

# TOWN OF FLETCHER

PRESTON BLAKELY  
MAYOR

MARK E. BIBERDORF  
TOWN MANAGER



COUNCIL MEMBERS:  
JIM PLAYER  
TREVOR C. LANCE  
KEITH REED

## Town Council Regular Meeting December 9, 2024 at 6:00 PM

Call the meeting to order at: 6:00 PM

Moment of Silence:

Pledge of Allegiance:

Public Comments:

*"We will strive to uphold each citizen's First Amendment right to free speech. We will ensure a level of civility and decorum. We ask that all speakers be respectful and adhere to the three-minute time limit. Council is not expected to debate/discuss issues during public comment."*

Approval of minutes - corrections, additions or deletions

- 1) Agenda Review Meeting 11-4-24
- 2) Regular Meeting Minutes 11-12-24

Council Updates

Consent Agenda

- 3) Set public hearing for the January 13, 2025 meeting to consider several minor amendments to the Fletcher Land Development Code
- 4) Approval of Resolution R-24-05 to declare surplus property and to sell by electronic auction with Auctions International.
- 5) Budget Amendment #1 for the FY 24/25
- 6) Approval of grant project ordinance O-24-06 for Hurricane Helene Recovery Park Projects
- 7) Approval of Councilmember Trevor Lance for the Mayor Pro-Tem seat on the board.

Discussion Items

- 8) Presentation of year-end audit report for FY 2023-2024 - Carol Avery, of Lowdermilk Church & Co.
- 9) Public Hearing to Approve Resolution #2024-04, a 12-month moratorium on new development within designated floodplains.
- 10) Recommended street resurfacing projects and estimated budget - Ben Cathey, McGill Associates
- 11) Selection of applicant to fill the remaining term in District 1 on the town council.
- 12) Budget Process for Fiscal Year 2025-2026 - Mark Biberdorf, Town Manager
- 13) Request for an easement from the gas company - Mark Biberdorf, Town Manager

#### Town Manager Report

#### Department Reports

- 14) November Reports
- 15) Closed Session per NCGS 143-318.11 (6) "Personnel Matters"

#### Adjourn

#### **Upcoming Events**

Agenda Review January 6, 2025, at 6:00 pm  
Regular Meeting January 13, 2025, at 4:00 pm  
LGCCA January 21, 2025 at 3:00 pm "Fletcher Hosting"  
Agenda Review February 3, 2025 at 6:00 pm  
Regular Meeting February 10, 2025, at 6:00 pm

"This Institution is an equal opportunity provider."

Town of Fletcher  
Town Council Agenda Review Meeting  
Minutes  
November 4, 2024

**Call the meeting to order at: 6:00 PM**

Those who were in attendance are as follows:

Mayor Preston Blakely  
Mayor Pro-Tem Sheila Franklin  
Councilmember Jim Player  
Councilmember Trevor Lance  
Councilmember Keith Reed  
Planning & Zoning Director Eric Rufa  
Town Manager Mark Biberdorf

**Moment of Silence:**

**Pledge of Allegiance:**

**Public Comments:**

No comments were made at this time.

**Approval of minutes - corrections, additions or deletions**

**Agenda Review Meeting October 7, 2024**

**Regular Meeting October 14, 2024**

No comments were made on the minutes at this time.

**Council Updates**

No comments were made at this time.

**Consent Agenda**

**Tax refunds/releases**

No comments were made at this time.

**Discussion Items**

**Review and discussion of application for ETJ vacancy on the planning board for Henderson County and the Town of Fletcher.**

James Martin introduced himself to council and answered questions they had for him concerning his interest as an ETJ representative for Henderson County and the Town of Fletcher.

Discussion Followed:

This will go on the consent agenda for next week's meeting.

**Consideration and possible approval of Bob Davy to serve on the Henderson County Historic Resources Commission Board to represent the Town of Fletcher.**

Former councilmember Bob Davy spoke at the meeting about his interest in serving on the Henderson County Historic Resources Commission board as a representative for the Town of Fletcher.

Discussion Followed:

This will go on the consent agenda for next week's meeting.

**Approval of Resolution to Approve a 12 month moratorium on development within designated floodplains**

Planning & Zoning Director Eric Rufa spoke on Resolution # R-24-04 for a moratorium on new development within the FEMA designated floodplains. He has recommended that council approve this.

Discussion Followed:

This will go on the consent agenda for next week's meeting.

**Tropical Storm Helene Disaster Response Report - Mark Biberdorf, Town Manager**

Town Manager Mark Biberdorf gave an update on the recovery from Helene. He spoke about debris collection by the county, assistance from FEMA for the public, and FEMA assistance for damage to public facilities.

Discussion Followed:

**Update on Work with Retail Strategies - Mark Biberdorf, Town Manager**

Town Manager Mark Biberdorf gave an update on our work with Retail Strategies. He stated that they have now moved to the marketing phase of our town center to potential retailers. They will be doing this through recruitment at conferences and sharing an analysis on Fletcher with retailers.

Discussion Followed:

### **Process for potential vacancy on Council - Mark Biberdorf, Town Manager**

Town Manager Mark Biberdorf went over the information on the potential vacant seat on council if Mayor Pro-Tem Sheila Franklin wins the election on Tuesday.

Discussion Followed:

### **Town Manager Report**

The community shred day in coordination with First Citizens Bank is on Friday, November 22 from 10:00 to 2:00 pm. The police department will be there doing the pill drop as well. We will have some food from 11:00 to 2:00 pm.

We were approved for the \$100,000 grant for the greenway expansion and, given the current condition of our greenways after the storm, this is not the best timing right now, but we have one year from notification to get the grant placed. I also received a call from Kieran Rowe from Conserving Carolina to see if we were interested in participating in a conservation easement along the creek.

On the wetlands' delineation, which is located to the north of town hall and behind, it is time to update our map. McGill will do an engineering analysis and the Army Core of Engineers have to approve any fill dirt in any places that would make the most sense for us.

### **Department Reports**

#### **October Reports**

#### **Adjourn**

**Mayor Blakely** asked for a motion to adjourn

Councilmember Jim Player motioned to adjourn, and it was seconded by Councilmember Trevor Lance.

Motion all in favor.

Adjourned at: 7:15 pm

### **Upcoming Events**

**Election Day Tuesday, November 5, 2024**

**Regular Meeting November 12, 2024, at 6:00 pm "Tuesday"**

**Agenda Review Meeting December 2, 2024**

**Christmas Celebration Saturday, December 7, 2024 12:00-2:00 pm**  
**Regular Meeting December 9, 2024, at 6:00 pm**

Approved.

\_\_\_\_\_

Date

\_\_\_\_\_

Signed

Town of Fletcher  
Town Council Regular Meeting  
Minutes  
November 12, 2024

**Call the meeting to order at: 6:00 PM**

Those who were in attendance are as follows:

Mayor Preston Blakley  
Mayor Pro-Tem Sheila Franklin  
Councilmember Trevor Lance  
Councilmember Keith Reed  
Town Manager Mark Biberdorf.

Councilmember Jim Player did not attend this meeting.

**Moment of Silence:**

Mayor Blakely led the group in a moment of silence.

**Pledge of Allegiance:**

Mayor Blakely led the group in the pledge.

**Public Comments:**

No comments were made at this time.

**Approval of minutes - corrections, additions or deletions**

**Agenda Review Meeting October 7, 2024**

**Regular Meeting October 14, 2024**

**Mayor Blakely** asked for any deletions or corrections to the minutes as presented and, if not, do I have a motion to approve the minutes.

Councilmember Trevor Lance motioned to approve the minutes, and it was seconded by Mayor Pro-Tem Sheila Franklin.

Motion all in favor.

**Council Updates**

No comments were made at this time.

## **Consent Agenda**

### **Tax refunds/releases**

**Approval of James Martin to fill the ETJ vacancy as a representative for Henderson County and the Town of Fletcher.**

**Approval of Bob Davy to represent the Town of Fletcher on the Henderson County Historic Resources Commission board. .**

**Approval of Resolution R-24-04 to set a moratorium on new development within the FEMA designated floodplains.**

**Mayor Blakely** asked for any comments or questions on the Consent Agenda and, if not, do I have a motion to approve the Consent Agenda as presented?

Councilmember Keith Reed motioned to approve the Consent Agenda, and it was seconded by Mayor Pro-Tem Sheila Franklin.

Motion all in favor.

### **Discussion Items**

#### **Tropical Storm Helene Disaster Response Report - Mark Biberdorf, Town Manager**

Town Manager Mark Biberdorf gave an update on the disaster response from Helene.

Discussion Followed:

Mayor Blakely mentioned that we had talked about doing some kind of bonus for staff, and it sounds like it might make sense to do it in December.

Town Manager Mark Biberdorf stated that we may need some type of budget amendment to do this and yes, we could do this in December.

Mayor Blakely stated that he was thinking of between 200 and 300 dollars for the bonus, maybe 250 dollars for each employee. My suggestion was going to be to make a motion of 250 dollars for each employee to show our gratitude and thanks for Helene's recovery efforts.

Mayor Pro Tem Sheila Franklin suggested that each employee take a day off that would not count as a vacation day.

Councilmember Lance stated that he thought that was a bit low and suggested 300 dollars.

Discussion Followed:

The council agrees on a 300 bonus for each employee.

Town Manager Mark Biberdorf stated that we may have to come back with a budget amendment and, if so, I will let you know.

**Mayor Blakely** asked for a motion to approve a 300 bonus for each Town of Fletcher employee.

Mayor Pro-Tem Sheila Franklin stated that she would make that motion, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Discussion continued on some other storm related items.

### **Update on Work with Retail Strategies - Mark Biberdorf, Town Manager**

Town Manager Mark Biberdorf stated that he did not have more to add from last week other than their marketing and two-page guide (gap analysis). They would be bringing this information to their trade conferences. This is to identify retailers of interest.

### **Discussion on filling the vacancy for District 1 on Fletcher Town Council.**

Mayor Blakely stated that we discussed this last week and that everyone was comfortable with the application timeline.

Town Manager Mark Biberdorf stated that you have an updated schedule as initially I had November 28th on the schedule, which is Thanksgiving so we changed it back to November 27th.

### **Town Manager Report**

I mentioned last week that we are doing the Community Shred day in coordination with First Citizens Bank, and it will be on Friday, November 22nd, from 10:00 am to 2:00 pm. The police department will be there to participate in a pill drop. We will also have some food from 11:00 to 2:00 pm.

I mentioned last week that we have been approved for the Connecting Communities grant for extension of our greenway trails that Conserving Carolina submitted for us. We have a couple of years to decide how we want to use this grant.

Last week I gave you the updated information on the wetlands delineation that McGill Associates did on the town center property. It has to be updated every 3 years with the Army Core of Engineers. Some good news is that it eliminates some areas, and they (McGill Associates) submitted a formal request to the Army Core for review.

Mayor Blakely commented on Mayor-Pro Tem Sheila Franklin leaving us and wanted to thank her for her service to the town and said that we would surely miss her.

## Department Reports

### October Reports

#### Adjourn

**Mayor Blakely** asked for a motion to adjourn

Councilmember Keith Reed motioned to adjourn, and it was seconded by Mayor Pro-Tem Sheila Franklin.

Motion all in favor.

Adjourned at: 6:39 pm

#### Upcoming Events

**Agenda Review Meeting December 2, 2024**

**Christmas in the Park December 7, 2024 12:00-2:00 pm**

**Regular Meeting December 9, 2024, at 6:00 pm**

**Agenda Review January 6, 2025, at 6:00 pm**

**Regular Meeting January 13, 2025, at 6:00 pm**

Approved.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

**MEMORANDUM**



TO:

FROM:

COPY TO:

DATE:

SUBJECT: Set public hearing for the January 13, 2025 meeting to consider several minor amendments to the Fletcher Land Development Code

Background:

Recommendation:

Attachments:

None

## MEMORANDUM

TO: Fletcher Town Council  
FROM: Christine Thompson, Town Clerk  
COPY TO: Mark Biberdorf, Town Manager  
DATE: 11/20/2024



SUBJECT: Approval of Resolution R-24-05 to declare surplus property and to sell by electronic auction with Auctions International.

### Background:

I have prepared the attached Resolution for your approval to sell our surplus property by electronic auction in January. Tentatively, the dates for the auction to run would be from January 6th until January 16, 2025. The auction will be run by a firm called Auctions International.

This Resolution has been amended to include a 2010 Ford Explorer which is a former Parks & Recreation vehicle. The 1998 utility trailer that was originally listed was removed due to me being unable to find a title for it. In the meantime, I will apply for a duplicate title for this trailer, and it will go in a future auction. Also, the Police Department is currently getting the equipment removed from a 2017 Dodge Durango for it to be added to the auction. However, due to the current timelines between your approval needed to sell the Durango and the pictures being taken on December 12, if it is not ready by then, I will not add it to the advertisement that will be listed at the end of the month for the sale in January. This way, at least you have approved the sale if it is ready to go. Please let me know if you have any questions.

### Recommendation:

Approval of Resolution for the surplus auction.

### Attachments:

1. R-24-05 Surplus Auction for 24-25

RESOLUTION  
R-24-05  
Resolution Declaring Surplus and Authorizing the Electronic  
Auction of Surplus Personal Property

**WHEREAS**, North Carolina General Statutes, Section 160A-270, provides that town council may adopt a resolution authorizing an appropriate city official to dispose of surplus property at Public Auction.

**WHEREAS**, as a result the Town of Fletcher has (2) 2017 Dodge Chargers (1) 2014 Dodge Charger (1) 2006 Chevrolet Pickup 4x4 Truck, (1) 2010 Ford Explorer, (1) 2017 Dodge Durango and a 2008 Scag Turf Tiger mower which are surplus property and are no longer required for service.

**WHEREAS**, the Fletcher Town Council desires to dispose of the surplus property through Public Auction.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FLETCHER, NORTH CAROLINA THAT:

The Town Manager is hereby authorized to sell the surplus property described below by electronic auction beginning on 1/06/25 at [www.Auctionsinternational.com](http://www.Auctionsinternational.com), as per the terms and conditions in accordance with North Carolina G.S. 160A-270. The Town Manager or his designee is directed to publish at least once and not less than ten (10) days before the date of auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270.

2017 Dodge Charger	VIN# 2C3CDXKT8HH567151
2017 Dodge Charger	VIN# 2C3CDXKTXHH567152
2014 Dodge Charger	VIN# 2C3CDXKT8EH371495
2006 Chevrolet Pickup	VIN# 1GCEK14V46Z287391
2010 Ford Explorer	VIN# 1FMEU7DE1AUA65759
2017 Dodge Durango	VIN# 1C4SDJFT2HC791100
2008 Scag Turf Tiger mower	

The Fletcher Town Council declares the property as surplus and authorizes this property sold at Public Auction on an “as is where is” basis.

Adopted and approved this the 9<sup>th</sup> day of December 2024

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Mayor Preston Blakley

ATTEST:

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Christine Thompson MMC, NCCMC  
Town Clerk

**BUDGET AMENDMENT 1**  
**Original Ordinance # 0-24-04**  
**Amended December 9, 2024**  
**0-24-05**  
**REQUEST FOR BOARD ACTION**  
**TOWN OF FLETCHER**

**MEETING DATE:** December 9, 2024

**SUBJECT:** Budget Amendment 1

**ATTACHMENTS:** YES

**SUMMARY OF REQUEST:**

**Due to Hurricane Helene the Town needed the assistance of our engineering firm to provide substantial damage assessments on flooded property within the Town as well as to assist with reviewing park issues.**

**This amendment will increase the Professional Services line item to account for the additional engineering services needed after Hurricane Helene.**

**TOWN MANAGER'S RECOMMENDATION:**

**It would be appropriate for the Board to approve the attached budget amendment to appropriate additional engineering funds.**

**BUDGET AMENDMENT # 1**  
**FY 24/25 BUDGET ORDINANCE**  
**Effective December 9, 2024**

	Account #	Debit	Credit
<b>General Fund</b>			
<b>Revenues</b>			
Fund Balance Appropriated	10-3990-0000		60,000.00
<b>Expenditures</b>			
Professional Services	10-4700-0410	60,000.00	

\_\_\_\_\_  
Mayor Preston Blakely

ATTEST:

\_\_\_\_\_  
Christine Thompson NCCMC, MMC  
Town Clerk

0-24-06

**2024 HURRICANE HELENE DISASTER RESPONSE**

**GRANT PROJECT ORDINANCE**

BE IT ORDAINED by the Town Council of the Town of Fletcher, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

**Section 1:** The project authorized includes the Town of Fletcher’s FEMA Public Assistance Disaster Recovery Project known as “2024 Hurricane Helene Disaster Response” (FEMA Disaster 4827-NC) that will be reimbursed by the Federal Emergency Management Agency (FEMA) Public Assistance Program along with Insurance Proceeds.

**Section 2:** The Town Council of the Town of Fletcher hereby directs the Town Manager and his designees(s) to proceed with the federal assistance project within the terms of the rules and regulations of the FEMA Public Assistance grants. It also directs the Town Manager and his designee(s) to proceed with filing for flood insurance proceeds.

**Section 3:** The following revenues/financing sources are anticipated to be available to complete the project:

FEMA Public Assistance	\$750,000.00
Insurance Proceeds	\$100,000.00
Transfer from General Fund	\$150,000.00

**Section 4:** The following amounts are appropriated for the project:

Hurricane Helene Recovery Park Projects	\$1,000,000.00
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**Section 5:** The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the insurance company, the grant agreement, Federal and State regulations.

**Section 6:** Funds may be advanced from the Town of Fletcher’s General Fund account for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency following the regulations and rules of the grant.

**Section 7:** The Finance Officer is hereby directed to report as requested on the financial status of the project element in Section 4 and on the total revenues received or claimed.

**Section 8:** Copies of this Grant Project Ordinance shall be made available to the appropriate personnel for direction in carrying out this project.

**Section 9:** This grant project ordinance shall become effective upon adoption and shall expire when final FEMA and insurance reimbursement are received related to FEMA Disaster DR-4827-NC.

Adopted this 9<sup>th</sup> day of December, 2024

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Mayor Preston Blakely

ATTEST:

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Christine Thompson, NCCMC, MMC  
Town Clerk

**MEMORANDUM**



TO:

FROM:

COPY TO:

DATE:

SUBJECT: Presentation of year-end audit report for FY 2023-2024 - Carol Avery, of Lowdermilk Church & Co.

Background:

Recommendation:

Attachments:

None

## MEMORANDUM

TO: Mayor & Town Council  
FROM: Eric Rufa, Planning & Zon Dir  
COPY TO: Mark Biberdorf, Town Manager  
DATE: 11/25/2024



SUBJECT: Public Hearing to Approve Resolution #2024-04, a 12-month moratorium on new development within designated floodplains.

### Background:

Last month, Council approved this resolution for a 12-month moratorium on new significant development within FEMA designated floodplains. Upon reading a UNC School of Government blog, it was determined that the Town would be required to hold public hearing on the matter. Therefore, we have put this back on the agenda in order to hold this hearing, and the hearing was advertised as required.

### Recommendation:

Staff is recommending that approval of the moratorium maintain the approval date of November 12, 2024.

### Attachments:

1. R-24-04 Flood plain moratorium.doc revised

**R-24-04**

***Resolution of the Fletcher Town Council to Set a  
12 Month Moratorium on New Development Within  
FEMA Designated Floodplains***

***WHEREAS***, The Town of Fletcher has determined a need to evaluate current regulations and determine higher standards for development within FEMA designated floodplains in the wake of Hurricane Helene; and,

***WHEREAS***, the Town of Fletcher staff and consulting engineer will be involved in permitting and inspections related to repairs and rebuilding of existing structures within floodplain for some months to come.

***NOW, THEREFORE BE IT RESOLVED*** that the Fletcher Town Council hereby establishes a 12-month moratorium for any new proposed development within officially designated floodplains subject to the regulations of Appendix 1 of the Fletcher Land Development Code (Floodplain Damage Prevention Ordinance). The moratorium shall not apply to developments with prior permits or approvals from the Town of Fletcher or to proposals for additions to, or accessory dwellings, at existing single-family properties. This moratorium shall be set to terminate on December 9, 2025, or upon approval of amendments to the Land Development Code related to floodplain development, whichever comes first.

*Approved, this the 9th day of December 2024*

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*Mayor Preston Blakely*

*ATTEST:*

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*Christine Thompson, MMC NCCMC  
Town Clerk*

## MEMORANDUM



TO:

FROM:

COPY TO:

DATE:

SUBJECT: Recommended street resurfacing projects and estimated budget - Ben Cathey,  
McGill Associates

Background:

Recommendation:

Attachments:

1. Memo to Council - Powell Bill Projects Recommended for 2025 Street Resurfacing.  
11.26.24

**MEMORANDUM**

TO: Mayor and Town Council

FROM: Mark E. Biberdorf, Town Manager *MEB*

COPY TO: Jabbo Pressley, Public Works Director  
Heather Taylor, Assistant Town Manager

DATE: November 26, 2024

SUBJECT: Budget Estimate for Powell Bill/Street Improvements Project List

It is staff's recommendation that the following projects be considered for improvement in 2025:

- North Sunberry Trail - Street Resurfacing
- South Sunberry Trail – Street Resurfacing
- Wild Meadow Road – Street Resurfacing

The estimated cost to complete the street resurfacing list will be provided by McGill Associates at the regular meeting. This will include all design fees, bidding the project, contract administration, construction costs, and a 10% contingency. The final cost will depend on how bids come in for the project.

If Council should have any questions on this item, please do not hesitate to contact me.

MEB/meb

RECEIVED  
11-27-24



## Application for Appointment to Fletcher Town Council

Name: Jessica Roselli  
Address: 325 Clover Dr. Fletcher NC 28732  
Phone Number: Home/Cell 828.280.5950 Work: \_\_\_\_\_  
Employer: UMass Memorial Health Occupation: 340B Compliance Manager  
Years in Position: 1 Job Title: 340B Compliance Manager  
E-Mail Address: jbroselli@gmail.com

Do you reside in the town limits of Fletcher? Yes  No \_\_\_\_\_

Length of Residency 14.5 yrs

Are you a registered voter in Henderson County? Yes  No \_\_\_\_\_

Which Fletcher Council District do you reside in? 1

Why do you want to serve on the Town Council? I am interested in public service and serving the people in my community. I would like to see Fletcher grow and prosper for generations to come.

What do you think that you would be an asset to this council? I have over 20 years of experience in healthcare, with the majority being local. I know and understand growth and change. I am committed to serving my community. I also hold an MBA and am familiar with managing multi-million dollar accounts.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Affirmation of Eligibility**

Have any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction? Yes \_\_\_\_\_ No X If yes, please explain disposition: \_\_\_\_\_

Are there any conflict of interest or other matter(s) that would create problems or prevent you from fairly and impartially discharging your duties as a member of the Town Council? Yes \_\_\_\_\_ No X if yes, please explain \_\_\_\_\_

Are you currently serving on any other Board/Commission/Committee?

No X Yes \_\_\_\_\_

Local Government \_\_\_\_\_

Board/Commission/Committee \_\_\_\_\_

Date Appointed \_\_\_\_\_ Term Expiration \_\_\_\_\_

Do you have any prior experience with a Local Government Agency?

Yes X No \_\_\_\_\_ If yes, please explain While I do not have direct experience, my work

has given me experience with local government contracts.

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge.

I understand that regular attendance at Council meetings is essential to conscientious representation of the residents of the District and the Town of Fletcher, and that should I be appointed to Council, I will be responsible for representing the best interest of the residents of my District as well as all the residents of the Town of Fletcher.

I understand that should I be appointed to Council, full disclosure of conflicts of interest and potential financial gain from any matter brought before Council must take place prior to any discussion or vote, and that when deemed appropriate, I must recuse myself from discussion and action taken by Council.

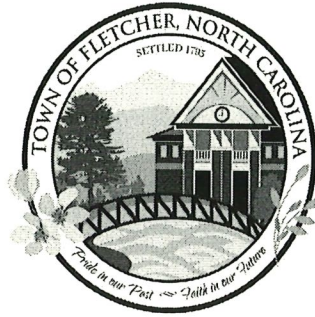
Signature: [Handwritten Signature] Date 11-27-2024

Return completed form to:

Town of Fletcher  
Attn: Town Clerk  
300 Old Cane Creek Road  
Fletcher, NC 28732  
Phone: 687-3985 Fax: 687-7133

09 35462  
11/12/24  
90076

RECEIVED  
11-27-24



## Application for Appointment to Fletcher Town Council

Name: John Brandon Olsen

Address: 33 Stoney Brook Ct., Fletcher, NC 28732

Phone Number: Home/Cell/Work (828) 490-9152

Employer: N/A Occupation: N/A

Years in Position: N/A Job Title: N/A

E-Mail Address: brandon@johnbrandonolsen.com

Do you reside in the town limits of Fletcher? Yes

Length of Residency: 19 years 3 months

Are you a registered voter in Henderson County? Yes

Which Fletcher Council District do you reside in? 1

*Why do you want to serve on the Town Council?* Fletcher is my home and the place I have chosen to raise my family. I plan to live here the rest of my life and I hope to help ensure our town continues to thrive as a welcoming and vibrant town to raise a family!

*What do you think that you would be an asset to this council?* I am a dedicated public servant for the town of Fletcher and have been for many years. I would bring a fresh perspective and advocate for all Fletcher residents.

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Affirmation of Eligibility

Have any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction? No

Are there any conflict of interest or other matter(s) that would create problems or prevent you from fairly and impartially discharging your duties as a member of the Town Council?  
No

Are you currently serving on any other Board/Commission/Committee?  
Yes

Local Government: Town of Fletcher

Board/Commission/Committee: ABC Board

Date Appointed: 06/15/2023 Term Expiration 06/2026

Do you have any prior experience with a Local Government Agency?


Yes If yes, please explain: I have been an active resident in the Town of Fletcher for several years. I have worked with town staff on various projects and regularly serve as an advocate for my community on various issues.

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge.

I understand that regular attendance at Council meetings is essential to conscientious representation of the residents of the District and the Town of Fletcher, and that should I be appointed to Council, I will be responsible for representing the best interest of the residents of my District as well as all the residents of the Town of Fletcher.

I understand that should I be appointed to Council, full disclosure of conflicts of interest and potential financial gain from any matter brought before Council must take place prior to any discussion or vote, and that when deemed appropriate, I must recuse myself from discussion and action taken by Council.

Signature:



Date 11/26/2024

Return completed form to:

Town of Fletcher  
Attn: Town Clerk  
300 Old Cane Creek Road  
Fletcher, NC 28732  
Phone: 687-3985 Fax: 687-7133

99 68956  
1,553.72  
11/26/24



RECEIVED  
11-25-24

### Application for Appointment to Fletcher Town Council

Name: JOHANNA WESTON  
Address: 130 PARK SIDE DRIVE UNIT 201 FLETCHER NC 28732  
Phone Number: Home/Cell 703-725-7699 Work: \_\_\_\_\_  
Employer: WSC Occupation: SALES  
Years in Position: 2 Job Title: ACCOUNT EXECUTIVE  
E-Mail Address: JRODRI1077@GMAIL.COM

Do you reside in the town limits of Fletcher? Yes  No \_\_\_\_\_

Length of Residency 2 YRS

Are you a registered voter in Henderson County? Yes  No \_\_\_\_\_

Which Fletcher Council District do you reside in? 1

Why do you want to serve on the Town Council? LOCAL GOVERNMENT IS ONE OF THE MOST IMPORTANT WAYS TO BRING ABOUT CHANGE THAT IS BENEFICIAL TO OUR CITIZENS.

What do you think that you would be an asset to this council? I HAVE EXPERIENCE IN VARIOUS INDUSTRIES AND HVE ALWAYS TRIED TO APPROACH THINGS FROM AN OBJECTIVE POINT IN ORDER TO MAKES DECISIONS

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Affirmation of Eligibility**

Have any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction? Yes \_\_\_\_\_ No  If yes, please explain disposition: \_\_\_\_\_

Are there any conflict of interest or other matter(s) that would create problems or prevent you from fairly and impartially discharging your duties as a member of the Town Council? Yes  No \_\_\_\_\_ if yes, please explain \_\_\_\_\_

Are you currently serving on any other Board/Commission/Committee?

No  Yes \_\_\_\_\_

Local Government \_\_\_\_\_

Board/Commission/Committee \_\_\_\_\_

Date Appointed \_\_\_\_\_ Term Expiration \_\_\_\_\_

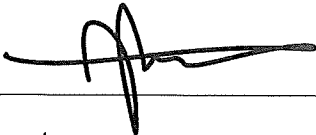
Do you have any prior experience with a Local Government Agency?

Yes \_\_\_\_\_ No  If yes, please explain \_\_\_\_\_

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge.

I understand that regular attendance at Council meetings is essential to conscientious representation of the residents of the District and the Town of Fletcher, and that should I be appointed to Council, I will be responsible for representing the best interest of the residents of my District as well as all the residents of the Town of Fletcher.

I understand that should I be appointed to Council, full disclosure of conflicts of interest and potential financial gain from any matter brought before Council must take place prior to any discussion or vote, and that when deemed appropriate, I must recuse myself from discussion and action taken by Council.

Signature:  \_\_\_\_\_ Date 11/25/2024

Return completed form to:

Town of Fletcher  
Attn: Town Clerk  
300 Old Cane Creek Road  
Fletcher, NC 28732  
Phone: 687-3985 Fax: 687-7133



RECEIVED  
11-26-24

### Application for Appointment to Fletcher Town Council

Name: Jonathan Mitchel (Mitch) Brevard  
Address: 86 Rolling Meadows Rd Fletcher NC 28732  
Phone Number: Home/Cell 229-947-7705 Work: 229-947-9510  
Employer: Ag Technologies Occupation: Sales + Account Mgmt  
Years in Position: 7 Job Title: Technical Account Specialist  
E-Mail Address: mitch.brevard@gmail.com

Do you reside in the town limits of Fletcher? Yes  No

Length of Residency 22 (1982-2002 + 2022-current)

Are you a registered voter in Henderson County? Yes  No

Which Fletcher Council District do you reside in? District 1

Why do you want to serve on the Town Council? Growing up in Fletcher gave me a deep connection to the community and a desire to see it thrive. After 20 years away, I gained a renewed appreciation for our town and I want to preserve its unique charm while supporting its growth as a vibrant place to live, work and play.

What do you think that you would be an asset to this council? Having grown up in Fletcher and recently returning, I bring both a lifelong connection to the community and a fresh perspective. My experience as a youth here and an adult elsewhere gives me a unique ability to balance tradition with progress in ways that benefit all.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Affirmation of Eligibility**

Have any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction? Yes \_\_\_\_\_ No  If yes, please explain disposition: \_\_\_\_\_

Are there any conflict of interest or other matter(s) that would create problems or prevent you from fairly and impartially discharging your duties as a member of the Town Council? Yes \_\_\_\_\_ No  if yes, please explain \_\_\_\_\_

Are you currently serving on any other Board/Commission/Committee?

No  Yes \_\_\_\_\_

Local Government \_\_\_\_\_

Board/Commission/Committee \_\_\_\_\_

Date Appointed \_\_\_\_\_ Term Expiration \_\_\_\_\_

Do you have any prior experience with a Local Government Agency?

Yes \_\_\_\_\_ No  If yes, please explain \_\_\_\_\_

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge.

I understand that regular attendance at Council meetings is essential to conscientious representation of the residents of the District and the Town of Fletcher, and that should I be appointed to Council, I will be responsible for representing the best interest of the residents of my District as well as all the residents of the Town of Fletcher.

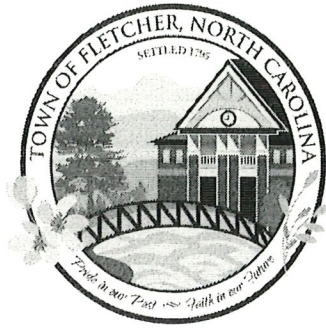
I understand that should I be appointed to Council, full disclosure of conflicts of interest and potential financial gain from any matter brought before Council must take place prior to any discussion or vote, and that when deemed appropriate, I must recuse myself from discussion and action taken by Council.

Signature *Jonathan B...* Date 11/26/24

Return completed form to:

Town of Fletcher  
Attn: Town Clerk  
300 Old Cane Creek Road  
Fletcher, NC 28732  
Phone: 687-3985 Fax: 687-7133

9969284  
\$1,291.92 paid



RECEIVED  
11-21-21

## Application for Appointment to Fletcher Town Council

Name: Amber McKinney  
Address: 76 Brownstone Ct, Fletcher N.C. 28732  
Phone Number: Home/Cell 828-699-2954 Work: 274-5770/693-4161 ext 6.  
Employer: Grant Laughter Jewelry & Looking Glass Eye Center Occupation: Sales and Optician  
Years in Position: 10/19 Job Title: Sales Associate / Optician  
E-Mail Address: ambermckinney128@gmail.com

Do you reside in the town limits of Fletcher? Yes  No

Length of Residency 17

Are you a registered voter in Henderson County? Yes  No

Which Fletcher Council District do you reside in? 1

Why do you want to serve on the Town Council? \_\_\_\_\_

See attached

What do you think that you would be an asset to this council? \_\_\_\_\_

see attached

Comments: It is a great honor to be considered for the Town Council. I look forward to hearing from you soon. Thank you!

**Affirmation of Eligibility**

Have any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction? Yes \_\_\_\_\_ No  If yes, please explain disposition: \_\_\_\_\_

Are there any conflict of interest or other matter(s) that would create problems or prevent you from fairly and impartially discharging your duties as a member of the Town Council? Yes \_\_\_\_\_ No  if yes, please explain \_\_\_\_\_

Are you currently serving on any other Board/Commission/Committee?

No  Yes \_\_\_\_\_

Local Government \_\_\_\_\_

Board/Commission/Committee \_\_\_\_\_

Date Appointed \_\_\_\_\_ Term Expiration \_\_\_\_\_

Do you have any prior experience with a Local Government Agency?

Yes \_\_\_\_\_ No  If yes, please explain \_\_\_\_\_

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge.

I understand that regular attendance at Council meetings is essential to conscientious representation of the residents of the District and the Town of Fletcher, and that should I be appointed to Council, I will be responsible for representing the best interest of the residents of my District as well as all the residents of the Town of Fletcher.

I understand that should I be appointed to Council, full disclosure of conflicts of interest and potential financial gain from any matter brought before Council must take place prior to any discussion or vote, and that when deemed appropriate, I must recuse myself from discussion and action taken by Council.

Signature: Amber McKinney Date 11-21-24

Return completed form to:

Town of Fletcher  
Attn: Town Clerk  
300 Old Cane Creek Road  
Fletcher, NC 28732  
Phone: 687-3985 Fax: 687-7133

~~9971406~~  
9968951 1,532.22  
paid 10-9-24

## Why do you want to serve on the Town Council?

Serving on the Town Council would further provide the opportunity to serve my community through my diverse set of skills and abilities. Over the years, I have been a part of several amazing organizations that have helped individuals as well as organization obtain “life, liberty, and the pursuit of happiness”. Some examples of these are the Junior Women’s Club of Hendersonville, Habitat for Humanity, Biltmore Church, and others. As part of the Junior Women’s Club of Hendersonville, I ran the Children’s Clothing Closet which provided children, who were in need, a week’s worth of new clothes. As part of the Habitat for Humanity, I served on the decision board which enabled families to obtain affordable housing and their forever home.

## Why do you think that you would be an asset to this council?

I would be an asset to the Town Council because I share values with the community and current council members that ensures the well-being of not only my generation, but the next. Our children need to be surrounded by solid foundations and good morals. They need to have a strong town and community that they can be proud of. My assets are my voice and my ears. I will listen to the residents of the district to ensure their voices are heard. Being a native, I recognize the importance to protect the roots and values of the area. The residents of District 1 are solid grounded people as are the people of Fletcher. I feel I would be an excellent choice in being the voice and advocate for this district and if given the opportunity, I can assure you that I will serve as the voice of District 1.

RECEIVED  
11-25-24



### Application for Appointment to Fletcher Town Council

Name: JAMES W. BRUGGEMAN, PH.D.  
 Address: 306 Walnut Crest Rd, Fletcher NC 28732  
 Phone Number: Home/Cell 828-713-0480 Work: Same  
 Employer: Self; Stone Kingdom Min. Occupation: Bible Teacher  
 Years in Position: 33 Job Title: Founder, Owner, President  
 E-Mail Address: James@StoneKingdom.org

Do you reside in the town limits of Fletcher? Yes  No

Length of Residency 18 years

Are you a registered voter in Henderson County? Yes  No

Which Fletcher Council District do you reside in? 1

Why do you want to serve on the Town Council? see Addendum

What do you think that you would be an asset to this council? see Addendum

Comments: See Addendum

**Affirmation of Eligibility**

Have any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction? Yes \_\_\_\_\_ No  If yes, please explain disposition: \_\_\_\_\_

Are there any conflict of interest or other matter(s) that would create problems or prevent you from fairly and impartially discharging your duties as a member of the Town Council? Yes \_\_\_\_\_ No  if yes, please explain \_\_\_\_\_

Are you currently serving on any other Board/Commission/Committee?

No \_\_\_\_\_ Yes

Local Government Town of Fletcher ; FF+R Bd of Dir.

Board/Commission/Committee Planning & Zoning Board

Date Appointed January 2022 Term Expiration will resign from both if appointed

Do you have any prior experience with a Local Government Agency?

Yes  No \_\_\_\_\_ If yes, please explain see Addendum

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge.

I understand that regular attendance at Council meetings is essential to conscientious representation of the residents of the District and the Town of Fletcher, and that should I be appointed to Council, I will be responsible for representing the best interest of the residents of my District as well as all the residents of the Town of Fletcher.

I understand that should I be appointed to Council, full disclosure of conflicts of interest and potential financial gain from any matter brought before Council must take place prior to any discussion or vote, and that when deemed appropriate, I must recuse myself from discussion and action taken by Council.

Signature: James W. Buggeman Date Nov. 22, 2024

Return completed form to:

Town of Fletcher  
Attn: Town Clerk  
300 Old Cane Creek Road  
Fletcher, NC 28732  
Phone: 687-3985 Fax: 687-7133

99 61992  
11/22/24  
5499.96

## **Addendum to Application for Appointment to Fletcher Town Council**

Date: November 22, 2024

Name: Dr. James W. Bruggeman

Street Address: 306 Walnut Crest Rd, Fletcher, NC 28732

Mail: PO Box 9, Fletcher, NC 28732

Phone: Home/cell: 828-713-0400 Work: same

Employer: Self-employed. Stone Kingdom Ministries

Occupation: Bible Teacher

Years in Position: 33 years (full time)

Job Title: Founder, Owner, President

E-mail address: [James@StoneKingdom.org](mailto:James@StoneKingdom.org)

Why do you want to serve on the Town Council? The following material also answers the next two sections: "Why do you think you would be an asset to this council?" and "Comments."

As Fletcher continues to grow, it is important that Town leaders recognize on the one hand, the dangers of unfettered and willy-nilly growth in industry, commerce, and housing which will inevitably lead to troublesome and difficult challenges with traffic, infrastructure, public works, police and fire services, etc.

And on the other hand, Town leaders must also govern with adherence to the Constitution of the United States and the Constitution of the State of North Carolina. After all, we take a solemn oath to do just that. This is critical in this era when we observe government at all levels overreaching in their power and thereby eroding the liberties and Constitutionally-guaranteed rights of individuals.

Having been a serious student of both sides of the above for nearly five decades, as well as experience as listed below, I have the requisite wisdom to help the Town navigate that balance between competent, frugal, forward-planning, and responsive government on the one hand, and respecting, supporting, and defending the Constitution on the other.

The following additional information (edited) was submitted to the Council, dated January 3, 2022, when I applied to serve on the Fletcher Planning and Zoning

Board. I have subsequently served thereon without missing a meeting, to the best of my recollection.

**Planning & Zoning Board Application Addendum re:  
qualifications of Dr. James W. Bruggeman, January 3, 2022**

Resident of Fletcher: 15 years (as of January 2022)

Veteran: USAF, Active Duty: 1968-1972, plus two years Inactive Reserve. Took one year of training in electronics; worked on heavy ground radar. Honorably discharged.

B. A., Journalism/Public Relations (1975)

Ph. D., Biblical Studies & Theology (2009)

After graduation from the Ohio State University, I worked as an account executive for a public relations counseling firm in Columbus, Ohio.

I then served as the sole Public Information Officer for the City of Columbus, Department of Development. The Department consisted of three Divisions: Planning, Zoning, and Code Enforcement.

The Department had about 360 employees. I attended many Columbus City Council meetings to assist our Director and to deal with Media Relations.

I moved my family to Palm Beach County, Florida in June, 1980, where I was co-founder of Bruggeman Construction, Inc. I was a state-licensed General Contractor (FL). We employed 165 persons at our peak and had over 100 employees on payroll for several years surrounding the peak.

We focused primarily on commercial and residential construction, chiefly shopping plazas, shops, and restaurants in the commercial sector. In the residential sector, we built single-family and multifamily housing.

After moving to WNC in late 1987, I held a NC Residential Contractor license, as well as a NC Real Estate Broker's license. I let both lapse after I founded Stone Kingdom Ministries and went into full-time ministry in 1991.

~END~

## MEMORANDUM

TO:

FROM:

COPY TO:

DATE:



SUBJECT: Budget Process for Fiscal Year 2025-2026 - Mark Biberdorf, Town Manager

Background:

Recommendation:

Attachments:

1. Memo to Council - Budget Process for FY 2025-2026
2. Timeline for FY 2025-2026 Budget Process

**MEMORANDUM**

TO: Mayor and Town Council

FROM: Mark E. Biberdorf, Town Manager *MEB*

COPY TO: Heather Taylor, Assistant Town Manager

DATE: November 26, 2024

SUBJECT: Budget Process for FY 2025-2026

It is time to start working on the budget process for the upcoming fiscal year. Staff will be prepared at the January meeting to provide an overview of past year accomplishments and ongoing projects. Department heads will also be given an opportunity to present on any big picture issues for the upcoming budget year.

Also attached for Council's review is a proposed timeline for development of the FY 2025-2026 budget. Please review the schedule and let me know your thoughts on the process and dates.

If you should have any questions, please do not hesitate to let me know.

MEB/meb

Attachment

## Timeline for FY 2025-2026 Budget Process

Time Period	Action
December 2024	Identification of emerging budget issues. This can be issues such as new services, capital requests, or proposed revenue enhancements.
January 1 – 31, 2025	Department heads make brief presentations to Council at the January 13 regular meeting (4:00 p.m.) regarding past year accomplishments and issues for the upcoming year. <b>Deadline of February 17, 2025 to submit budget requests.</b>
February 2025	Administration review and clarification of departmental requests.
March 18, 2025 8:30 a.m. – 3:00 p.m.	Budget workshop and presentation of departmental requests to Town Council at a special called meeting.
March – April 2025	Draft of balanced budget formulated by Administration.
May 8, 2025 8:00 a.m. breakfast 9:00 a.m. budget presentation	Budget retreat with Town Council. All day retreat to present Manager’s recommended budget. One-on-one meetings then set with department heads to review preliminary recommendations.
June 9, 2025	Public hearing on recommended budget and possible adoption of budget.

## MEMORANDUM

TO: Mayor & Council

FROM:

COPY TO: Heather Taylor, Assistant Town Manager  
Josh Queen, Parks & Recreation Director

DATE: 12/5/2024

SUBJECT: Request for an easement from the gas company - Mark Biberdorf, Town Manager



### Background:

A memo and other supporting documents are attached that explain this request.

### Recommendation:

Recommend that Council approve this request for an easement.

### Attachments:

1. Memo to Council - Request from Gas Company for Easement Across Greenway
2. Town of Fletcher a N.C. Municipality Compensation for Permanent Easement
3. ENC Easement for The Town Of Fletcher NC
4. Mills Gap Town of Fletcher estimated Frontage Map

**MEMORANDUM**

TO: Mayor and Town Council

FROM: Mark E. Biberdorf, Town Manager *MEB*

COPY TO: Heather Taylor, Assistant Town Manager  
Josh Queen, Parks & Recreation Director

DATE: December 5, 2024

SUBJECT: Natural Gas Company Request for Easement Access Across Greenway Trail

I was contacted recently by a representative of Enbridge Gas who is a contractor for Dominion N.C. They are working on a project to repair a gas line that was damaged during the storm. They have determined that the most effective means of repairing this line will involve moving the line underneath several properties including a segment of our greenway trail near Mills Gap Road. They have in turn requested an easement from the Town to complete this process.

Attached for Council's review are several documents from the gas company. The first is a calculation of the total compensation for the easement. The second is the easement document itself. The third is a map depicting the area where the new line would run under the Town's property. I have reviewed them and am comfortable with the documents and Council's approval of the easement request.

If Council should have any questions on this item, please do not hesitate to contact me.

MEB/meb

Attachments

**PUBLIC SERVICE COMPANY OF NORTH CAROLINA, INC.**  
**d/b/a Enbridge Gas North Carolina**  
**Total Compensation for Permanent Easement, Temporary Workspace,**  
**Multiple Line Rights and Damages**

R/W No. P76677 Estimated Compansation

Name: TOWN OF FLETCHER, a N.C. Municipality

Address: 0 Mills Creek Rd Town Of Fletcher, NC 28732

Phone: 828-687-3985

Line No.	M-308
Project	Hurricane Helene
Work Order(s)	
Reource Code	
Check No.	
Issue Date	/  /

- 1. Permanent Easement: \$42,000/AC X 0.044/AC X 0.75 \$1,388.00
  - 2. Temporary Workspace: :\$42,000/AC X 0.044/AC X 0.20 \$ \_\_\_\_\_
  - 3. Multiple Line Rights: \$ \_\_\_\_\_
  - 4. Damages: (List type, i.e. timber, crops, landscaping, etc.)
    - a. In Permanent Easement Area:
      - \_\_\_\_\_ \$ \_\_\_\_\_
      - \_\_\_\_\_ \$ \_\_\_\_\_
    - b. In Temporary Workspace Area:
      - \_\_\_\_\_ \$ \_\_\_\_\_
      - \_\_\_\_\_ \$ \_\_\_\_\_
- Total Damage Payment:** \$ \_\_\_\_\_

<b>TOTAL COMPENSATION:</b>	<b>\$ 1,388.00</b> =====
----------------------------	-----------------------------

\_\_\_\_\_  
Landowner's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Landowner's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Enbridge Gas Land Agent Signature

\_\_\_\_\_  
Date

**EASEMENT**

Prepared By:  
Enbridge Gas North Carolina  
Return To:  
Enbridge Gas North Carolina  
Attn: Warren Dumford  
800-A Gaston Rd., Bldg A  
Gastonia, NC 28056

Line No.	_____
Parcel No.	<u>9663125680</u>
R/W No.	_____
Project No.	<u>P76677</u>

STATE OF NORTH CAROLINA  
COUNTY OF Henderson

Know all men by these presents that for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid to ., **TOWN OF FLETCHER, a N. C. Municipality** (“**Grantor**,” whether one or more), the receipt of which is hereby acknowledged, Grantor hereby conveys unto **PUBLIC SERVICE COMPANY OF NORTH CAROLINA, INCORPORATED, a South Carolina corporation d/b/a ENBRIDGE GAS NORTH CAROLINA** (“**Grantee**” or “**EGNC**”), and its successors and assigns, certain easement(s) and right(s) of way under, upon, over, through, and across the property situated in the County of Henderson, North Carolina, as more particularly described in the instrument recorded in Book 1425, Page 137, Henderson County Registry (the “**Grantor’s Land**”), and as shown on the survey attached hereto as **Exhibit A** and incorporated herein by reference (the “**Survey**”).

**Permanent Easement.** A perpetual easement generally 30 feet wide for purposes of constructing, installing, maintaining, operating, repairing, altering, replacing, removing, relocating, inspecting, upgrading, and protecting one or more pipelines (which pipelines shall be underground) and appurtenant facilities (including, without limitation, valves, markers, cathodic protection equipment, and anode beds) for the transportation of natural gas under, upon, over, through, and across that portion of Grantor’s Land designated “Permanent Easement” on the Survey (the “**Permanent Easement Area**”).

For purposes of this Easement, the term “**Easements**” shall refer collectively to all easements described herein and as depicted on the Survey, and the term “**Easement Areas**” shall refer collectively to all the easement areas described herein and as depicted on the Survey.

**EGNC’s Use.** EGNC shall have all rights necessary and convenient for exercising the rights granted herein, including, but not limited to: (1) reasonable access across Grantor’s Land to and from the Easement Areas, (2) use of the North Carolina Department of Transportation right-of-way and/or Easement Areas shown on the Survey for construction, maintenance, and repair of the natural gas pipeline(s), and (3) the right, but not the obligation, to clear and keep the Easement Areas cleared of vegetation, undergrowth, trees (including overhanging limbs and foliage), buildings, structures, installations, and any other obstructions that unreasonably interfere with the rights granted herein (collectively, “**Obstructions**”). In exercising the right of ingress and egress outside of the Easement Areas granted herein, EGNC shall use its best efforts to cause the least practicable interference with Grantor’s use of Grantor’s Land and use existing roads and driveways to the extent reasonably practicable. Some or all of the natural gas pipelines and appurtenant facilities (collectively, as described and permitted in the Easements granted herein, the “**Facilities**”) may be installed now and/or in the future. All Facilities shall be and remain the property of EGNC and may be removed by it at any time and from time to time. EGNC shall comply with all applicable federal, state, and local laws, ordinances, and regulations in exercising the rights granted herein.

**Assignment.** EGNC, its successors, and its assigns, shall have the right to assign, license, lease, or otherwise transfer, in whole or in part, this Easement, or any rights granted herein, to any person or entity, including, but not limited to, any affiliated parent or subsidiary entity of EGNC, for the uses and purposes expressly stated herein. This Easement shall run with the land and inure to the benefit of and be binding upon Grantor, EGNC, and their respective heirs, successors, and assigns.

**Damages.** EGNC shall be responsible for actual physical damage to (1) the land within Grantor’s Land and Easement Areas and (2) improvements and annual crops located on Grantor’s Land that are not in violation of the terms hereof, to the extent caused by EGNC in exercising the rights granted herein, provided that a claim is made by Grantor within 60 days after such damages are sustained. EGNC shall restore and level the surface of the Easement Areas to a condition which is reasonably close to the condition existing immediately prior to EGNC’s use of the Easement Areas, excepting those permanent alterations which may be permitted by this Easement, if any, and earthen water bars to prevent erosion. EGNC shall not be liable for any damage caused to Obstructions or improvements installed in violation of the terms hereof and may remove them at Grantor’s expense without Grantor’s prior approval or permission.

**Grantor's Reservation of Rights.** Grantor reserves the right to use Grantor's Land and Easement Areas for all purposes that do not unreasonably interfere with the rights granted herein and that are not inconsistent with the rules and regulations of the North Carolina Utilities Commission, or any applicable federal, state, or local law, rule, or regulation. Grantor shall obtain written approval from Grantee prior to making any change in use of the Easement Areas, which approval shall not be unreasonably withheld, conditioned, or delayed. Anything to the contrary herein notwithstanding, Grantor shall not: (1) unreasonably interfere with Grantee's access to or maintenance of the Facilities or the Easement Areas; (2) endanger the safety of Grantor, Grantee, the general public, private or personal property, or the Facilities; or (3) install or maintain, or permit to be installed or maintained, any Obstructions within the Easement Areas except as approved in writing by Grantee.

**No Waiver or Additional Representations.** The failure by EGNC to exercise and/or enforce any of the rights, privileges, and Easements herein described shall not be construed as a waiver or abandonment of any such rights, privileges, and Easements, and EGNC thereafter may exercise and/or enforce, at any time and from time to time, any or all of them. It is understood and acknowledged by Grantor that only terms expressly stated herein will be binding on EGNC.

**Ownership of Grantor's Land.** To have and to hold said Easement unto EGNC, its successors, and its assigns and Grantor, for itself, its heirs, executors, administrators, successors, and assigns, covenants to and with EGNC that Grantor is lawfully seized of Grantor's Land and the Easement Areas in fee and has the right to convey said rights and Easements and that Grantor will forever warrant and forever defend the title to said rights and Easements against the lawful claims of all persons whomsoever. The individual(s) signing this Easement personally warrant that they have the right and power to enter into this Easement, to grant the rights granted under this Easement, and to undertake the obligations described in this Easement.

It is understood and acknowledged by the undersigned that the person securing this grant on behalf of EGNC is without authority to make any agreement with regard to the subject matter hereof, which is not expressed herein, and that no such agreement will be binding on EGNC.

[signature page follows]

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public for \_\_\_\_\_ County, \_\_\_\_\_, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he (or she) is \_\_\_\_\_ of \_\_\_\_\_, a N. C. Municipality, and that he (or she), in such capacity, being authorized to do so, executed the foregoing Easement on behalf of the municipality.

Witness my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

[NOTARY SEAL]

\_\_\_\_\_ Sign

\_\_\_\_\_ Print

My commission expires: \_\_\_\_\_



2268

0941

49

(3.73A)

7975

Mills Gap Rd

62.88 Feet

FLETCHER

1 Results

Report Tax Bill Real Property Slope Report Find Adjoining Parcels Permits LOMR

**Listed To:** FLETCHER TOWN OF  
**Physical Address:** 0 NO ADDRESS ASSIGNED  
**REID:** 1012292  
**PIN:** 9663125680  
**Plat:** **SLD 7835** ([https://us4.courthousecomputersystems.com/hendersonncnw/application.asp?cmd=image\\_link&image\\_link\\_book=2009&image\\_link\\_page=7835&image\\_link\\_booktype=Plat&tif2pdf=true](https://us4.courthousecomputersystems.com/hendersonncnw/application.asp?cmd=image_link&image_link_book=2009&image_link_page=7835&image_link_booktype=Plat&tif2pdf=true))  
**Deed:** **1425/137** ([https://us4.courthousecomputersystems.com/hendersonncnw/application.asp?cmd=image\\_link&image\\_link\\_book=1425&image\\_link\\_page=137&image\\_link\\_booktype=Deed&tif2pdf=true](https://us4.courthousecomputersystems.com/hendersonncnw/application.asp?cmd=image_link&image_link_book=1425&image_link_page=137&image_link_booktype=Deed&tif2pdf=true))  
**Date Recorded:** 2010/03/31  
**Municipality:** FLETCHER

200ft

**Public Works Department  
Monthly Report  
November 2024**

Brush Pick Up

At this time, Public Works has suspended brush collection in lieu of Henderson County has contracted storm debris removal from Hurricane Helene.

Leaf collection will resume December 2<sup>nd</sup>.

Vehicles

We are still performing maintenance on Town vehicles; however, a total is not available at this time.

Sanitation

Garbage collection has returned to normal at this time.

Bill Moore Community Park

Public Works is still making repairs at Bill Moore Community Park. Public Works has removed the log jam at the bridge over Cane Creek. Currently we are working on the outer greenway for debris removal. Progress is being made at a steady pace.

## Fletcher Parks & Recreation Department

### December report 2024

We will host Christmas in the Park on Saturday, December 7<sup>th</sup>.

The event will run from 12pm -2pm and we have 18 holiday vendors coming out, photos with Santa Claus, live Christmas music, crafts for children and 2 horse carriage rides. Our Title sponsor is Advent Health, we also have State Farm Insurance, Mills River Dental, FABA and Advent Health Centra Care as event sponsors.

We have re-opened the Park daily, and continue to do storm clean up.

Parks & Recreation Staff and Public Works have been very busy clearing debris for most of November. Currently the inner greenway trails are open, restrooms, large dog park, playground and Steelcase shelter are available. We are hopeful that we will have the ball fields repaired this winter and they will be ready for baseball/softball practices & games next April.

Registration for winter Yoga class will open on December 16<sup>th</sup> and the class Will begin at Town Hall on Thursday, January 9<sup>th</sup> from 5:30pm-6:30pm for eight weeks. Lindsey Fox will be back as our Yoga Instructor.

The 2025 Father/ Daughter dance will be held on Saturday, February 8<sup>th</sup>. Hunter Subaru of Fletcher will be the new Title sponsor for the Dance this year. Registration will open for the event in mid- January, and it always sells out!

Greg Walker, Director

# Administration Monthly Report

## Heather Taylor, Assistant Town Manager

November 2024

### *Assistant Town Manager:*

- **Hurricane Helene/FEMA Park Recovery:**
  - Attended the exploratory call meeting along with Mark on November 6 with our FEMA reps and NC Emergency reps.
  - Prepared for and attended the recovery scoping meeting along with various department heads on November 20 with our FEMA reps and NC Emergency reps. Next meeting is planned for December 3 to discuss our projects.
  - Assisted department heads on the excel spreadsheets to track various costs (labor, equipment, etc.) for various projects in the park as part of the FEMA reimbursement process, as well as created a management expense spreadsheet to track administrative tasks for reimbursement.
  - Assisted Parks and Recreation in creating a bid for ballfield infield materials, bids are due in early December.
  - Created the grant project ordinance to account for the park repairs due to Hurricane Helene.
- **Website/Facebook:**
  - Continuing to work on updating the Town's website with current Town information especially in light of Hurricane Helene updates. Also trying to post to the Town's Facebook account a couple times a week.
- **Fletcher Community Day:**
  - Assisted in coordinating the Town's efforts for the Fletcher Community Day at First Citizens Bank on Friday, November 22.

### *Finance:*

- **Taxes for 2024-** During October we have collected over 48.9% of the levy as of 11/25. This amount will increase as we continue through the fall and early winter months.
- **Business Registration Revenue-** Susan continues to work on collecting outstanding business registrations.
- **FY 23/24 Audit-** Carol Avery, Manager with Lowdermilk Church & Co (auditors) will be here at the December Council meeting to report on the audit of FY 23/24.
- **FY 23/24 Financial Statements -** LGC approved the Town's financial statements in November.

## ***Human Resource:***

- **Employment-**

- Parks and Recreation Director- accepted Greg's retirement notice effective in mid-December, and Mark promoted Josh Queen to this position.
- Recreation Program Supervisor- posted and advertised the vacancy created by Josh Queen's promotion. The closing date is 11/27, and the goal is to set up interviews in December.

- **Wellness-**

- Employee Gym- Over 30 hours were spent in the employee wellness gym as of 11/25.
- Blood Pressure Checks- a blood pressure screening was held on 11/6 and we had over 8 employees participate.
- Employee Christmas- Planned the 12 Days of Christmas-Give, Sip, Play, Eat & Be Merry for our employees in lieu of our traditional Christmas luncheon to bring some holiday cheer after the past two months.

## Monthly Update— November, 2024 Planning & Zoning

**Planning Board/ZBA** – The board met on November 19, 2024. Staff provided an update on post Helene related items including the moratorium on floodplain development and the temporary easing of restrictions on occupying RVs/Campers. The Board also made recommendation to Council on a few very minor LDC amendments, one involving clarification on setbacks for pools and also some corrections to remove references to residential development in some sections to be consistent with some previous amendments where residential was removed from the C1 and C2 zoning districts. The next meeting will likely be January 21, 2025, at which time we will have discussion on potential floodplain ordinance amendments.

- Continued day to day issuance of permits, fielded inquiries about potential new developments, and responded to miscellaneous complaints (various complaints involving zoning, solid waste, and/or junked vehicles.
- Continued work on implementation of various minimum measures related to the Town’s MS4 Stormwater Permit. Continued discussions and work with Mary Roderick from LOS and Chris Brown from McGill on various aspects of the program.
- Have been continuing work with McGill Associates as they work on the “substantial damage assessment” process post Helene. Structures damaged beyond 50% are required to be rebuilt in compliance with current floodplain regulations in the LDC. To date, I have notified owners regarding eight structures deemed “substantially damaged”. I am awaiting McGill’s final batch of determinations.
- Completed Continuing Ed credits for CFM (Certified Floodplain Manager) certification.
- Participated in the November 21 joint meeting (online) of the MPO and TCC.



# FLETCHER POLICE DEPARTMENT

TEAMWORK - PROFESSIONALISM - DEDICATION

DANIEL D. TERRY  
CHIEF

## MEMORANDUM

To: Mark Biberdorf, Town Manager  
From: Chief D. Terry  
Date: December 2, 2024  
Re: November 2024 Monthly Report

### Training & Professional Development:

- Sergeant Diaz graduated from the 10-week long course at the National Forensic Academy at the University of Tennessee. His training will enhance the department's capabilities as it pertains to processing crime scenes.
- Officer Fogle attended the weeklong Intoxilyzer class providing him the ability to conduct breath tests subsequent to DWI investigations and arrests.
- The department concluded its yearly range training. A training session was held at the AB-Tech range. Numerous exercises were conducted to help improve officers' marksmanship.
- The department held In-house training at AB-Tech. This training covered the topics of physical fitness, SBI's Behavioral Threat Assessment Team, CPR certification, and updates related to the department's mission and operations.
- As part of the above In-house training, and for the purpose of improving officers physical fitness, the department began an annual voluntary opportunity for officers to take the POPAT. This is the physical fitness test required of BLET students before they can graduate the training program and be certified as officers. Once officers graduate BLET they are no longer required to take and pass the POPAT. The department has started an annual program with day off benefits for those who take the test and pass. All officers who took the test this month passed.

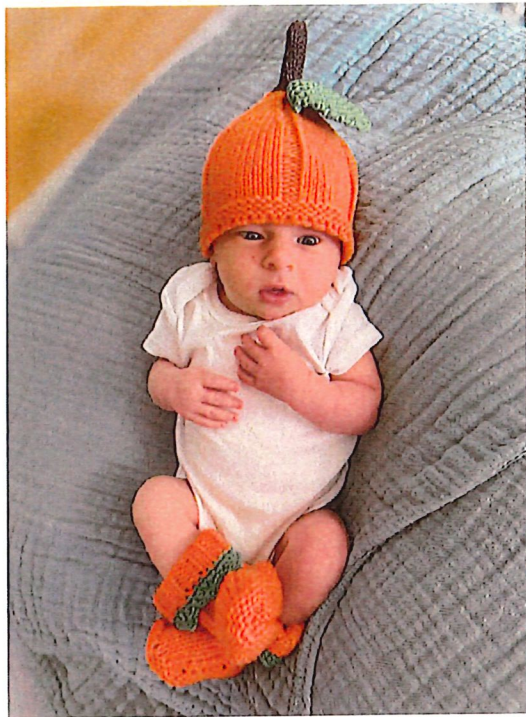
We had a total of 460 calls for service for the month of November. This does not include 1111 extra security checks. Sixty-three incident reports were filed. Twenty-four of these incidents required some type of investigative follow-up to be conducted. Twenty citations were issued for a total of 31 charges. Twenty-three auto accidents were reported and 30 arrests made.

### Activities of interest for the month of November include:

- Sgt. Kilby received this year's Hometown Hero Award from Hunter's Auto Group. He was recognized for his consistent support of the police department's mission and the values of Professionalism, Dedication, and Teamwork.

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- The department welcomes a new member to Sgt. Josh Kilby's family. Cooper Elliott Kilby weighing in at 7 lbs. 8 oz.'s, 19.5 inches, born October 26, 2024. Congratulations to the Kilby family.



- The department increased staff on Election Day. Mutual Aid was provided to Henderson County Sheriff's Office. The Fletcher Police Department provided extra patrols at three polling places and escorted ballots at the end of the night to the Board of Elections main office.
- Another Election Day story. An angry and likely impaired man stole an American Flag from a local restaurant on Airport Road on Election Day. With the flag in hand and while being recorded by a witness, the man insisted the "flag was now his." He used vulgarity towards onlookers and insisted there would be bloodshed to anyone who tried to take the flag away. He concluded his interaction by declaring "Asheville Lives On" before walking away. Officers located the man the following day. He was arrested and transported to jail and the flag was recovered and returned to its owner. And there was no bloodshed during the retrieval of said flag.
- The department participated in the First Citizen's Bank Shred Event and Pill Drop. Forty-five pounds of medication was collected, equaling an estimated 34,200 pills.
- Subsequent to Hurricane Helene and the following recovery efforts numerous people have been observed staying at the Super 8 Hotel, which happens to also be a FEMA supported hotel. After noticing an increased amount of calls for service in the area of the hotel and related disturbances, officers have increased patrols of the area and multiple arrests have been made of people frequenting the hotel.
- This month the department has made (6) DWI arrests and (10) warrant arrests.
- The department responded to an attempted larceny of a trailer at a local hotel. The suspect had fled but a vehicle description was given. A similar vehicle was located occupied by individuals with prior criminal history. However, sufficient evidence to

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connect them, to the attempt larceny was lacking. Officers were aware of another recent theft of a trailer and began to monitor the activities of the suspects in the coming days. Subsequently officers located the suspects with the stolen trailer in question. Both suspects were arrested and charged with multiple felony charges related to the case.

- Community engagement activities for the month of November consisted of voluntary attendance at Henderson County's Adult Recovery Court. This was attended as a means of becoming familiar with, and supporting, the program. The department attended Hunter Auto Group's Annual Hometown Hero Celebration, the First Citizens 2<sup>nd</sup> Annual Shred/Pill Drop Day, and co-hosted the "No Shave November" fundraiser event at Fletcher's Surf & Brew restaurant. The department also received a visit from the Asheville Korean Baptist Church.

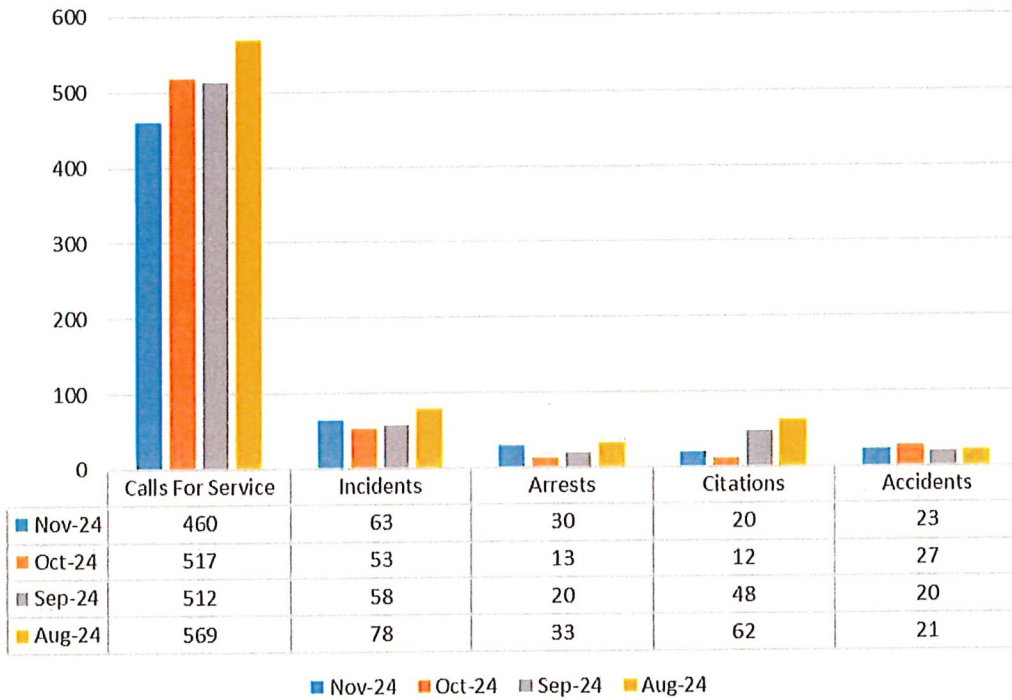
Respectfully Submitted,



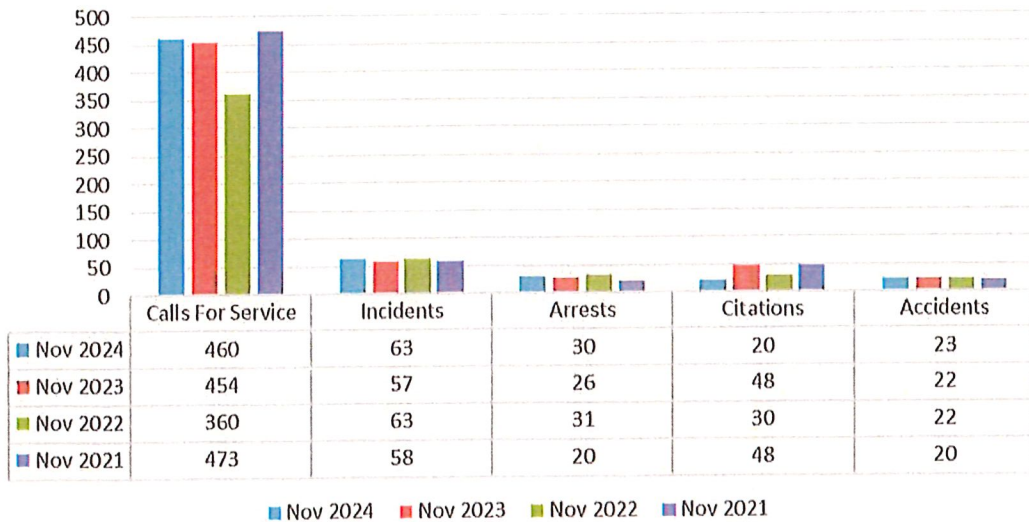
Chief Dan Terry

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### Fletcher Police Department - November - 2024 Monthly Comparison



### Fletcher Police Department - November - 2024 Yearly Comparison



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FLETCHER POLICE DEPARTMENT  
 CRIMINAL INV DIVISION  
 NOVEMBER 2024 STATISTICS

OFFENSE	MONTHLY ACTIVITY 2024					CUMULATIVE 2024				
	ASSIGNED	CLEARED w/ ARREST	EXCEPTIONALLY CLEARED	ADMINISTRATIVELY CLEARED	UNFOUNDED	OPEN PENDING	CLEARED BY ARREST	EXCEPTIONALLY CLEARED	ADMINISTRATIVELY CLOSED	UNFOUNDED
ARSON										
ASSAULT/BATTERY								1		
B&E (COMMERCIAL)							1	1	1	
B&E (RESIDENTIAL)						1				
B&E (TO MOTOR VEHICLE)						2			4	
CHILD ABUSE (PHYSICAL/NEGLECT)										
CRIMINAL DAMAGE								1		
CRIMINAL TRESPASS										
DEATH INVESTIGATIONS						1				4
DOMESTIC VIOLENCE										
DRUG INVESTIGATIONS							4			
ELDER ABUSE-FINANCIAL							1			1
ELDER ABUSE-PHYSICAL						1				3
FINANCIAL CRIMES/ID THEFT							4	2	6	1
HARASSMENT/INTIMIDATION										
HOMICIDE							1			
LARCENY	1					1	3	2	3	
MISSING PERSON (ADULT)										
MISSING PERSON (JUVENILE)										
MOTOR VEHICLE THEFT/UUMV						2	1			
ROBBERY									1	
SEX OFFENSE	1					1	1	1	1	3
SUICIDE/ATTEMPTED										
OTHER						1	3	1	1	
<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>19</b>	<b>7</b>	<b>19</b>	<b>12</b>
LAST MONTH	2	0	1	1	1					
YEAR-TO-DATE										

Department of Social Services			2024 YTD
TOTAL CASES REVIEWED	1		15
TOTAL CASES ASSIGNED	0		8

0 % Clearance rate for  
November 2024

66% Year-To-Date Clearance

CITIZEN ASSIGNMENT LETTERS SENT 0 59