Town Council

OCTOBER 21, 2025

Proclamation

Consent Agenda

Public Comment

Presentations & Reports

ABCCM Update

SHERYL OLSEN, ABCCM SENIOR SITE COORDINATOR

Stronger Together

North Samaritan Crisis Ministry &
Town of Woodfin

Emergency Assistance

Emergency Assistance Report

$15, 528.03	Rent Assistance
$5,092.45	Utility Assistance
$20,620.48	Total
$4,379.52	Remaining

Emergency Assistance Report

- 29 Households Served
- 20% Non-native English Speaking
- 100% Connected to other services at North Crisis & in the Community

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- $1194 Average of Rent Assistance
- $566 Average of Utility Assistance

- 20 Households Assisted with Rent
- 9 Households Assisted with Utilities
  - electricity, oil and natural gas

Impact Story

No Water

Michelle lost her job at the Fireplace Restaurant because they did not have water. The restaurant closed after Hurricane Helene struck on September 27, 2024. Michelle receives disability income but it is not enough to sustain her rental so she works part time and that sees her through each month. Her housing was severely affected as well, no electricity for 10 days, she is on the City of Asheville Water System so no water for 6 weeks. When she finally got water, it had to be boiled.

We were able to assist her with one months rent thru the Woodfin Emergency Fund and were able to refer her to other agencies that could assist as well.

The impact of Helene has been huge since Helene, many more high rents, electricity and water cutoffs. We are thankful for the support of all the community members in Buncombe County.

Thank you, Town of Woodfin!

Stronger Together

Thank you for your partnership!

Community Garden Update

KATIE COX & LILY DANCY-JONES

Woodfin Community Garden

at Geneva Maney Park

2025 updates



Garden site in October 2025

The Woodfin Community Garden (WCG) is a volunteer-led effort supported by Bountiful Cities and the Town of Woodfin.

Thank you for your support!

The town installed a water spigot, mulched the site, and provides waste pickup and a portable toilet - thanks!



Garden site in late April 2025

The Woodfin Community Garden at Geneva Maney Park was proposed to town council in March 2024 and an agreement was signed in July 2024.

Due to Hurricane Helene recovery related delays we were unable to begin work on garden infrastructure until April 2025. We made some modifications to our goals for the year but remained ambitious!









Thanks to the Tipping Point Grant we recieved from Buncombe County, we were able to purchase the tools and supplies we needed to start the garden before June 30th (the end of the FY 2025 grant period).

Weekly Saturday workdays began in May.
We met our Tipping Point grant goals of hosting 10 workdays and building at least 10 raised beds before June 30th.



During May & June, 15 volunteers spent a total of 100 hours working together in the garden.

Volunteers in May 2025





In May and June we built 12 raised beds, filled them with new potting soil, and planted them with donated plants and seeds. In addition to vegetables and herbs, we added beauty with seasonal flowers. We also built a tool shed!





The tool shed and water spigot are secured with coded padlocks









Since the garden wasn't ready for us to plant anything until late May we decided to tend the garden communally this first year and share our small harvests. Currently, we are surveying to gauge interest in starting to rent raised beds in spring 2026.









garden volunteers range from age 7 - 72!

We are thrilled that the garden has been a welcoming space for visitors of all ages. We started a "kids garden" section with a small seating area and two raised beds. Senior residents have been able to enjoy the garden at their own pace and also benefit from the social connections.

We discovered a drainage issue with the summer rains. Thanks to support from the Town, Johnny with the Public Works team helped dig a trench and install pipe and gravel to move the standing water we'd been observing near the tool shed and spigot.



Drainage improvements were completed behind tool shed, along the Lookout Rd border, September 2025







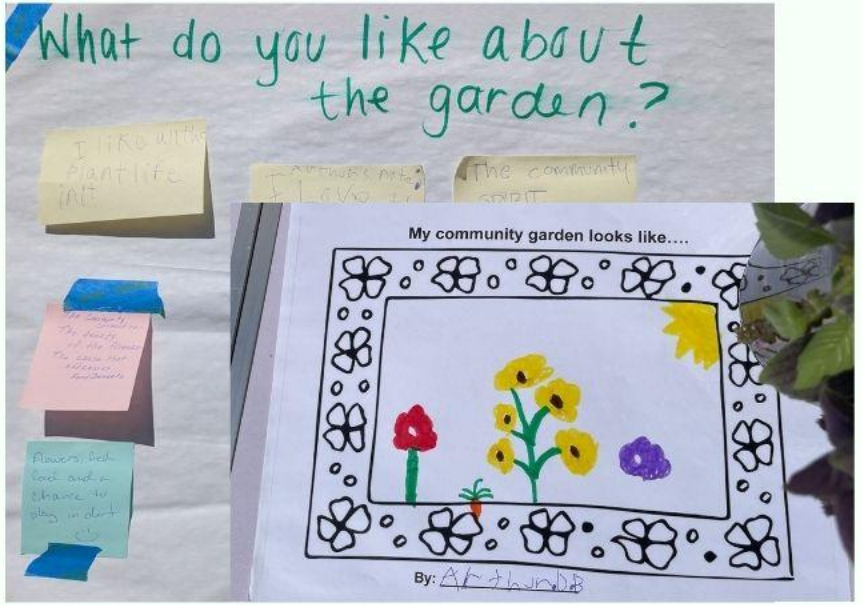
The community garden has been looking alive and full of color lately. In the past few weeks we have observed Eastern Black Swallowtail caterpillars, Monarch butterflies, a Downy Woodpecker, and several different songbirds.

In September we hosted a garden volunteer appreciation to celebrate what we've accomplished these past few months in creating a garden from the ground up and building community.









We hosted an "open house" event on October 4th that had 30 attendees, including 8 volunteers and over 20 first time visitors. The following week we had 4 new volunteers attend the workday!







Plant donations valued at over $1,000 will come from Asheville GreenWorks and the USFWS, with planting support from FBRA and WWC

Throughout the summer we have been sheet mulching the slope along Lookout Rd in preparation for planting the area with native pollinator plants. This Fall-Winter we are partnering with local schools and organizations to add native plants and shrubs throughout the garden.

Woodfin Community Garden 2025 in numbers

- **16 raised planting beds** constructed, filled, and planted with donated vegetables, flowers, and herbs
- **35 volunteer workdays** hosted at the garden
- **30 garden volunteers** (77% Woodfin residents)
- **340 volunteer labor hours** (>$10,000 in-kind value)
- 10 steering committee meetings and 100's of "behind the scenes" hours of planning, communications, grant reporting, buying supplies, etc.
- **$5,000 of grant funding** and **donations valued at $1,650** (anticipated to exceed $3,000 after fall plant donations)

numbers current as of October 21st, 2025. Volunteer participation will continue through the rest of the year.

Plans & ideas for 2026:

- Apply for grants!
- Improve existing beds and develop new planting areas for volunteers to grow produce to share with the community
- Implement a rental system for Woodfin residents
- Build an information kiosk
- Develop Kids Garden area
- Art in the garden
- Sustainable design features



We are very grateful for the Town of Woodfin's support!



And the donations and support provided by...

- Buncombe County
- Bountiful Cities
- Flat Creek Plant Farm
- Painter's Greenhouse
- Ross Farms
- Appalachian Arborists
- Pennycup Silverline
- Beer City Bicycles
- **and many generous Woodfin residents and garden volunteers!**


Any Questions?

Subcommittee Updates

WOODFIN TOWN COUNCIL

Town Manager Report

SHANNON TUCH, TOWN MANAGER

Tropical Storm Helene - Recovery

FEMA Public Assistance

- Stormwater (culverts) revised damage inventory & detailed cost estimates supplied
- Roads engineering contract, revised damage inventory & detailed cost estimate expected this week
- Debris invoices obligated
- Riverside Park costs approved
- Silver-Line Park construction bid to be posted this week
- Met w/ FEMA Community Liaison

Tropical Storm Helene - Recovery

Long-Term Recovery Planning

- Public Input closed - 4 comments for Woodfin (no change to plan)
- Goes to BC Commissioners for adoption in November

- Exploring DPS – Disaster Relief & Mitigation Funding (Nov. 28) & HMGP “Advanced Assistance” funding (Oct. 31)
- Applying for Office of State Budget & Management (Nov. 21)
- CSCI – in process

- Ballfield restoration – in process (again)

Administration

- Contracts & Agreements: August - September

LOS	BC-BOE
$6880 (NTE)	**$Variable**
GIS Tech Support	**Election Services**

- Clean Audit for FY2025 – auditor's presentation in November
- TextMyGov launched
- Records management – ongoing
- Helene anniversary newsletter – at printers
- Grant management

Planning, Stormwater & Flood

- Code Update – Policy Review
- Enforcement investigations

- SW permit close-out & annual inspections – work continues

- Research into historical flood data – Weaverville Rd.

Public Works & Facilities



- Roy Pope playground repairs continue
  - New benches being installed
  - Search for suitable canopy continues

- Quotes for bathroom and kitchen remodel
- Paving to be completed this week
- (Free) Bulky item collection – Nov. 3-7



Police

- Department of Justice Grant - $183,069
  - Funds one part-time employee for policy updates needed for NC Accreditation Program Standards
  - Power DMS software
  - Evidence room upgrade
- Governor's Highway Safety Program – over $5000 worth of equipment
- Inaugural Faith Alliance meeting held
- BOE Incident Action Plan for Municipal Elections

New Business

Interviews & Appointment of ABC Board Member

WOODFIN TOWN COUNCIL

Municipal Code Enforcement Overview

SHANNON TUCH, TOWN MANAGER

Authority - General

A municipality's authority to enforce laws and ordinances comes from the North Carolina General Statutes, ***Chapter 160A – Cities and Towns*.**

160A also establishes many of the rules that cities and towns must follow.

- Annexation
- Public Meetings & Quorums
- Personnel
- Streets
- Sanitation & Nuisance Abatement
- Taxes
- Law Enforcement

Authority – Dillon's Rule vs. Home Rule

North Carolina is neither a Dillon's Rule nor a Home Rule state

- Or -

North Carolina is both a Dillon's Rule and a Home Rule state

Authority – Dillon's Rule vs. Home Rule

North Carolina is a "weak" Home Rule state

- Or -

North Carolina is a "modified" Dillon's Rule state

The General Assembly's directive is that municipal powers be "be broadly construed" to allow for additional, supplementary powers that are "reasonably necessary or expedient" for municipalities to carry out their duties. However, these powers are always subject to state law.

Authority – State Granted Power

State-granted power: Local governments in North Carolina exist by the "legislative benevolence" of the state and can only act to the extent that the General Assembly grants them power.

No inherent authority: Unlike home rule states, where local governments have broad powers over local concerns unless the state constitution or law prohibits them, North Carolina local governments do not have this inherent power.

Delegation through statutes: Authority is delegated through a mix of general laws that apply to all local governments and local acts that apply only to a specific municipality or county – in some instances, that delegation is broad.

Power is not guaranteed: The authority granted by the state can be changed, amended, or revoked through legislative action.

Enforcement Categories

- Law Enforcement
- Building Code
- Land Use (development)
  - Zoning
  - Stormwater
  - Grading & Erosion Control
  - Flood
  - Historic Preservation
- Minimum Housing
- Public Nuisance
  - Sanitation
  - Junked Vehicles
  - Noise
  - Snipe Signs

Enforcement Categories

- ~~Law Enforcement~~
- ~~Building Code~~
- **Land Use (development)**
  - Zoning
  - Subdivision
  - Stormwater
  - ~~Grading & Erosion Control~~
  - Flood
  - ~~Historic Preservation~~
- **Public Nuisance**
  - Sanitation
  - Junked Vehicles
  - Noise
  - ~~Snipe Signs~~
- **Minimum Housing**

Land Use

While general authority to enforce is outlined in ***Chapter 160A***, more specific land use authority for all local governments is outlined in ***Chapter 160D – Local Planning and Development Regulation*.**

Chapter 160D represents a recent consolidation of land use related laws for both municipalities and counties.

Land Use

160D also establishes specific property owner rights:

- Vested Rights
- Permit Choice

With strong limits on performing or regulating:

- Annexation
- Enforcement
- Down-zoning
- Single-family
- Outdoor Advertising
- Forestry / Agriculture
- Wireless Telecommunications

Land Use Enforcement Layers

Before Construction:

- Application & Plan Review

During Construction:

- Inspections
  - Pre-established / scheduled (building)
  - Unscheduled (stormwater)

After Construction:

- Inspections
  - Complaint-based
  - Annual
  - Unscheduled

Land Use Enforcement Layers

Before Construction:

- Plan Review

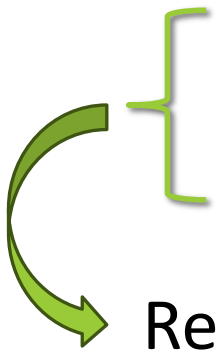
Repeat as needed

- Application w/ plan(s)
- Review for compliance
- Comments provided / revisions required
- Re-submittal
- Permit issuance

Land Use Enforcement Layers

During Construction:

- Inspection
  - Pre-established
  - Unscheduled



- Visually inspect for compliance
- Approve / disapprove
- Corrective action as needed

Repeat as needed

Land Use Enforcement Layers

After Construction (CO issued):

- Inspection
  - Complaint-based
  - Annual
  - Unscheduled

- Visually inspect for compliance
- Notice
- Time to cure
- Close case or move to citation

Public Nuisance - Sanitation

- Woodfin enforces its own Solid Waste Ordinance (2022)

- Enforcement standards focus on:
  - Unapproved use of container
  - Improper placement of container
  - Waste accumulation

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  - Unapproved use of container
  - Improper placement of container
  - **Waste accumulation**

Public Nuisance - Sanitation

- Property maintained in a “clean” & “litter free” manner
- Focus on public health, safety & welfare
- Prohibit storage of materials that result in:
  - odor
  - rodents / vermin
  - fire hazard
  - unsafe conditions (i.e. appliance w/ door in place)

There is significant ambiguity and subjectivity in these standards.





Odor ✖







Odor ✖

Vermin ✖





Fire hazard ✖

Odor ✖

Vermin ✖





Odor ✖

Vermin ✖



Fire hazard ✖

Unsafe conditions ✖









Public Nuisance – Junked Vehicles

- Woodfin has junked vehicle standards, but we are very limited by state law
- Significant subjectivity in statutory language
- Standards favor the property owner

Public Nuisance - Junked Vehicles

Vehicle Enforcement Overview — Who Handles What

Police Department

Public Roads / Right-of-Way

State law: G.S. 20-219.11

(Immediate or 24/72-hr notice)

Planning & Zoning

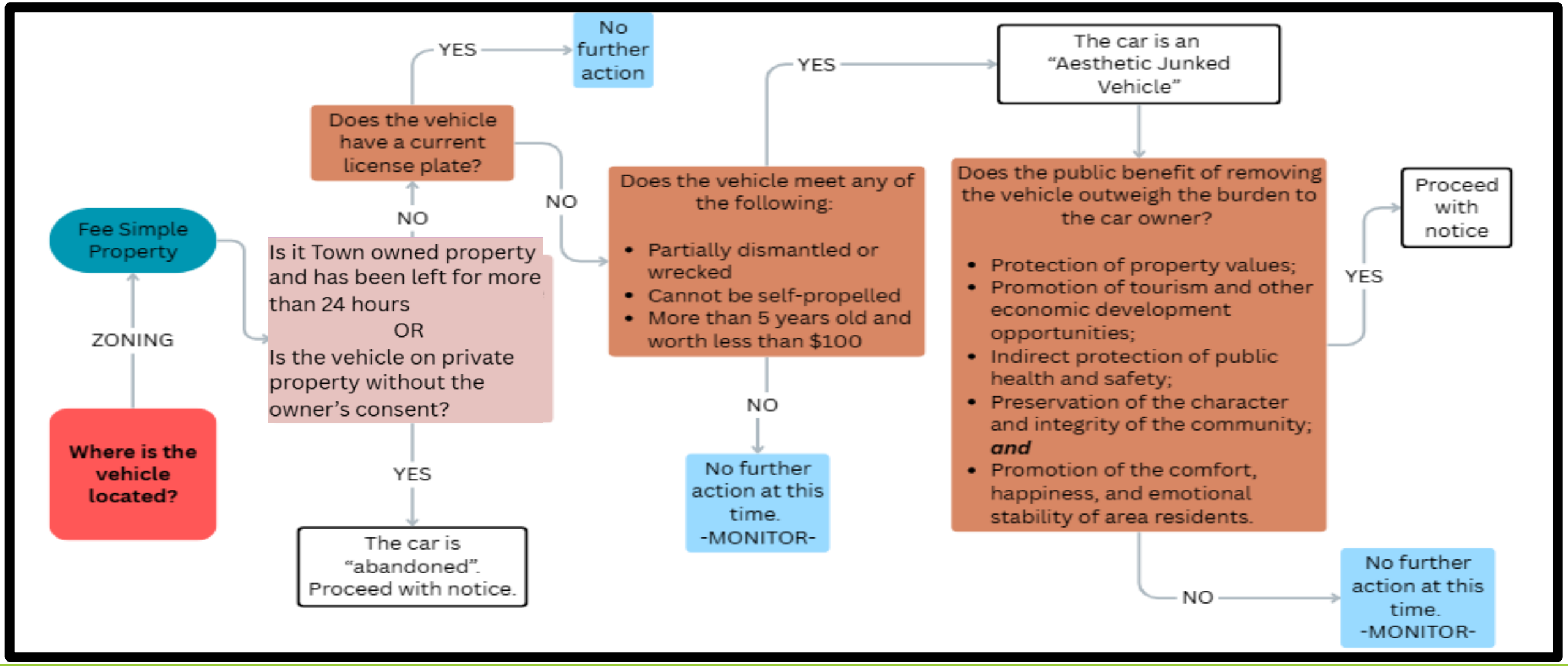
Private Property

Town Code §22-34

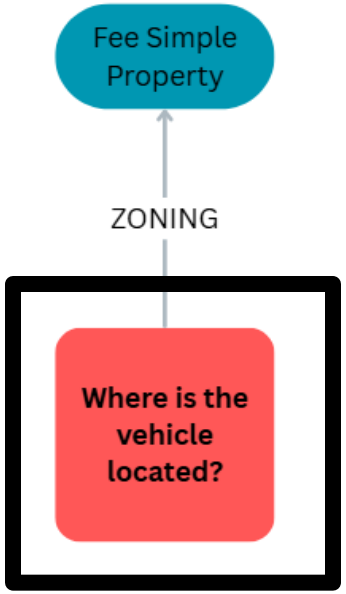
(Notice + Hearing Required)

The Police Department and Planning staff **coordinate with one another** when a vehicle moves from public to private property to make sure the right process — and the right department — is involved.

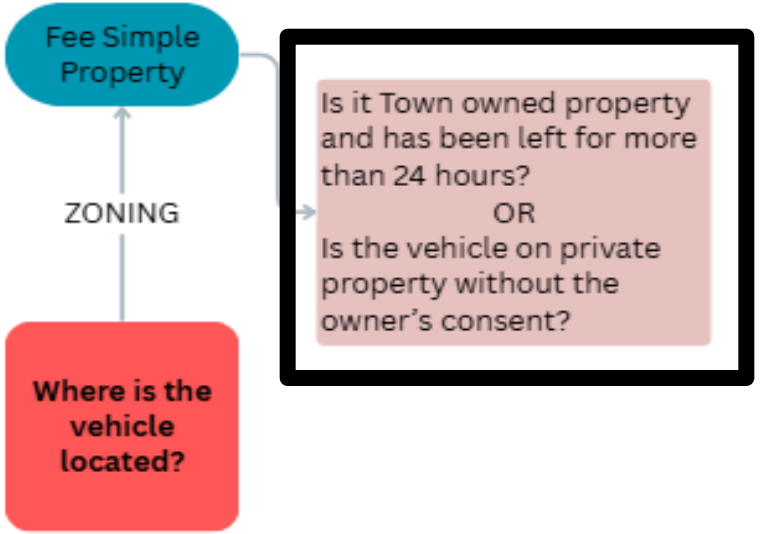
Public Nuisance - Junked Vehicles



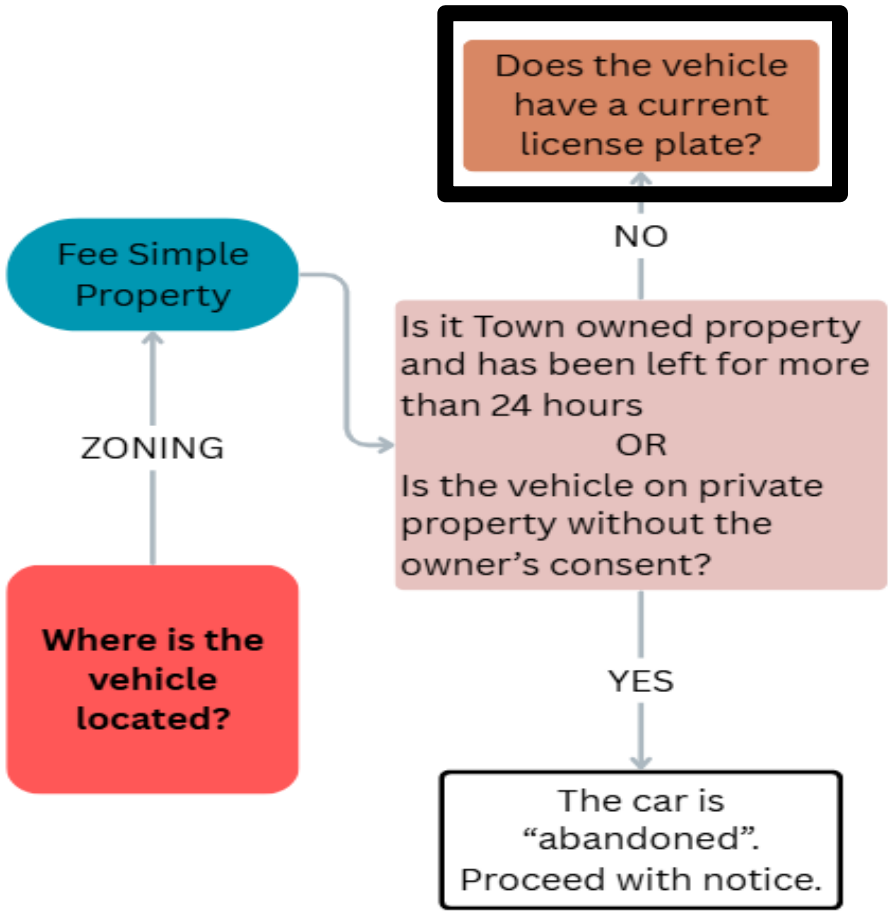
Public Nuisance - Junked Vehicles



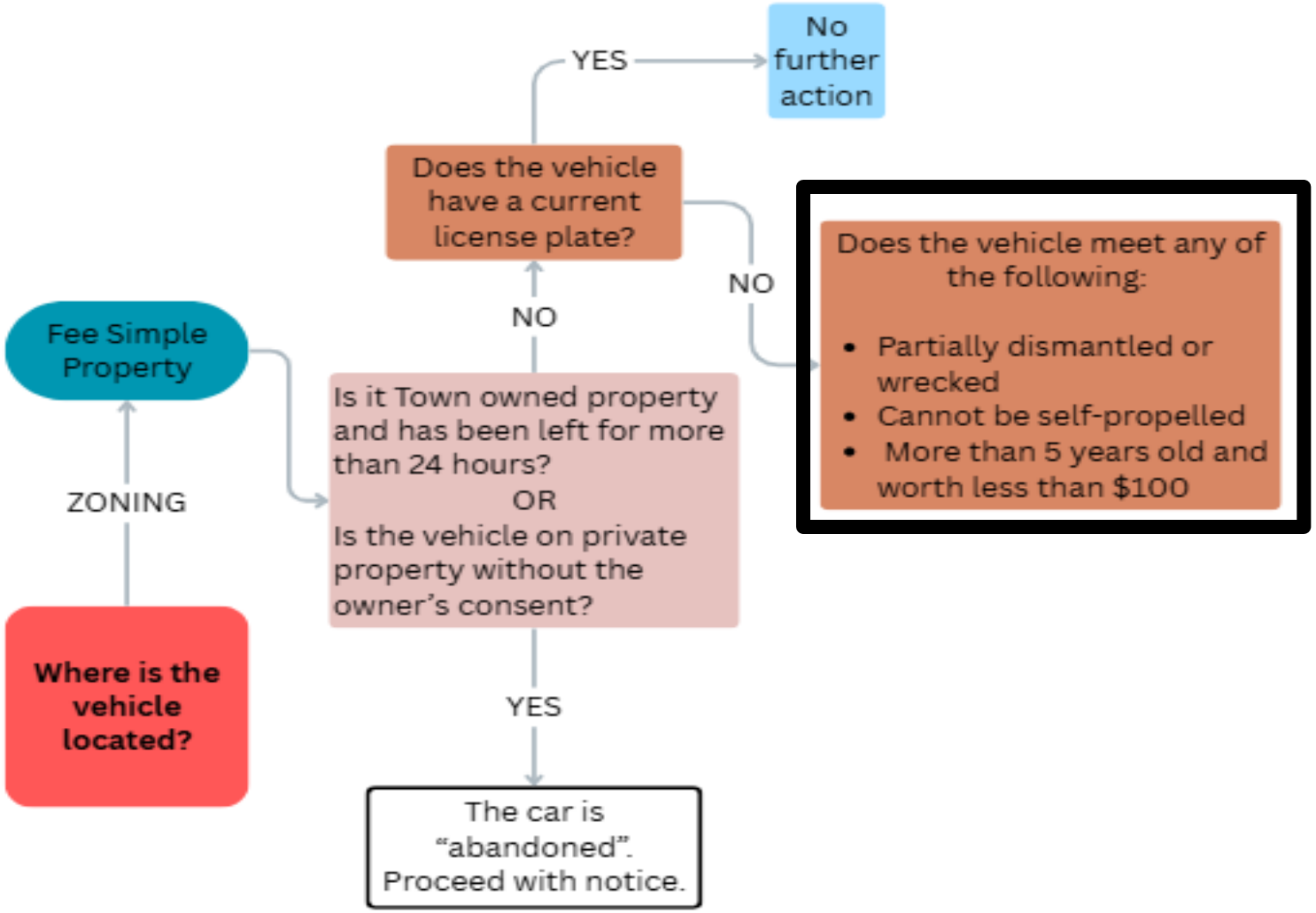
Public Nuisance - Junked Vehicles



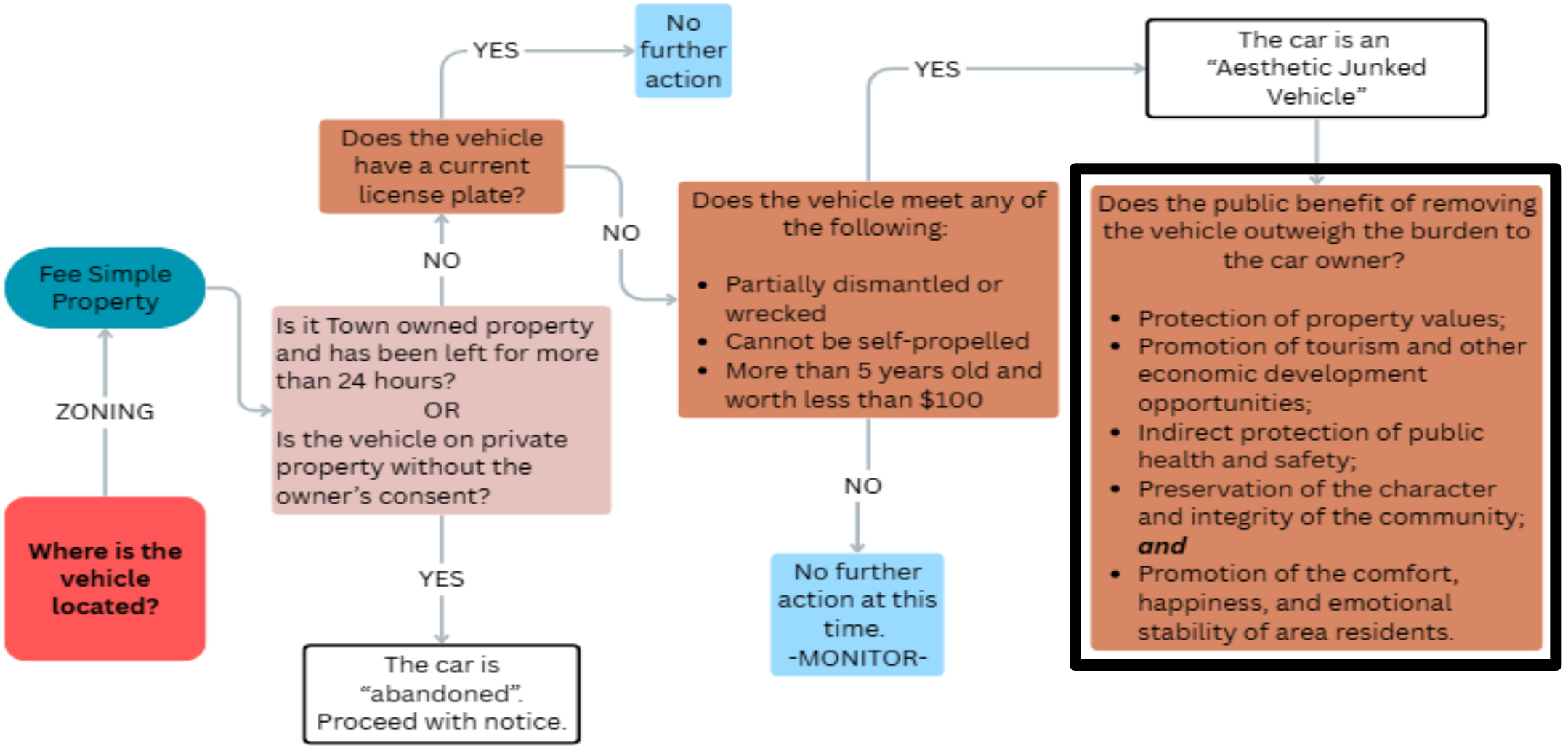
Public Nuisance - Junked Vehicles



Public Nuisance - Junked Vehicles



Public Nuisance - Junked Vehicles



Public Nuisance - Noise

Woodfin manages noise through **Zoning:**

Zoning laws determine what types of buildings and activities are allowed in different areas, such as separating residential neighborhoods from industrial zones to prevent nuisances like noise, traffic, and pollution.

Zoning separates incompatible, disharmonious land uses.

Public Nuisance - Noise

Woodfin manages noise through a **basic noise standard, but . . .**

. . . ***unreasonably*** *loud, disturbing and* ***unnecessary*** *noise*

. . . noise of such character, intensity and duration as to [be] ***detrimental to the life or health*** *of any individual*

. . . disturb the quiet, comfort or repose of a ***reasonable*** *person*

. . . ***offensive***

. . . ***excessive***

Minimum Housing

Who Enforces What?

Town of Woodfin

Woodfin's Chapter 18 Housing Ordinance (Article 12)

- Adopted under N.C.G.S. 160D-1201 et seq.
- Gives the **Town authority** to enforce minimum housing.
- **Town Administrator** = Public Officer
- **Zoning Administrator** = Enforcement Officer
- Fully compliant setup under state law.

Buncombe County

Collaboration with Buncombe County

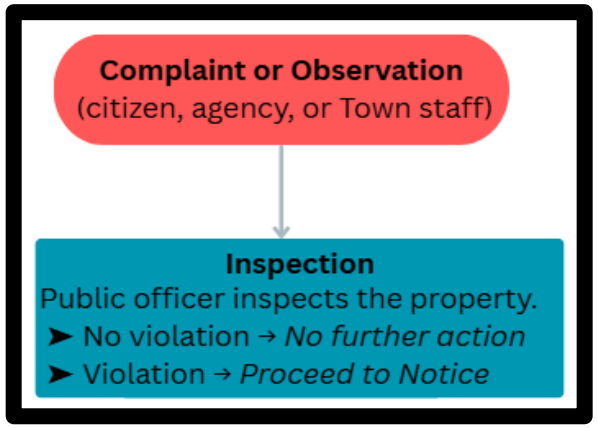
- County enforces **Article 11 (Building Code Enforcement).**
- Required when a case involves the **NC State Building Code** or safety of construction.
- County's **Certified Building Inspecto**r must be involved.
- Town may delegate enforcement administratively (efficiency / liability) but is **not legally required** to.

Minimum Housing

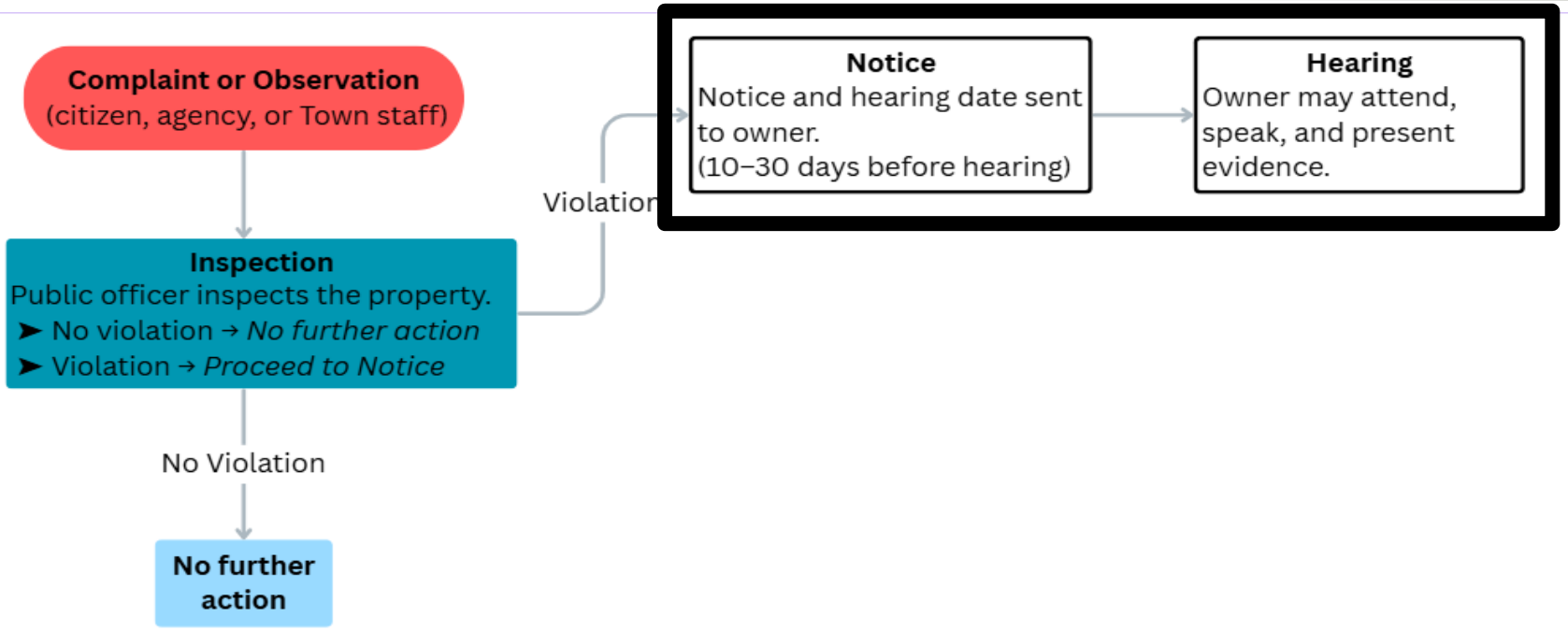
Focuses on basic requirements for **habitability**:

- Space (crowding)
- Ceiling height
- Functional systems (plumbing, heating, electricity)
- Structural integrity (roof, walls, floors)

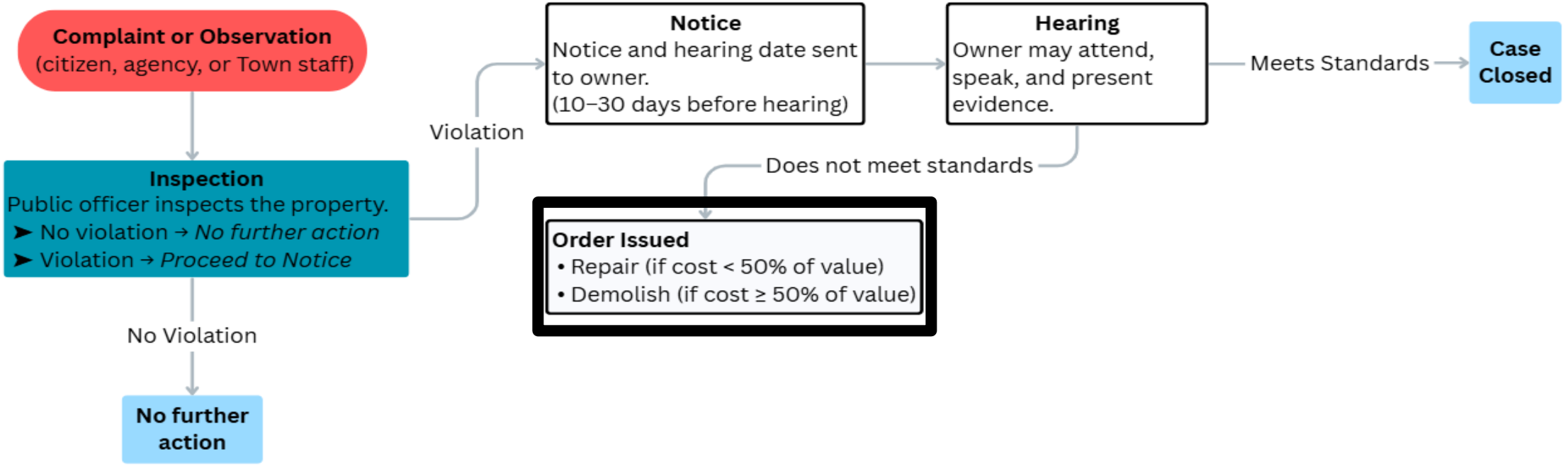
Minimum Housing



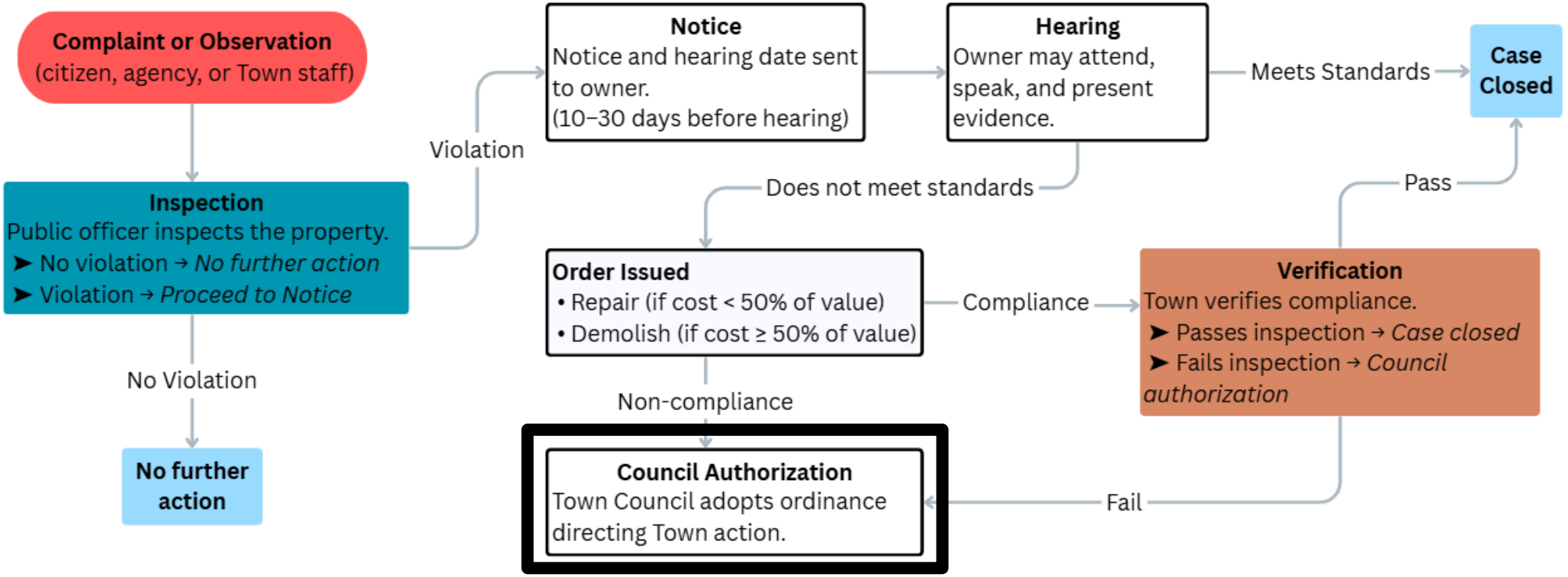
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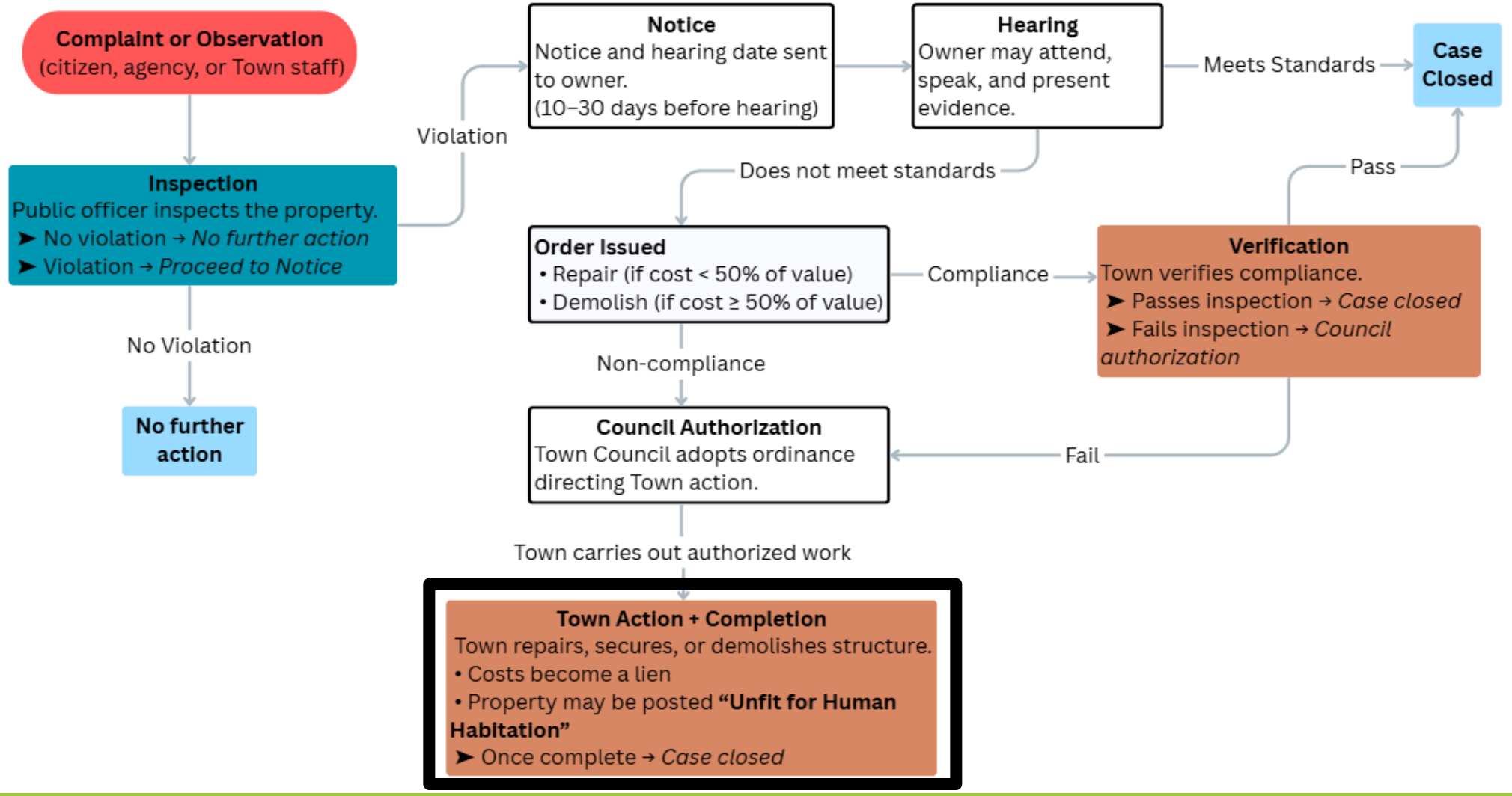
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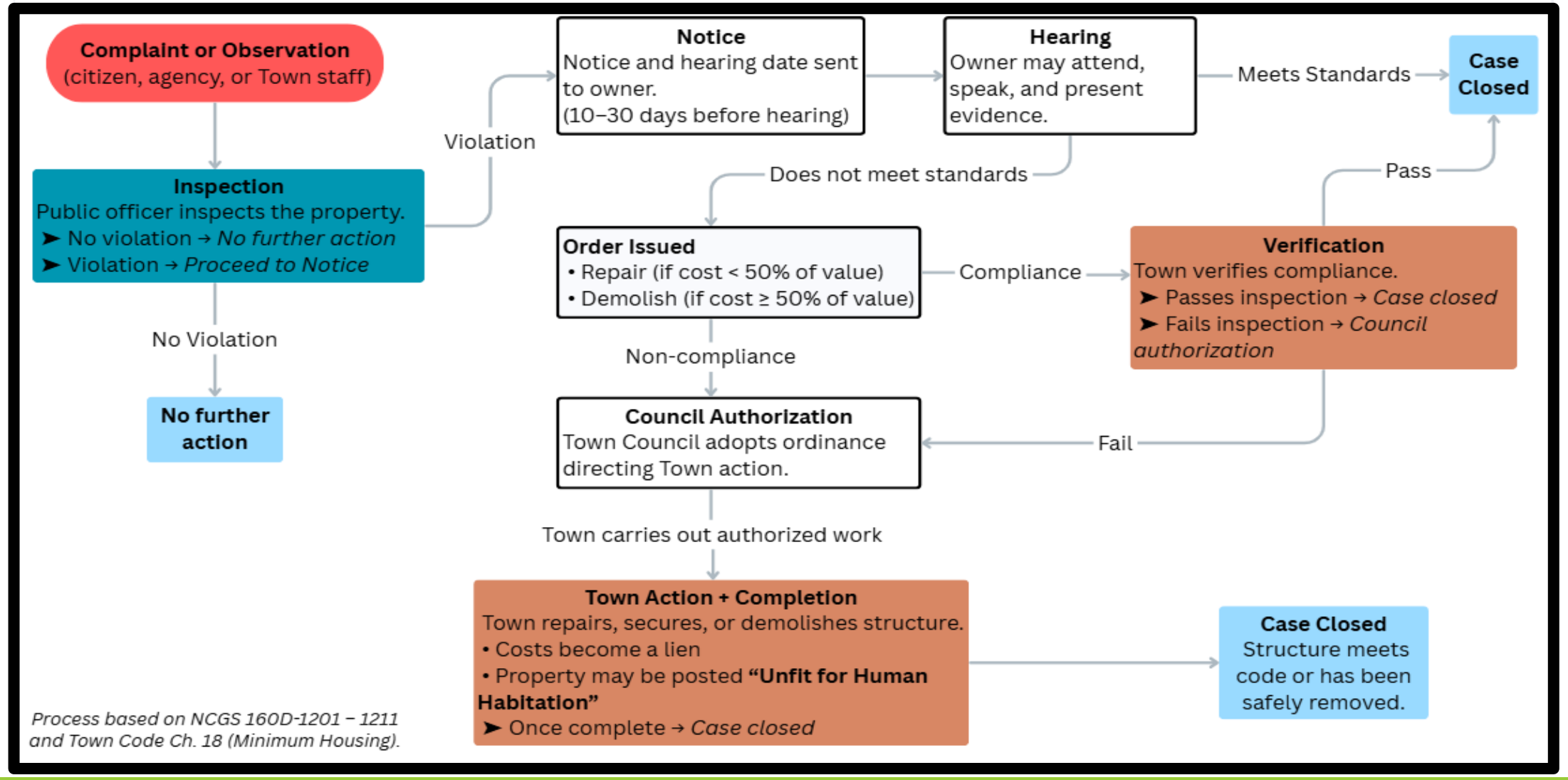
Minimum Housing



Minimum Housing



Minimum Housing



Enforcement Process

- Complaint
- Record created
- Inspection
- Violation identified
- Contact
- Notice of Violation
- Time to cure
- Citation (w/ fine)
- Legal action



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- Violation identified
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Inspector must have personally confirmed the violation.

Enforcement Process

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- Violation identified
- Contact
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- Time to cure
- Citation (w/ fine)
- Legal action

Inspector must have personally confirmed the violation.

Burden is on the municipality to prove and substantiate the violation.

Enforcement Considerations

Municipal regulation is a challenge for all municipalities – enforcement should be approached thoughtfully and cautiously to avoid:

- Vague or overly broad laws
- Discriminatory enforcement
- Violation of personal or property rights
- Lack of due process

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- Balance quality of life w/ economic development

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- Discriminatory enforcement
- Violation of personal or property rights
- Lack of due process

- Balance quality of life w/ economic development
- Unnecessary use of resources

Enforcement Considerations

Municipal regulation is a challenge for all municipalities – enforcement should be approached thoughtfully and cautiously to avoid:

- Vague or overly broad laws
- **Discriminatory enforcement**
- Violation of personal or property rights
- Lack of due process

- Balance quality of life w/ economic development
- In consideration of resources

Enforcement Considerations

Certain areas of enforcement including **sanitation**, **junked vehicles**, and **minimum housing** disproportionately impact people who are:

- Economically disadvantaged
- Elderly or infirm
- Physically disabled
- Mentally disabled

Enforcement in these areas can be legally problematic & socially or culturally undesirable.

Enforcement Considerations

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There are alternatives to enforcement!

Enforcement Alternatives

Education

Charitable aid

Emergency assistance ($)

Mental health services

Enforcement Next Steps

- Hear from council – what additional information is needed?
- Examine codes for update & revision - remove ambiguous/subjective language, add objective criteria
- Identify community services & develop resource references

Questions ?

Adjournment