

**Dear Board:**

I hope this agenda reaches you and your family in good spirits and good health as always. The agenda for Tuesday is as follows. If you should have any questions or concerns please do not hesitate to contact me at 768-4887.

Thank you,

Jason

**Town of Woodfin  
Board of Aldermen Meeting  
September 9, 2006  
6:30 P.M.**

**Meeting**

Meeting Call to Order  
Invocation  
Approval of the Agenda  
Approval of the Minutes

**Executive Session** – The Board will meet in private session to discuss legal and economic development matters before the Town.

**I wish to update the Board on several legal matters including our ongoing litigation with Four Points/Carolina Cornerstone Construction, the ACLU, and pertinent economic development news. I also would like to get the Board's input on some potential voluntary annexation and to review this in the context of our proposed annexation agreement with the City of Asheville as well as our proposed annexation agreement with the Town of Weaverville.**

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

**The Board may hear from a variety of citizens as I have delivered a removal order for junked/abandoned cars from several properties in Town. As you may recall this allows for direct appeal to the Board of Aldermen which I am sure some will take advantage of. I will provide pictures taken on Tuesday morning for your review this evening.**

**New Businesses**

- I. Consideration of an Ordinance of Annexation for Several Properties Adjacent to the Town of Woodfin on the West Side of the French Broad River.

**This is the Western Annexation across the River only. It is imperative that we move quickly to annex this area due to recent maneuvers by the City of Asheville which will be explained in Executive Session.**

- II. Consideration of a Contract for sale of Municipal Property known formally as the Northwoods Golf Course.

**Attached you will find a contract for sale of the Northwoods Golf Course. Please review it at your leisure. I will ask the Board to set a public hearing for next month on the proposed sale of the property to Cherokee Investment Partners for \$2,000,000, contract to close by December 31, 2006.**

- III. Consideration of a Contract with SCS Engineers to Implement Landfill Gas Control measures to Facilitate the Completion of Woodfin's \$200,000 EPA Grant.

**Attached you will find a contract and proposal from SCS Engineers to expend the remainder of our EPA grant of \$200,000 for remediation on site. This is urgently needed in order to expend grant funds prior to the formal hand over of the property to Cherokee. The plan has been approved by EPA, DENR, Cherokee as well as favorably reviewed by LOS and myself. If you have any questions please do not hesitate to contact me.**

- IV. Public Hearing on a Motion to Amend the Town Charter to Provide for a Four Year Term for the position of Mayor subsequent to the next regularly held election as established under North Carolina General Statute 160A-101.

**The Board will hear the public's views on this matter and may express their own, however no vote can be scheduled on this matter until the next regular meeting of the Board in October, so there is no action other than opening the public hearing, taking comment and closing the public hearing.**

- V. Public Hearing on a Motion to Consolidate the Planning and Zoning Board and the Board of Adjustment into a single Zoning Board of Adjustment.

**This matter is different from the above in that the Board is scheduled to take action this evening. After the close of the public hearing on the matter the Board will be asked to consider an Ordinance modifying the code to reflect the change proposed.**

- VI. Consideration of an Ordinance Amending the Code to reflect a Single Zoning Board of Adjustment rather than the presently split Boards.

**As noted above.**

- VII. Consideration of a Vote to Empanel the Newly Created Board.

**The Board will be asked to appoint members from the two boards into one board and to designate any additional members as alternates.**

- VIII. Consideration of a Resolution Removing the Public Works Building from Public Sale and Authorizing the Town Administrator to Negotiate a Lease Agreement for Said Property with The Woodfin ABC Commission and to seek and Obtain a Mortgage Against the Property for the Purposes of Acquiring new Property and Constructing a New Public Works Facility.

**Since putting this property up for sale it has come to my attention that the property is much smaller (.58 acres) than what is listed on the Buncombe County website (1.1.6 acres). Given that the property is too small to bring our expected price of around \$350,000 I would like to remove the property from the market and arrange for a lease with the ABC Board which has a strong interest in the site. The property would remain in Town control and would act as an additional safe guard against future ABC Board becoming non-responsive to Town needs and wishes. Additionally, I am requesting the authority to mortgage the property so that we can fund construction of a new building. This will enable us to accomplish multiple goals at once by providing ABC with a good position, invigorating the commercial corridor, and getting a new public works building. It is anticipated that the ABC lease rate would be sufficient to cover our mortgage payments.**

**Reports**

Police Report

Public Works Report

Administrative Report

**Adjournment**