

Dear Board:

I hope this letter finds you all in good health and spirits. The enclosed agenda should not be overly lengthy, but we will need to have a discussion related to certain legal proceedings that the Town is preparing to undertake against the City of Asheville. Our attorney will be out of Town on the night of the meeting, he offered the services of his law partner to fill in on his behalf, but the Mayor thought this would not be necessary.

As always, if you have questions related to anything in the agenda packet, please do not hesitate to contact me at your convenience. I should note, however, that my cell phone has developed a glitch and I am awaiting a replacement, therefore you should try to reach me at the house if you need a question answered over the weekend.

Home: 645-9678
Cell: 768-4887
Office: 253-4887

Have a great weekend!

Jason

**Town of Woodfin
Board of Aldermen Meeting
August 16, 2005
6:30 P.M.**

Pre-Meeting-During the Pre-Meeting the Board of Aldermen will informally review the various issues on the agenda for purposes of clarification.

Executive Session – *The Board of Aldermen will adjourn to the conference room to conduct an executive session related to pending legal matters.*

As noted above this session relates specifically to our pending legal case against the City of Asheville over the golf course property.

Meeting

Meeting Call to Order
Invocation
Approval of Consent Agenda

Public Forum-*Citizens may address the Board concerning various topics after being recognized by the Mayor.*

Consent Agenda

- I. Approval of Agenda
- II. Approval of the Minutes
- III. Approval of the Check Register

- IV. Consideration of a Resolution Setting a Date for a Public Hearing on a Proposed Re-Zoning of Property located Along Mountain Glenn Drive and Terri Drive.
- V. Consideration of a Resolution Setting a Date for a Public Hearing on a Proposed Re-Zoning of Property located Along Riverside Drive.
- VI. Consideration of a Resolution Setting a Date for a Public Hearing on a Proposed Major Subdivision located on 400 acres at the end of Baird Cove Road.
- VII. Consideration of a Resolution Setting a Date for a Public Hearing on a Proposed Major Subdivision of a Major Subdivision located on 60 acres along Baird Cove Road.

I apologize for the inconvenience, but Cheryl was on vacation the last half of the week and I forgot to get a check register printed before she left. I will provide one to the Board at the meeting for review.

The Four Resolutions above are for the purposes of setting dates for public hearings on the matter of two major subdivisions and two re-zonings. All of these matters have been approved by the Planning and Zoning Board and are supported by staff. I will provide more information for your review prior to the public hearings which will be set for September 20, 2005 if these resolutions pass.

New Business

- I. Consideration of a Resolution Declaring the Town of Woodfin's Opposition to the Recent U.S. Supreme Court Ruling in Kelo v. New London and further Declaring the Town's Intent to Not Employ Eminent Domain outside of a true "public use" context.

The attached resolution would express the Board of Aldermen's opposition to the recent Supreme Court decision in Kelo v. New London and pledge their support for ensuring that eminent domain is only used for the generally understood and narrowly defined public purposes described in current state law and alluded to in the Constitution.

- II. Consideration of a Resolution Supporting the Eight Lane Connector.

NC DOT has asked the Board of Aldermen to consider a resolution in support of and eight (8) lane connector on the I-26 – 240 Interchange instead of a six (6) lane connector. Unfortunately, as of "press time" the DOT had not forwarded to me the language to draft this resolution. I will have a resolution available for the Board to consider on the evening of the 16th. The essential question here is whether the Board wishes to see DOT proceed with a larger project up front or come back in 10 years and try to expand it again. It should represent a significant cost savings to taxpayers if an eight lane connector wins out, but there are many people (especially in Asheville) that are opposed to the larger highway.

- III. Consideration of a Resolution Granting Authority to the Town Administrator to expend up to \$15,000 to purchase and equip a four wheel drive vehicle for the police department.

As you are all aware the Town has two aging four wheel drive vehicles for use in foul weather conditions or other emergencies. Both of these vehicles have become unreliable and their physical appearance is at odds with the image the

Town is trying to portray. I would like the authority to spend up to \$15,000 to acquire a good used four wheel drive vehicle and stripe and equip it. I believe that this figure is reasonable and these funds are available.

Reports

- I. Police Report
- II. Parks and Recreation Report
- III. Public Works Report
- IV. Administration Report

Adjournment