board of commissioners. He also recognized several officers individually for their bravery and perseverance. He said the brotherhood of the department was the best it has been in a while and thanked the board for supporting the police department.

Mayor Vehaun shared his concern regarding law enforcement eligibility for the COVID-19 vaccine and plans to write a letter to the health department explaining voicing his concerns.

2. Annexation Agreement
 - a. Public Hearing on an Annexation Agreement between towns of Woodfin and Weaverville Town Administrator Eric Hardy presented an Annexation Agreement between the towns of Woodfin and Weaverville. He explained the agreement assists in determining areas for satellite annexations for each jurisdiction and provided a map identifying those locations. Administrator Hardy stated the previous agreement between the towns had lapsed and there was minimal change in the new agreement which will expire in five years. Mary Vehaun asked if the Town of Weaverville had adopted the agreement and Administrator Hardy stated they held the public hearing in January and the town council is expected to vote on the matter next week. He explained that since this public hearing was held remotely the board must wait 24 hours to vote, and the item will be placed on the March 2nd workshop agenda. Mayor Vehaun closed the public hearing at 7:10 p.m.

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- b. Consideration of an Annexation Agreement between towns of Woodfin and Weaverville
The Board of Commissioners will consider the Annexation Agreement between the Towns of Woodfin and Weaverville at the March 2nd, 2021 meeting.
3. Annexation
 - a. Public hearing on a Voluntary Non-Contiguous Annexation Petition by Sourwood Land Holdings LLC – PIN #9761064543
Planning Director Adrienne Isenhower explained the voluntary non-contiguous annexation petition was submitted in October 2019 and the Certificate of Sufficiency was provided by the clerk at the November 2019 meeting where a public hearing was scheduled. The item was subsequently removed and is now being brought back for consideration. Commissioner Honeycutt asked about the town’s responsibility for providing services, such as garbage pickup, police, and streets. Administrator Hardy reported the town does not handle commercial garbage pickup and police coverage should not be a problem. He also stated the streets would not be town maintained. Mayor Vehaun closed the public hearing at 7:20 p.m.
 - b. Consideration of a Voluntary Non-Contiguous Annexation Petition by Sourwood Land Holdings LLC – PIN#9761064543
The Board of Commissioners will consider the voluntary non-contiguous annexation petition by Sourwood Land Holdings LLC at the March 2nd, 2021 meeting.
4. Consideration of appointment of officials
 - a. Deputy Town Clerk designation – Town Administrator Eric Hardy presented a resolution designating the Planning Director position to serve as the Deputy Town Clerk. The Town Clerk position is currently vacant and someone will need to carry out those duties until the position is filled. Administrator Hardy stated the appointment is relevant to the position and not the individual. Commissioner Giezentanner moved to appoint the Planning Director as the Deputy Clerk. Commissioner Honeycutt seconded and the motion carried 6/0.
 - b. Zoning Administrator and Subdivision Administrator – Planning Director Adrienne Isenhower presented a resolution designating the Planner as the Zoning Administrator and Subdivision Administrator. She explained the appointment was to the position and not the individual, but the person in the position will have the knowledge and skills to carry out the duties. She stated the ordinance designates the zoning administrator to serve as the subdivision administrator as well. Commissioner Lunsford moved to appoint the Planner as the Zoning Administrator. Commissioner Giezentanner seconded and the motion carried 6/0.
5. Presentation regarding compliance with NCGS §160D
Planning Director Adrienne Isenhower presented information regarding NCGS §160D. She explained the new legislation consolidated land use statutes for cities and counties into one chapter and while

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there are some substantive changes, the main purpose of the change was reorganization. She highlighted some of the changes that will be required for local ordinance updates that must be completed by July 2021. She reported the School of Government is offering a code scan program for local jurisdictions to ensure compliance with the new regulation and is hopeful to have the drafted changes ready for review by April. She also presented an initial recommendation of dividing the Planning and Zoning Board of Adjustment into two boards: a board of adjustment and a planning board. She provided a brief description of the roles and responsibilities of each board. Commissioner Giezentanner asked when training would be provided for all boards and Ms. Isenhower explained each board would be provided a training session as a first step. Commissioner Lunsford asked if Ms. Isenhower could provide updates to the commissioners on the items reviewed by the planning and zoning board of adjustment. Ms. Isenhower stated the board had not met in a couple of months, but she would be presenting information from those meetings at each commissioners meeting and will also email them any information they would like to review.

6. Presentation regarding formation of a Parks and Greenways Advisory Committee

Town Administrator Hardy presented plans to form a Parks and Greenways Advisory Committee. He explained formation of the committee will assist with the town's identity with recreational assets, provide better scoring for grant opportunities, assist with project oversight, advocacy and public engagement, and assist with long-term planning. Mr. Hardy recommended the committee be appointed by the board of commissioners with seven members and two alternates to staggered three-year terms. Mr. Hardy recommended a majority representation from Woodfin of individuals with personal experience with parks and greenways, future park users, and those with complementary interests such as business people, property owners and educators. Commissioner Giezentanner moved to form a Parks and Greenways Advisory Committee. Commissioner Bryson seconded and the vote carried 6/0.

Departmental and Administrator Report

1. ABC – ABC Board Chairman Tom Spradling reported January 2021 sales were up 45% from January 2020, but it was likely due to the Weaverville store being closed for about a week. He reported that currently, sales were showing signs of slowing down. He also reported a pre-bid meeting for facility improvements was held with nine contractors and a bid opening is scheduled for March 4th.
2. Police – Police Chief Dykes reported citations had increased but traffic accidents were trending down. He reported Woodfin Elementary was back in session four days per week. Chief Dykes commended Detective Morrow for his dedicated and tenacious work on a difficult sexual assault case involving a minor. He also reported that a new Sergeant will start in March and an additional patrol officer position has been filled leaving one additional opening in the department. He also reported that a grant application previously approved by the board had been submitted to the US Department of Justice.

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3. Legal – No report.
4. Public Works – A written report was provided to the board from Public Works Director Johnny Brooks.
5. Administration – Town Administrator Eric Hardy provide an update on the year to date budget and reported that a couple of items are well under budget and there is a healthy surplus for the year on revenue collected. He stated the general sales tax revenue has exceeded budget with collection for only half of the year. Mr. Hardy reported current contracts the town has entered into include Pridestaff for temporary staffing, Attorney at Law Ron Sneed for land use review, J.M. Teague for a change order on the pavement condition survey, and TSA Choice for an annual renewal for I.T. support. Mr. Hardy presented a budget calendar for workshops in March, April and May and provided May 18th as the target date for presentation of a recommended budget with a public hearing to be scheduled for June 15th. Mr. Hardy also stated the town was currently accepting application for the planning and zoning boards and has currently received three applications.
6. Greenway & Blueway – Town Administrator Eric Hardy reported on the Riverlink funds received last month and stated that the naming rights policy was more tricky than originally thought. He reported on a construction meeting regarding Silverline which included a discussion around the train platform and handrails. He also reported more environmental permitting is required based on wetlands and drainage with a cost of \$10,000. Mr. Hardy reported he met with the engineering firm for Riverside Park and the Wave and announced the firm chosen is Equinox and their team. He did not report any changes regarding the greenway.

Mayor Vehaun reported he received an email from Land of Sky Regional Council reporting the passing of the former mayors of Weaverville and Marshall. He asked for everyone to keep their families in their thoughts and prayers.

Closed Session

Commissioner Angel move to enter into Closed Session in accordance with NCGS 143-381.11 for discussion of legal, personnel, contractual or similar matters. Commissioner Hensley seconded and the motion carried 6/0.

Adjournment

Upon returning to Open Session no business was transacted and Commissioner Angel moved to adjourn the meeting. Commissioner Hensley seconded and the motion carried 6/0. The meeting was adjourned at 9:19 p.m.

Mayor

Town Clerk