

## MEETING MINUTES

### Board Members Present

Mayor Jerry VeHaun  
Commissioner Jackie Bryson  
Commissioner Ronnie Lunsford

Vice Mayor Debbie Giezentanner  
Commissioner Donald (remote) Hensley  
Commissioner Theresa Stoker

### Board Members Absent

Commissioner Jim Angel

### Town Staff Present

Eric Hardy, Town Administrator  
Adrienne Isenhower, Planning Director  
Ryan Vinson, Town Clerk / HR Analyst

Michael Dykes, Chief of Police  
Sheri Powers, Finance Director

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

- A. Mayors Recitation** - *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.*

### **B. Approval of the Agenda**

Commissioner Giezentanner made a motion to approve the agenda. Commissioner Lunsford seconded the motion, which passed unanimously, 4-0.

### **C. Consent Agenda**

- 1. Approval of the September 21, 2021, Regular Meeting Minutes and September 29, 2021, Special Meeting Minutes**

Commissioner Bryson made a motion to approve the consent agenda. Commissioner Giezentanner seconded the motion, which passed unanimously, 4-0.

### **D. Good News**

- 1. Recognition of Commissioner Don Honeycutt for his 22 years of service to Woodfin**
- 2. Early Voting at Woodfin Community Center: October 30 from 9:00am – 3:00pm**

**E. New Business 1:**

**1. Appoint of Resident to Serve Remainder of Commissioner Honeycutt's term.**

Commissioner Lunsford made a motion to accept the appointment of Theresa Stoker to fulfill the remaining 2 years of Don Honeycutt's term. Vice Mayor Giezentanner seconded the motion, which passed unanimously, 4-0.

**F. Public Comment – The public is invited to attend this meeting in person or view this meeting on Facebook Live: <https://www.facebook.com/townofwoodfin>. All documents related to agenda items not published on the website may be viewed in advance of the meetings in person at Town Hall, 90 Elk Mountain Rd, Woodfin.**

*Citizens may address the Board concerning various topics after being recognized by the Mayor and are limited to 3 (three) minutes speaking time.*

Jay Grimmitt – How would we go about getting sidewalks on Jonestown Road and down to the river. Due to COVID, there has been a large increase in foot traffic, and we should look into the safety of those walking.

Mayor VeHaun – We can look into it, but would people be willing to give up a little land for it as there currently isn't Town owned land to make the sidewalk.

Jay Grimmitt – I'm a real estate agent, and that would increase property values especially with the new parks coming online in the next few years. What could I do to help the process?

Vice Mayor Giezentanner – You could ask the residents or go door to door and get a list of those who would be willing to assist or help. That would be very helpful to us.

**G. New Business 2:**

**1. ABC Board Monthly Report (Presenter: Tager)**

- a. Our FY 21 audit was presented at our meeting last night. We had a few new things in, but overall, no big suggestions or changes to make. Sales were only down 4% last month compared to 2020 and appear to be stabilizing out. Mixed drinks sales up as more restaurants re-opening. Will see what happens if/when people start going out more or stay in with the weather cooling.

**2. Adoption of the Buncombe Madison Regional Hazard Mitigation Plan (Presenter: Hardy)**

- a. Culmination of work started a few years ago. The importance of it is that it highlights threats to community and our preparedness/readiness to respond. Action items that relate to plans such as Comprehensive Plan and Capital Improvement Plan. Also, risks and threats were addressed and ability to respond as necessary. Lastly, adopting this opens door to apply for FEMA [Federal Emergency Management Agency] funding.
- b. Commissioner Lunsford made a motion the Buncombe Madison Regional Hazard Mitigation Plan. Vice Mayor Giezentanner seconded the motion, which passed unanimously, 5-0.

**3. Public Hearing: Rezoning of property located at 198 Elk Mountain Road and further identified by Buncombe County Parcel Identification Number 9730-25-8541 from R-10 to R-7 (Presenter: Isenhower)**

- a. Planning Director Isenhower – Downzone property for smaller setbacks and development of land/property in back. Planning & Zoning Board of Approval [PZBOA] recommends approval, and their consistency statement is attached.

Mayor VeHaun opened the Public Hearing at 6:45 pm.

- b. Jay Grimmett – I am the real estate agent for Chris Witkus. I am a member of the PZBOA, and I did not vote at the hearing during the PZBOA meeting. The intent is to cut the property in half, so he can build smaller home on the back part of the property. He doesn't need nor want a big house like the one currently at 198 Elk Mountain Road. He has rehabbed several houses in town. Rezoning fits zoning with all other houses around.

There being nobody else to speak, Mayor VeHaun closed the Public Hearing at 6:48 pm.

Vice Mayor Giezentanner made a motion to approve and accept change in zoning from R-10 to R-7 at 198 Elk Mountain Road. Commissioner Lunsford seconded the motion, which passed unanimously, 5-0

**4. Public Hearing: Rezoning property located at 99999 Blueberry Hill Road and further identified by Buncombe County Parcel Identification Number 9731-69-2231 from Community Shopping (CS) to Light Industrial (LI) (Presenter: Isenhower)**

- a. Planning Director Isenhower said that the PZBOA did not approve the request.
  - i. Vice Mayor Giezentanner – Why did they not approve?
  - ii. Planning Director Isenhower – They felt it was opening it up to more industrial uses than Community Shopping would allow. Community Shopping doesn't allow storage units, Light Industrial does.
  - iii. Vice Mayor Giezentanner – What is the property size?
  - iv. Planning Director Isenhower – 3.45 acres
  - v. Nobody at the [PZBOA] meeting spoke in favor of plan
- b. Bowen Herbert (developer)– The property framed by Blueberry Hill neighborhood, Weaverville Highway, New Stock Road, and I-26. Some did speak against this plan at the PZBOA meeting. We probably could have communicated intent better. Of 15 houses in the neighborhood, only 3 about this property. There is a mandatory 100-foot buffer between property and neighbors with the deed and covenants and it will remain a wooded and forested area.
- c. Bowen Herbert (developer)– This would be a 3-story climate controlled self-storage unit. Under Community Shopping, the idea of the mini storage it is referred to, is not what our project is. Our storage unit will look like an office building. There will be no storage outside, everything is all inside. The building will be 35' in height, and we are only using 1.42 acres of property. The building would be 42-ft below backyard of neighbors, due to steep slope of 100-foot buffer. There are similar uses between Community Shopping and Light Industrial. This property is currently zoned as a commercial property and has been for 20+ years. Without rezoning, the property could be developed into a hotel, restaurant, office building, etc. That would be more invasive than our proposed use, which is low impact, daytime use only, doesn't emit noise or odor, draws less traffic than other uses.
  - i. Commissioner Lunsford – Is that the actual picture?
    - 1. Bowen Herbert – Yes, it is a rendering.
  - ii. Vice Mayor Giezentanner – Did you make any attempts to contact neighbors?
    - 1. Bowen Herbert – We did not expect the amount of unsupportive neighbors
    - 2. Vice Mayor Giezentanner – It might be beneficial to have neighborhood support
  - iii. Glenda Weinert – We have met on numerous occasions with homeowners. There is nothing they will agree to. We offered for them to purchase the property (neighbors), we have been diligent to follow covenants on property and protect 100-foot buffer. The

only agreement they would accept was several years ago and that was to make it a park. Everybody knew it was commercial when purchased their houses.

- iv. Commissioner Stoker – I was on the PZBOA during this item, and I remember there being a school bus issue?
  1. Glenda Weinert – 3/4 of the way up Blueberry Hill is all commercial and then residential into the neighborhood. I'm not sure where bus stop.
  2. Owen Herbert – The bus stop is above the shared entrance with Valvoline. We obviously want to protect the kids and property.
- v. David Brock – Out application submittal had a statement to show our projects reasonableness with Comprehensive Plan based upon 9 items.
- vi. Vice Mayor Giezentanner – Adrienne, were there any land use problems they [PZBOA] have with this proposed development?
  1. Planning Director Isenhower – They didn't go into detail, but did discuss job development, uses allowed in Light Industrial, and they felt this project wasn't compatible with Community Shopping. They were also concerned about neighborhood opposition.
  2. Commissioner Lunsford – Under Community Shopping, would the buffer be disturbed if something else was built?
  3. Planning Director Isenhower – No, covenants do not allow it to be disturbed
  4. Commissioner Stoker – The school buses safety concerns were there, and we do not need another storage unit.
  5. Commissioner Stoker – Pickup / drop off from school bus is at Valvoline.
- vii. Bowen Herbert – From our understanding, there was discussion about children with the school buses and potential danger at that area / bus stop. We were unclear of the bus stop at the [PZBOA] meeting. There would be no traffic during pick up for the storage unit, and minimal during drop off. Will work with neighbors to help with safety of kids.

Mayor VeHaun opened the Public Hearing at 7:22 pm.

- a. Jon Warren – We moved in 6 months ago, and were unaware of any of this. There has been animosity throughout this process. For the rezoning to Light Industrial, this is unconditional request, no conditions on approval of what can be built.
- b. Vice Mayor Giezentanner – Is that possible? What forces them to build this?
- c. Planning Director Isenhower – It depends on uses in Light Industrial district. Many similar uses to Community Shopping. As long as it is something on the approved list, it could be approved.
- d. Commissioner Lunsford – But a McDonald's, a hotel could be built without zoning change?
  - viii. Planning Director Isenhower – Yes as they are approved uses for Community Shopping.
- e. Vice Mayor Giezentanner – Would they have to come back with site plan?
  - ix. Planning Director Isenhower – Yes, if it is for something that is allowed in the district, it would be approved administratively.
- f. Vice Mayor Giezentanner – I am on the fence of impact as it's a 3-story building, there aren't many 3-story office buildings in Woodfin. I am also concerned about effect on property value.
- g. Glenda Weinert – It has been important to us since we have owned property not to put a McDonald's, hotel, etc. With that traffic flow, light pollution, but want to use the property to the best of its ability. Highest and best use for property and minimize impact on neighbors.
- h. Owen Herbert – There is only 1.5 acres of usable property, not enough room to build a big building or shopping center.

There being nobody else to speak, Mayor VeHaun closed the Public Hearing at 7:34 pm.

Attorney Ferikes – You can request a written document from PZBOA with explanation on why they don't approve this request or find it consistent.

Vice Mayor Giezentanner – I would like to put off for month and ask for written statement from PZBOA about why they voted against the rezoning.

Commissioner Lunsford – I watched [PZBOA] meeting on Facebook about the bus stop concerns.

Commissioner Lunsford – I say we vote on it tonight.

Vice Mayor Giezentanner made a motion for the property located at 99999 Blueberry Hill Road, that we request that the PZBOA give us written statement on why the proposed use does not fit land use plan. Member Stoker seconded the motion, which passed 4-1. Commissioners Lunsford voted against the motion.

**5. Public Hearing: Master plan for a cottage cluster development. The property is zoned Mountain Village (MV) and is located at 99999 Old Home Road, further identified by Buncombe County Parcel Identification Number 9731-76-1678 (Presenter: Isenhower)**

- a. Planning Director Isenhower – A master plans was submitted for a vacation rental and wedding venue. The cottages would be a Harry Potter themed village. They have submitted a site plan, stormwater plan, water/sewer plan, PZBOA recommends approval.

Mayor VeHaun opened the Public Hearing at 7:22 pm.

- b. Mike Parrish – People come from all over for our treehouse. This property sits on 8.93 acres, we would build 9 units with open area, hiking trails with some that are elevated and lighted. Bookings are 6 months in advance, booked out 97% throughout the year.

There being nobody else to speak, Mayor VeHaun opened the Public Hearing at 7:47 pm.

Commissioner Lunsford made a motion to accept the master plan for 99999 Old Home Road. Commissioner seconded the motion, which passed unanimously, 5-0.

**6. Report on Employee Health Insurance Benefits (Presenter: Powers)**

- a. Our health plans renew on December 1 and end on November 30 of each year. Last year, the plans were revamped plans to get a lower coverage cost for dependents and minimize budget impact on Town. We were aware costs would go up, about 15% on average. Able to continue with current level of benefits for this current year.

**H. Departmental and Administrator's Reports:**

**1. Police**

- a. Drugs charges increased due to a governor highway safety program. The program is beneficial to the Town, and we are rewarded with points for each program we participate in and then we can cash those in for points for equipment for the department. Looking to buy mobile printers this year, we can probably get 3 or 4.
- b. Missing person found deceased in Asheville. It has been ruled a homicide, they have made charges in case. Since the homicide did not occur in Woodfin, the case is being handled by Asheville Police.

- c. As follow up to an August traffic stop, information was gathered in September and the person was charged with 15 counts of sexual exploitation of a minor (child pornography), proud that we got him off the street!
- 2. Planning and Zoning**
- a. Timeline for zoning ordinances and amendments – the PZBOA needed more time to go through the edits, going back to them in November to final review and recommendation for the Board.
  - b. Stormwater ordinance review is underway, we have contracted with Anchor QEA, hoping for a draft soon.
  - c. Stormwater management plan is near completion. Land of Sky Regional Council [LOSRC] is finalizing the plan.
  - d. Steep slope ordinance development with LOSRC. We are currently comparing ordinances from different jurisdictions and then will meet and compare notes and go from there.
  - e. Code enforce officer hired, started on 10/18.
- 3. Finance**
- a. The audit report presentation will be in November. The report has been submitted to the Local Government Commission and we are awaiting their review and approval.
  - b. Police Department was awarded small grant from Department of Justice for bullet proof vests, the grant is for \$1,900.
  - c. FY 22 Budget is \$6,230,354, we have collected \$802,099 so far
    - i. Major revenue sources should meet or exceed budget
    - ii. Expenditures: \$1M, encumbered: \$361K, \$4.8M available
  - d. ARPA Funding
    - i. No new commitments
    - ii. Update numbers as we enter into contracts
- 4. Administration**
- a. Employee vaccination incentives
    - i. 51% of employees have provided proof
  - b. Contracts
    - i. McGill: tasks order 1, assess streets offered for Town's acceptance
    - ii. AnchorQEA
      - 1. Task 1: \$8900 stormwater technical review
      - 2. Task 2: \$22,314 runoff control program development
    - iii. Linda Glitz
      - 1. Not to Exceed \$14K – 2022 Comprehensive Plan consulting
    - iv. JM Teague
      - 1. \$40K 2022 Comprehensive Plan development
    - v. B&H Grading
      - 1. \$8,480 – mowing I-26 exit at 23
    - vi. LOSRC
      - 1. Not to Exceed \$26,400 planning, technical support
  - c. Leaf collection
    - i. End of October
- 5. Public Works**
- a. Monthly collection totals are in your packet.
- 6. Greenway & Blueway**
- a. Cofferdam at Silver-Line Park
    - i. Work is in progress, help us extremely well during recent rains. Should be able to drain area soon so concrete can be laid for boat ramp.

- b. Greenway Project:
  - i. RiverLink
    - 1. Amending agreement with River-Link to mainly fundraising and moving communications back in house with Ryan and Luke both on board.
    - 2. Tentative December Board of Commissioners meeting for introduction to new Executive Director.
    - 3. Their initial fundraising strategies encompasses entire funding gap
- c. Silver-Line Park
  - i. Cofferdam
    - 1. \$255K and using American Rescue Plan Act [ARPA] funds
    - 2. Boat ramp
  - ii. Coordination with County for greenway
  - iii. Pending decisions
    - 1. Change order for private ship
    - 2. Park signage (logo)
    - 3. Public building design
  - iv. Open spring 2022
- d. Riverside Park + Whitewater Wave
  - i. 30% design review in November
  - ii. Grants
    - 1. Parks & Recreation Trust Fund [PARTF] grant awarded: \$400K
    - 2. Land & Water Conversation Fund [LWCF] grant application submitted: \$500K
  - iii. Ongoing discussions
    - 1. Boat ramp, outfitters, parking
- e. Greenways
  - i. Staffing changes at Buncombe County
  - ii. Surveying complete
  - iii. March 22 Public Hearings
  - iv. August 23 target contract and construction starting shortly thereafter

Commissioners Lunsford made a motion enter closed session. Commissioner Bryson seconded the motion, which passed unanimously, 5-0.

The Mayor called for a *FIVE MINUTE BREAK* at 8:32 pm before heading into Closed Session.

I. **Executive Session**- The Board of Commissioners may adjourn to private chambers to discuss legal, personnel, contractual or similar matters protected by the NCGS § 143-318.11.

- 1. **NCGS § 143-318.11(a)(3)**: The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.

J. **Adjournment**

Commissioner Lunsford motioned to adjourn regular meeting. Commissioner Stoker seconded the motion, which passed unanimously, 4-0.

Mayor VeHaun adjourned the meeting at 9:50 pm.

  
\_\_\_\_\_  
M. Jerry DeHaun  
Mayor



Attest:   
\_\_\_\_\_  
Ryan Vinson  
Town Clerk