Town of Woodfin
Town Council Meeting

Tuesday, April 16, 2024
5:00 pm

ACTION MEETING MINUTES

Council Members Present
Mayor Jim McAllister
Council Member Philip Cohen
Council Member Ken Kahn
Council Member Johanna Young
Vice Mayor Elisabeth Ervin
Council Member Eric Edgerton
Council Member Hazel Thornton

Council Members Absent
None

Town Staff Present
Shannon Tuch, Town Manager
Michael Dykes, Police Chief
Ricky Hurley, Planning Director
Sheri Powers, Finance & Budget Director
John Henning, Town Attorney
Gena Powers, Town Clerk / PIO

The meeting video can be seen in its entirety at: https://youtu.be/ksK5PQ6LpIk .

Mayor McAllister called the meeting to order at 5:00 pm.

A. Approval of the Agenda (0:40)
Vice Mayor Ervin made a motion to approve the agenda omitting number 2 under presentations and reports, a presentation on electric vehicle infrastructure, by Ian Baillie, Regional Planner, Land of Sky Regional Council, presenting at a later date. Council Member Kahn seconded the motion which passed unanimously, 6-0.

B. Consent Agenda (1:10)
1. Approval of the April 2, 2024, budget work session meeting minutes.
2. Approval of the Tax Collection Report for the period ending February 2024.
3. Resolution 2024-04 The surplus of excess community center tables and chairs.

Council Member Edgerton made a motion to approve the Consent Agenda. Vice Mayor Ervin seconded the motion, which passed unanimously, 6-0.

C. Public Comment (1:34) – 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.

There was public comment regarding: low-income housing, thanks to Town Council for support of ABCCM, Manna Foodbank relocation to New Bridge Church, and reducing plastic waste along with the use of single use plastics.

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

D. Presentations & Reports (12:08)
1. Proclamation identifying Monday, April 22, 2024, as Earth Day. - James C. McAllister, Mayor

2. Update from ABCCM Crisis Ministry on the impact of the Woodfin Community Grant – Sheryl Olsen
3. Presentation on strategic priorities of the Asheville Buncombe Riverfront Commission -Anne Keller, Chair
4. Town manager report – Shannon Tuch, Town Manager

E. New Business (45:42)

1. Public Hearing – Ordinance 2024-09 requesting to close approximately 400 feet of an unnamed right-of-way located between 35/41 Fox Road and 8 New Hope Road. The petitioners are Daniel Embler, Karren Embler, Ronald E. Wilburn, and Donna Wilburn – Ricky Hurley, Planning Director

Mayor McAllister opened the Public Hearing at 5:50 pm.

The two resident/property owners spoke supporting Ordinance 2024-09, to close the unnamed right-of-way located between 35/41 Fox Road and 8 New Hope Road.

Mayor McAllister closed the Public Hearing at 5:55 pm.

Vice Mayor Ervin made a motion to approve Ordinance #2024-09 the petition of right-of-way closure at 35 Fox Rd. and 8 New Hope Rd., as currently submitted as it is in the public's interest and meets the development needs of the community in that the closure request: 1) Will eliminate two existing non-conformities, 2) Will not impede access to existing property or preclude further subdivision or infill development. Council Member Kahn seconded the motion which passed unanimously, 6-0.

2. Consideration of Resolution #2024-05 regarding a de-annexation request from Woodfin residents - Shannon Tuch, Town Manager

Council Member Edgerton made a motion to approve Resolution #2024-05 formally opposing a de-annexation for properties west of the French Broad River. Council Member Young seconded the motion which passed unanimously, 6-0.

3. Discussion regarding town interest in accepting and maintaining the Old Leicester/Craggy Bridge – Vice Mayor Ervin and Council Member Edgerton.

Mayor McAllister gave an update to the Council on his communication with NC DOT. Council Members asked clarifying questions regarding the old water line on the old Craggy Bridge and the potential use of the Old Craggy Bridge. Manager Tuch and Attorney Henning answered questions and updated the council on communication with Woodfin Water and NC DOT. Town Council members expressed financial and liability concerns with the town taking over the old bridge.

Council Member Edgerton made a motion to resend the authority granted to Mayor McAllister to have a conversation with NC DOT about potentially owning the Old Craggy Bridge by the Town of Woodfin. Vice Mayor Ervin seconded the motion which passed with a 5-1 vote, Council Members Ervin, Edgerton, Kahn, Thornton and Young were in favor, and Council Member Cohen was against the motion.

Vice Mayor Ervin made a motion to adjourn into closed session consistent with North Carolina General Statute §143-318.11 (a)(3): To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; (5)(ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; and (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. Council Member Kahn seconded the motion, which passed unanimously, 6-0.

F. **Executive Session (2:26:41) – The Town Council may adjourn to private chambers to discuss legal, personnel, contractual or similar matters protected by the NCGS §143-318.11. (a) including subsections:**

1. (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; (5)(ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; and (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

G. **Adjournment-**

Vice Mayor Ervin made a motion to adjourn the meeting. Council Member Kahn seconded the motion, which passed unanimously, 6-0.

Mayor McAllister adjourned the meeting at 7:39 pm.

TOWN OF WOODFIN
INCORPORATED
JUNE 1971
NORTH CAROLINA

James C. McAllister/Mayor

Attest: Gena Powers
Gena Powers/Town Clerk