

TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER



COUNCIL MEMBERS:
JIM PLAYER
TREVOR C. LANCE
KEITH REED
AMBER MCKINNEY

Town Council Regular Meeting January 13, 2025 at 4:00 PM

Call the meeting to order at: 4:00 PM

- 1) Budget Workshop on this past year accomplishments and emerging issues FY 2025-2026 Budget.

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

- 2) Agenda Review Meeting 12-2-24
- 3) Regular Meeting 12-9-24

Council Updates

Consent Agenda

- 4) Budget Amendment #2 to the FY 24/25 Budget ordinance
- 5) Approval of MPO memorandum of understanding and Resolution R-25-01.

Discussion Items

- 6) Public Hearing to consider amendments to the Land Development Code - Eric Rufa, Planning & Zoning Director.
- 7) Presentation from Sergeant Diaz on his recent attendance at the National Forensic Academy.

- 8) Review of updated council committee list.
- 9) Update on efforts to establish a farmers market in Fletcher - Mark Biberdorf, Town Manager
- 10) Update on storm related repairs at the park - Mark Biberdorf, Town Manager

Town Manager Report

Department Reports

- 11) December Reports

Adjourn

Upcoming Events

LGCCA January 21, 2025, at 3:00 pm "Henderson County Hosting"

Agenda Review February 3, 2025, at 6:00 pm

Father Daughter Dance February 8, 2025

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
December 2, 2024

Call the meeting to order at: 6:00 PM

Those who were in attendance are as follows:

Mayor Preston Blakely
Councilmember Jim Player
Councilmember Keith Reed
Councilmember Trevor Lance
Town Manager Mark Biberdorf

Swearing in of Councilmembers Jim Player and Keith Reed for a new term on the town council.

Councilmember(s) Keith Reed and Jim Player were sworn in by Town Clerk Christine Thompson.

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 November 4, 2024

Regular Meeting November 12, 2024

No comments were made at this time.

Council Updates

Councilmember Trevor Lance stated that Fletcher Fire & Rescue is currently in the hiring/interview process for the new Fire Chief that should start either at the end of April or the first of May 2025.

Consent Agenda

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

Budget Amendment #1 for the FY 24/25

Approval of grant project ordinance O-24-06 for Hurricane Helene Recovery Park Projects

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

Mayor Blakely asked council did they have any questions or comments on the Consent Agenda.

There were no comments from the council at this time.

Town Manager Mark Biberdorf said that on the surplus property auction item you have a list of items on the Resolution that will be up for auction. The Resolution will be amended next week to include the old Ford Explorer from Parks & Recreation as it is in need of expensive repairs. In place of it, we are going to put a 2016 retired Dodge Durango from the police department which is in much better shape than the Ford. We also may be adding another Dodge Durango from the police department if we can get the equipment removed in time for our regular meeting. As you know, we have to advertise 10 days in advance before the actual auction takes place.

Discussion Items

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

Carol Avery of Lowdermilk Church & Co. will be here next week to give a presentation on the year-end audit for FY 23-24.

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

Mayor Blakely stated that next week we will have a public hearing to approve a Resolution for a 12 month moratorium that will go till next December unless we decide different.

Discussion and Review of applicants to fill the remaining term in District 1 on the town council.

Mayor Blakely stated that this term has 2 years left on it and will expire at the end of November 2026. Tonight we want to hear from the applicants to give everyone an opportunity to introduce themselves. Next week all the council will vote by ballot except for me. I do not get a vote. Only a simple majority is needed, and that person will be appointed to fill the two-year

term.

Applicants that attended and introduced themselves are as follows:

John Brandon Olsen
Jonathan Mitchel "Mitch" Brevard
Amber McKinney

Discussion Followed:

Mayor Blakely stated that if the other applicants show up next week he will give them a chance to speak if they would like too.

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

Mayor Blakely asked if Ben Cathey would be here next week.

Town Manager Mark Biberdorf stated that, yes, he would be here next week with the projected cost for street paving. The streets recommended for paving this year are all in Livingston Farms. (North Sunberry Trail, South Sunberry Trail & Wild Meadow Road)

Discussion Followed:

Discussion on filling the Mayor Pro-Tem vacancy left by former councilmember Sheila Franklin.

Mayor Blakely stated that he had asked Councilmember Lance if he would be Mayor Pro-Tem as that is his preference, but this is up to council.

Councilmember Jim Player and Councilmember Keith Reed are agreeable to this.

This will be moved to the consent agenda next week for final approval.

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

Town Manager Mark Biberdorf went over the recommended schedule for the FY 25/26 budget process. He has asked the council to look at their schedules to see if this will work for them and to let him know.

Discussion Followed:

Town Manager Report

An update was given on the latest recovery from Helene. We continue with debris removal in

the park from the back trail and are currently categorizing repairs in the park. We have been making a request for bids on things like the ballfields, multicourts, and fencing. FEMA reimbursement tends to be up to about 75%.

We are trying to get information out to the public about repairs to private roads where homeowners can apply for assistance from FEMA for repairs to their roads.

With council appointing a new council member next week, the SOG (School of Government) every election cycle does the Essentials of Municipal Government course, which includes ethics. If your interested in taking this again, I know Jim has signed up for this. Christine can help you with registration.

On the Farmer's Market, I met with Karne Blato and David Smiley to look at locations here in the area. We will be doing a survey among vendors to see if there is some interest and these markets typically run from May until October.

We have our Christmas in the Park this Saturday, December 7, from noon until 2:00. We have carriage rides, pictures with Santa, vendor village and music.

Councilmember Keith Reed asked about the latest storm debris pickup.

Town Manager Mark Biberdorf stated that we have been in communication with the county, and they have been very responsive. The latest is that they are starting to get the construction demolition stuff. It is still my understanding that they will make multiple passes too. We have a link on our website and there is on the county website as well where you can sign up for debris pickup. It is very simple and easy to do.

Department Reports

November Reports

Adjourn

Mayor Blakely asked for a motion to adjourn

Councilmember Jim Player motioned to adjourn, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Adjourned at: 7:06 pm

Upcoming Events

Christmas in the Park Saturday, 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 4:00 pm

Approved.

Date

Signed

Town of Fletcher
Town Council Regular Meeting
Minutes
December 9, 2024

Call the meeting to order at: 6:00 PM

Those who were in attendance are as follows:

Mayor Preston Blakely
Councilmember Keith Reed
Councilmember Trevor Lance
Councilmember Jim Player
Assistant Town Manager Heather Taylor
Town Manager Mark Biberdorf

Moment of Silence:

Mayor Blakely led the group in the moment of silence.

Pledge of Allegiance:

Mayor Blakely led the group in the pledge of allegiance.

Public Comments:

No comments were made at this time.

Approval of minutes - corrections, additions or deletions

Agenda Review Meeting 11-4-24

Regular Meeting Minutes 11-12-24

Mayor Blakely asked if there were any questions or comments on the minutes and, if not, do I have a motion to approve the minutes as presented?

Councilmember Trevor Lance motioned to approve the minutes, and it was seconded by Councilmember Jim Player.

Motion all in favor.

Council Updates

Mayor Blakely commented on the Christmas in the Park event and how great it was. He thanked Parks & Recreation for their hard work,

Councilmember Jim Player commented on the lot on Hwy 25 at the entrance to South Chase Subdivision finally being cleared and how wonderful it looked. He said that he had heard from several residents who were also pleased as well.

Consent Agenda

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

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

Budget Amendment #1 for the FY 24/25

Approval of grant project ordinance O-24-06 for Hurricane Helene Recovery Park Projects

Approval of Councilmember Trevor Lance for the Mayor Pro-Tem seat on the board.

Mayor Blakely asked for any comments or questions about the consent agenda and, if not, do I have a motion to approve the Consent Agenda?

Councilmember Jim Player motioned to approve the consent agenda, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Discussion Items

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

Carol Avery of Lowdermilk Church & Co gave a presentation on the recently completed audit for the town.

Mayor Blakely asked the council if they had any questions.

There were no questions at this time from the council.

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

Mayor Blakely stated that we approved this Resolution last month and did not follow directions as a public hearing was needed before approving this Resolution.

Mayor Blakely asked for a motion to go into public hearing to approve a moratorium on development in the designated flood plain.

Councilmember Jim Player motioned to go into public hearing, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Mayor Blakely stated that we have nobody that signed up to speak during the public hearing. Does anyone wish to speak?

No one had any comments for the public hearing at this time.

Mayor Blakely asked for a motion to close the public hearing.

Councilmember Trevor Lance motioned to close the public hearing, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Mayor Blakely asked for a motion to approve Resolution # R-24-04, regarding a 12-month moratorium on new development within the designated flood plain.

Town Manager Mark Biberdorf stated that this is a 12-month moratorium but more than likely we will come back sooner than that with new information, as we are working with McGill Associates to evaluate our flood plain.

Councilmember Jim Player motioned to approve the Resolution, and it was seconded by Councilmember Trevor Lance.

Motion all in favor.

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

Ben Cathey of McGill Associates went over his budget estimate for the street resurfacing project. The streets to be paved are North Sunberry trail, South Sunberry Trail and Wild Meadow Road, all of which are in Livingston Farms Subdivision. The projected cost is \$276,615.00, and it will be competitively bid in January.

Discussion Followed:

Selection of applicant to fill the remaining term in District 1 on the town council.

Mayor Blakely stated that last week we had Mr Mitch Brevard, Brandon Olsen and Ms Amber McKinney come up and talk about why they wanted to serve. We have one other candidate here this week who was not able to be here last week, which is Ms Jessica Roselli.

Mayor Blakely asked Ms Roselli to come up to the podium to tell council about herself and why

she would like to serve.

Ms Roselli came up to the podium and spoke about why she would like to serve and answered questions that the council had for her.

Discussion Followed:

Mayor Blakely then passed out the ballots and asked council to select their preferred candidate and put their name on their ballot and give them back to me. He also stated that as mayor he does not get a vote and all any candidate needs is two votes to win.

Mayor Blakely stated that the vote was unanimous for Ms Amber McKinney. He congratulated Ms McKinney and thanked everyone that applied.

All candidates have been encouraged to apply for any of the other boards within the town as well.

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

Town Manager Mark Biberdorf went over the proposed budget schedule for the upcoming budget year.

Discussion Followed:

He has asked council to put these dates in your calendar.

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

Town Manager Mark Biberdorf said this is something that has come up since the Agenda Review Meeting. The gas company is asking for an easement to repair a gas line that was damaged during the storm. This is located where our greenway trail goes underneath the north side of Mills Gap Road. It would just go underneath our greenway there (paved portion) and I don't anticipate any issues with this. In your packet is a calculation of payment as to what they would pay for the easement and there is an easement document which has also been reviewed by our town attorney. It will go underneath the creek (directional boring) the ground will not be disturbed.

Discussion Followed:

Mayor Blakely asked for a motion to approve the easement as presented.

Councilmember Keith Reed motioned to approve the easement, and it was seconded by Councilmember Trevor Lance.

Motion all in favor.

Town Manager Report

The Helene storm, recovery efforts continue to be underway. I have talked to you at length about the clean-up efforts at the park and the projects that we have to do there. We have set that up with FEMA and had two meetings so far to make sure that the repairs are properly categorized. I feel like we are ahead of the game to get this reimbursed, and you get about 75 % of the costs. To make sure we get competitive bids, we are doing an RFQ for engineering services and that is due on Monday.

The debris removal continues with SDR (contractor by the county) and the next thing they are moving into now is construction and demolition materials debris. The county is supposed to have a meeting this week or next week with municipal managers to see where we are at with this.

Councilmember Keith Reed asked about debris removal (still a lot out there) even though they are starting on construction/demolition removal.

Town Manager Mark Biberdorf stated that they are still working on debris removal as well, and we have encouraged residents to go on the website and put their address in for pickup to ensure that they are on the list to get this done.

Discussion Followed:

The Essentials of Municipal Government will be available to any councilmember that wants to attend it and will be in Kannapolis this year.

Farmers Market: we have been researching and doing some work the survey results are in, and we have had good responses, and can hopefully do this in the spring once we decide on a location.

Leaf collection is ongoing, as we are behind on this, and it is for December only. You either have to call in to request a pickup or go online to request a pickup.

Department Reports

November Reports

Closed Session per NCGS 143-318.11 (6) "Personnel Matters"

Mayor Blakely asked for a motion to go into Closed Session

Councilmember Keith Reed motioned to go into Closed Session, and it was seconded by Councilmember Trevor Lance.

Motion all in favor.

Went into Closed Session at: 6:50 pm

Adjourn

Mayor Blakely asked for a motion to adjourn

Councilmember Jim Player motioned to adjourn, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Adjourned at: 8:15 pm

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

Approved.

Date

Signed

MEMORANDUM

TO:

FROM:

COPY TO:

DATE:

SUBJECT: Budget Amendment #2 to the FY 24/25 Budget ordinance



Background:

Recommendation:

Attachments:

1. Amendment 2-Completed Park Projects after Helene.doc 0-24-06 & 0-25-01

BUDGET AMENDMENT 2
Original Ordinance # 0-24-06
Amended January 13, 2025
0-25-01
REQUEST FOR BOARD ACTION
TOWN OF FLETCHER

MEETING DATE: January 13, 2025

SUBJECT: Budget Amendment 2

ATTACHMENTS: YES

SUMMARY OF REQUEST:

After Hurricane Helene the Town completed two projects within the park to include trail repair and the replacement of playground mulch. These two projects have already been submitted to FEMA for reimbursement.

This amendment will increase the parks maintenance line item to account for these two projects completed after Hurricane Helene that were paid out of the General Fund.

TOWN MANAGER'S RECOMMENDATION:

It would be appropriate for the Board to approve the attached budget amendment to appropriate additional park maintenance funds.

BUDGET AMENDMENT # 2
FY 24/25 BUDGET ORDINANCE
Effective January 13, 2025

	Account #	Debit	Credit
General Fund			
Revenues			
Grant Revenue	10-3390-0040		30,000.00
Expenditures			
Park Maintenance Supplies	10-6190-7610	30,000.00	

Mayor Preston Blakely

ATTEST:

Christine Thompson NCCMC, MMC
Town Clerk

MEMORANDUM

TO:

FROM:

COPY TO:

DATE:

SUBJECT: Approval of MPO memorandum of understanding and Resolution R-25-01.



Background:

Recommendation:

Attachments:

1. MPO Resolution R-25-01 and memorandum of Understanding

RESOLUTION # R-25-01
RESOLUTION PASSED BY THE TOWN OF FLETCHER

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried on the 13th day of January 2025.

THAT WHEREAS, it is recognized that a proper transportation system to support movement within and through the French Broad River MPO planning area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the French Broad River MPO planning area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the French Broad River MPO planning area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a Memorandum of Understanding between the City/Town/Village/County of Asheville, Biltmore Forest, Black Mountain, Buncombe, Canton, Clyde, Flat Rock, Fletcher, Haywood, Henderson, Hendersonville, Laurel Park, Madison, Maggie Valley, Mars Hill, Mills River, Montreat, Waynesville, Weaverville, Woodfin, and the North Carolina Department of Transportation has been entered into that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

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

That the Memorandum of Understanding between the City/Town/Village/County of Asheville, Biltmore Forest, Black Mountain, Buncombe, Canton, Clyde, Flat Rock, Fletcher, Haywood, Henderson, Hendersonville, Laurel Park, Madison, Maggie Valley, Mars Hill, Mills River, Montreat, Waynesville, Weaverville, Woodfin, and the North Carolina Department of Transportation be approved and that **Mayor Preston Blakely** and Town Clerk are hereby directed to enter into and execute the Memorandum of Understanding.

Adopted by the Mayor and Town Council in regular session this the 13th day of January 2025.

Mayor Preston Blakely

ATTEST:

Christine Thompson MMC, NCCMC
Town Clerk

**MPO MEMORANDUM OF UNDERSTANDING
FOR
CONTINUING, COOPERATIVE AND COMPREHENSIVE TRANSPORTATION
PLANNING**

Between

THE CITY/TOWN/VILLAGE/COUNTY OF ASHEVILLE, BILTMORE FOREST, BLACK
MOUNTAIN, BUNCOMBE, CANTON, CLYDE, FLAT ROCK, FLETCHER, HAYWOOD,
HENDERSON, HENDERSONVILLE, LAUREL PARK, MADISON, MAGGIE VALLEY,
MARS HILL, MILLS RIVER, MONTREAT, WAYNESVILLE, WEAVERVILLE, WOODFIN
AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (hereinafter
collectively, "the parties"),
IN COOPERATION WITH THE UNITED STATES DEPARTMENT OF
TRANSPORTATION

WITNESSETH;

THAT WHEREAS, the parties desire to enter into a Memorandum of Understanding for Cooperative, Comprehensive, and Continuing Transportation Planning, regarding the French Broad River Metropolitan Planning Organization (MPO); and

WHEREAS, each MPO is required to develop a Metropolitan Transportation Plan in cooperation with NCDOT and in accordance with 23 U.S.C., Section 134, and a Comprehensive Transportation Plan as per Chapter 136, Article 3A, Section 136-66.2(a) of the General Statutes of North Carolina, and any subsequent applicable amendments to these statutes and any implementing regulations; and

WHEREAS, these transportation plans, once adopted by the MPO and NCDOT, shall be the basis for future transportation improvements within the MPO.

NOW THEREFORE, the following Memorandum of Understanding is made:

Section 1: Establishment of the French Broad River Metropolitan Planning Organization (MPO)

It is hereby agreed that the parties, in cooperation with the UNITED STATES DEPARTMENT OF TRANSPORTATION, will participate in a continuous planning process as related in the following paragraphs:

1. The area involved, the French Broad River Metropolitan Planning Area, will be the Asheville Urbanized Area as defined by the United States Department of Commerce, Bureau of the Census, including that area beyond the existing urbanized area boundary that is expected to become urban within a twenty year

planning period. This area is hereinafter referred to as the Metropolitan Planning Area (MPA).

2. The MPA will be periodically reassessed and revised in the light of new developments and basic data projections.
3. Transportation planning will be a continuing, comprehensive, and cooperative process and all planning discussions will be reflective of and responsive to the programs of the NCDOT, and to the comprehensive plans for growth and development of the City of Asheville, Town of Biltmore Forest, Town of Black Mountain, Buncombe County, Town of Canton, Town of Clyde, Village of Flat Rock, Town of Fletcher, Haywood County, Henderson County, City of Hendersonville, Henderson County, Town of Laurel Park, Madison County, Town of Maggie Valley, Town of Mars Hill, Town of Mills River, Town of Montreat, Town of Waynesville, Town of Weaverville, and Town of Woodfin.
4. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.
5. Transportation policy decisions within the planning area are the responsibility of the MPO in cooperation with the Asheville City Council, Town of Biltmore Forest Board of Commissioners, Black Mountain Town Council, Buncombe County Board of Commissioners, Canton Board of Aldermen, Clyde Board of Aldermen, Village of Flat Rock Council, Fletcher Town Council, Haywood County Board of Commissioners, Henderson County Board of Commissioners, Hendersonville City Council, Laurel Park Town Council, Madison County Board of Commissioners, Maggie Valley Board of Aldermen, Mars Hill Town Council, Mills River Town Council, Montreat Board of Commissioners, Waynesville Town Council, Weaverville Town Council, Woodfin Town Council, and the NCDOT.
6. Transportation plans and programs and land use policies and programs, for the MPA, having regional impacts will be coordinated with MPOs and RPOs that share a boundary with the MPO, and other municipalities and counties in the region.

Section 2: Establishment of a Governing Board

A French Broad River Metropolitan Planning Organization Governing Board, hereinafter referred to as the Board, is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the MPO. The Board

is the policy board of the MPO. By definition, in 23 U.S.C. §134(b)(2), the Board is the MPO.

1. The Board shall consist of representatives appointed by member Boards of Local Government and members of the North Carolina Board of Transportation (BOT). Each member Board of Local Government and the BOT may also, at its sole discretion, appoint an alternate member to serve in the member's absence. The Board representative and the alternate member appointed by Boards of Local Government must be an elected official of the appointing Board of Local Government.
2. Every voting Board member and alternate shall comply with the State Government Ethics Act as per Chapter 138A of the NC General Statutes and the Ethics provisions of Chapter 136-200.2 of the NC General Statutes.
3. The Board members shall have the responsibility for keeping their respective Boards of Local Government informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the boards; and ensuring meaningful public participation in the transportation planning process.
4. The Board, in cooperation with NCDOT, will be responsible for carrying out the provisions of 23 U.S.C. 134 and NC General Statutes, Chapter 136, including, but not limited to:
 - a. Review and approval of the MPO Unified Planning Work Program, which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
 - b. Review and approval of changes to the Urbanized Area Boundary and the Metropolitan Planning Area Boundary;
 - c. Review and approval of the MPO's Transportation Improvement Program (TIP) for multi-modal capital and operating expenditures and to ensure coordination between local and State capital and operating improvement programs;
 - d. Endorsement, review and approval of changes to the MPO's adopted Metropolitan Transportation Plan and Comprehensive Transportation Plan. As required by the North Carolina General Statutes Section 136-66.2(d), revisions to the Comprehensive Transportation Plan must be adopted by both the MPO and the NCDOT;

- e. Review and approval of the Public Participation Plan to ensure the public is given ample opportunity to participate in the transportation planning process.
 - f. Development and approval of the Congestion Management Process, the regionally-accepted approach for identifying and implementing strategies to manage congestion that meet State and local needs.
 - g. Endorsement, review and approval of changes to the Federal-Aid Functional Classification System and the Asheville adjusted urbanized area;
 - h. Establishment of goals and objectives for the transportation planning process;
 - i. Provide local input to North Carolina's transportation project prioritization process; and
 - j. Adoption of Bylaws for the purpose of establishing operating policies and procedures.
 - k. Any other NCDOT, State, and/or Federal required plans and/or documentation, including amendments or modifications to these documents
5. Board Members will vote on matters pursuant to the authority granted by their respective governmental body.

When any project is on an Interstate route, a limited-access highway, or is on a designated Strategic Highway Corridor, any member of the Board may call for a weighted vote regarding project-specific decisions related to the MTIP. The weighted vote must take place at a duly advertised meeting of the Board in which a quorum is present. In a weighed vote, votes of Board members from "directly impacted" jurisdictions will be weighted according to the following table:

Governmental Body	Voting Status	Number of Votes (unweighted)	Weighted votes
Buncombe County	Yes	2	6
Haywood County	Yes	2	6
Henderson County	Yes	2	6
Madison County	Yes	1	3
City of Asheville	Yes	2	6
Town of Biltmore Forest	Yes	1	3
Town of Black Mountain	Yes	1	3

Town of Canton	Yes	1	3
Town of Clyde	Yes	1	3
Town of Flat Rock	Yes	1	3
Town of Fletcher	Yes	1	3
City of Hendersonville	Yes	1	3
Town of Laurel Park	Yes	1	3
Town of Maggie Valley	Yes	1	3
Town of Mars Hill	Yes	1	3
Town of Mills River	Yes	1	3
Town of Montreat	Yes	1	3
Town of Waynesville	Yes	1	3
Town of Weaverville	Yes	1	3
Town of Woodfin	Yes	1	3
NCDOT Board of Transportation (Representative for Division 13)	Yes	1	1
NCDOT Board of Transportation (Representative for Division 14)	Yes	1	1
Rural Transit Representative	Yes	1	1
Urban Transit Representative	Yes	1	1
Total number of voting members		28	76*

*Weighted votes are subject to the weighted vote provisions and unlikely to include weighted votes for all voting members.

“Directly Impacted” Defined. “Directly impacted” jurisdictions shall include Municipalities where any portion of the project is within the Municipality’s corporate limits or sphere of influence, and shall include Counties where any portion of the project is within the County’s unincorporated area and outside the sphere of influence of any municipality. Sphere of influence shall include extraterritorial jurisdiction, pending annexation areas, or areas covered by a Resolution of Intent to annex.

Veto Power

When any project is on a road that does not carry an Interstate route designation, is not located on a limited-access highway, or is not a designated Strategic Highway Corridor, any member of the Board shall be allowed to call for a veto vote to determine whether a selected project will be excluded from the TIP. In a veto vote, members from jurisdictions that are “directly impacted” by the project may vote to exclude a project from the TIP, provided that every

Board members from the “directly impacted” jurisdictions must be present, and must unanimously vote for the veto. The call for a veto vote can only take place at a duly advertised meeting of the Board in which a quorum is present.

Representatives from each of the following bodies will serve as non-voting members of the Board:

Organization	Voting Status
Federal Highway Administration (FHWA) North Carolina Div.	No
Federal Transit Administration (FTA)	No

Appointment of Transit Representative Positions

The Urban and Rural Transit Representative positions will be appointed for two-year terms.

Urban Transit Representatives will appointed for two-year terms by jurisdictions eligible to receive FTA 5307 funding in the MPO Planning Area. Jurisdictions will rotate appointment responsibilities every two years.

Rural Transit Representatives will appointed for two-year terms by jurisdictions eligible to receive FTA 5311 funding in the MPO Planning Area. Jurisdictions will rotate appointment responsibilities every two years.

6. On the basis of majority vote, the Board may appoint a member of the Committee to act as Chairperson with the responsibility for coordination of the Committee's activities. A staff member of the French Broad River Metropolitan Planning Organization will serve as Secretary to the Committee. A member of any local elected board may serve as an alternate to the designated Board member for each member. The MPO staff shall be notified of changes in Board members and Board alternate members each year and/or as changes are made. As established in its Bylaws, the Board may create subcommittees to assist it in carrying out its responsibilities. Board will meet with the necessary regularity to ensure adequate performance of duties as described herein.

Section 3: Establishment of a Technical Coordinating Committee

A Technical Coordinating Committee (TCC) shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the planning area and with the responsibility for making recommendations to the respective local and State governmental agencies and the Board regarding any necessary actions relating to the continuing transportation planning process.

1. The TCC shall be responsible for development, review and recommendation for approval by the Board of the Unified Planning Work Program, Transportation Improvement Program, Metropolitan Planning Area Boundary, Metropolitan Transportation Plan, Comprehensive Transportation Plan, Public Participation Plan, and any other NCDOT, State, and/or Federal required plans and/or documentation, including amendments or modifications to these documents.
2. Membership of the TCC shall include technical representatives from all local and State governmental agencies directly related to and concerned with the transportation planning process for the planning area. The TCC shall be comprised of the following members:

TCC Member Organization	Voting Status	No. of Votes
City of Asheville	Yes	1
Town of Biltmore Forest	Yes	1
Town of Black Mountain	Yes	1
Buncombe County	Yes	1
Town of Canton	Yes	1
Town of Clyde	Yes	1
Village of Flat Rock	Yes	1
Town of Fletcher	Yes	1
Haywood County	Yes	1
Henderson County	Yes	1
City of Hendersonville	Yes	1
Town of Laurel Park	Yes	1
Madison County	Yes	1
Town of Maggie Valley	Yes	1
Town of Mars Hill	Yes	1
Town of Mills River	Yes	1
Town of Montreat	Yes	1
Town of Waynesville	Yes	1
Town of Weaverville	Yes	1
Town of Woodfin	Yes	1
NCDOT Division 13	Yes	1
NCDOT Division 14	Yes	1
NCDOT Transportation Planning Division	Yes	1
City of Asheville Public Transit	Yes	1
Henderson County Public Transit	Yes	1
Buncombe County Public Transit	Yes	1
Haywood County Public Transit	Yes	1
Land of Sky Rural Planning Organization	Yes	1
Total number of voting members		28

Representatives from each of the following bodies will serve as non-voting members of the Technical Coordinating Committee:

Organization	Voting Status
Federal Highways Administration (FHWA)	No
Federal Transit Administration (FTA)	No
Land of Sky Regional Council (LOSRC)	No
Asheville Regional Airport	No
WNC Regional Air Quality Agency	No
NCDOT Regional Safety Engineer	No
NCDOT Freight Representative	No
NCDOT Rail Representative	No
NCDOT Integrated Mobility Division	No
Regional Housing Representative	No
Vulnerable Road Users Representative	No

Appointment of FHWA, FTA, LOSRC, Asheville Regional Airport, WNC Regional Air Quality Agency, and NCDOT positions will be made by those agencies. Appointment of the Regional Housing Representative and Vulnerable Road Users Representative will be at-large appointments, subject to approval by the TCC and Board.

3. The TCC shall meet when it is deemed appropriate and advisable, but will meet with the necessary regularity to ensure adequate performance of duties as described herein. On the basis of majority vote of its membership, the TCC may appoint a member of the Committee to act as Chairperson with the responsibility of coordination of the Committee's activities. On the basis of majority vote of its membership, the TCC may also appoint a Vice-Chair to lead meetings in the absence of the Chair. Membership to the TCC may be altered on the basis of a majority vote of its membership, provided all agencies with Board membership are represented. TCC membership changes must be approved by the Board.

Section 4: MPO Meetings

The Board and TCC, as well as any established subcommittees, are responsible for carrying out the provisions of North Carolina General Statute Chapter 143, Article 33C regarding open meetings, and Chapter 132 regarding public records. In addition:

1. A quorum is required for transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise

transacting public business. A quorum consists of 51% of the active members of the Board or TCC, plus as many additional members as may be required to ensure that 51% of possible votes are present. Vacant seats will not count against the quorum.

2. Members or alternates should be identified by name on the meeting attendance log.
3. Per NCGS 143-318.13, regarding TCC and/or Board meetings that are held by use of conference telephone or other electronic means, the LPA shall provide a location and means whereby members of the public may listen to the meeting.
4. Electronic meetings and voting are allowed as long as proper public notice is given and meeting materials are available to the public upon request. Minutes of meetings at which remote participation occurs should reflect which members are physically present and which are not. They should also reflect when members are excused from voting or are excused to leave or rejoin the meeting, just as they would for members who are physically present.
5. Any member who does not attend two consecutive Board/TCC meetings will not be included as part of the membership needed to obtain a quorum after the second meeting. Membership, however, is immediately reinstated by the presence of the most recently appointed member (or his alternate) at any future meeting.

Section 5: Lead Planning Agency Responsibility

The Land of Sky Regional Council shall serve as the Lead Planning Agency and will provide the staff of the MPO, including a Secretary to the Board and the TCC. As such, Land of Sky Regional Council staff will maintain the official records of the MPO and all state and federal reporting and budgetary requirements in cooperation with the NCDOT staff. The Land of Sky Regional Council will further assist in the transportation planning process by providing planning assistance, data and inventories in accordance with the Unified Planning Work Program. Additionally, the Land of Sky Regional Council shall coordinate zoning and subdivision approvals within its jurisdiction in accordance with the adopted Comprehensive Transportation Plan.

The Land of Sky Regional Council will be responsible for initially expending locally derived funds and seeking reimbursement from NCDOT in accordance with the respective funding source.

The Land of Sky Regional Council will be responsible for the following functions:

1. Providing a secretary for the Board and the TCC
2. Arranging meetings and agenda
3. Maintaining minutes and records
4. Preparing a Prospectus and Unified Planning Work Program
5. Serving as custodian of all MPO plans and documents
6. Collecting from local governments minutes and resolutions that document transportation plan revisions, and submitting these for mutual adoption by the NCDOT
7. Monitoring the transportation planning process to ensure its execution is in accordance with the MPO goals and objectives
8. Performing other coordinating functions as assigned by the Board as needed
9. Lead responsibility for structuring public involvement in the transportation planning process
10. Preparation of the PL Expenditure Report and other grant/fund management.

The NCDOT will assist in the transportation planning process by providing planning assistance, data and inventories in accordance with the Unified Planning Work Program. The Transportation Planning Division will designate a French Broad River Metropolitan Planning Organization Coordinator to serve as Staff liaison and participant in the French Broad River Metropolitan Planning Organization planning process.

Section 6: Cost Sharing

Activities of the MPO, as set forth in the annually adopted Unified Planning Work Program, are funded with Federal Planning funds distributed through the North Carolina Department of Transportation. These funds require a twenty percent (20%) local match. Dues-paying local government members that are parties to the Memorandum of Understanding agree to fund the local match in an amount in direct proportion to their share of the total population contained in the approved Metropolitan Planning Area. Population figures for determination of local match contribution shall be determined based on the most recent Federal Decennial Census. This funding share shall be invoiced on a regular basis by the Land of Sky Regional Council, acting as Lead Planning Agency, and as recipient of the Federal Planning funds distributed by the North Carolina Department of Transportation. Annual local match funds are non-refundable.

Dues-Paying Members and Responsibilities

Dues-Paying Member	Jurisdictions Included in Population Calculations
City of Asheville	City of Asheville
Buncombe County	Unincorporated Buncombe County (within the MPO Planning Area, Town of Biltmore Forest, Town of Black Mountain, Town of Montreat, Town of Weaverville, Town of Woodfin
Haywood County	Unincorporated Haywood County within the MPO Planning Area, Town of Canton, Town of Clyde, Town of Maggie Valley
Henderson County	Unincorporated Henderson County within the MPO Planning Area, Village of Flat Rock, Town of Fletcher, Town of Laurel Park, Town of Mills River
City of Hendersonville	City of Hendersonville
Madison County	Unincorporated Madison County within the MPO Planning Area, Town of Mars Hill
Town of Waynesville	Town of Waynesville

Any member jurisdiction of the MPO may request planning funds for special studies with local match provided from a single jurisdiction. Those items will be highlighted in the Board-approved UPWP and not be calculated as part of regular MPO dues.

Section 7: Withdrawal from the French Broad River Metropolitan Planning Organization

Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 180 days written notice to the other parties prior to the date of termination.

Section 8:

In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Asheville by its Mayor, The Town of Biltmore Forest by its Mayor, The Town of Black Mountain by its Mayor, the Town of Canton by its Mayor, the Town of Clyde by its Mayor, the Village of Flat Rock by its Mayor, the Town of Fletcher by its Mayor, the City of Hendersonville by its Mayor, the Town of Laurel Park by its Mayor, the Town of Maggie Valley by its Mayor, the Town of Mars Hill by its Mayor, the Town of Mills River by its Mayor, the Town of Montreat by its Mayor, the Town of Waynesville by its Mayor, the Town of Weaverville by its Mayor, the Town of Woodfin by its Mayor, Buncombe County by its Chairman of the Board of Commissioners, Haywood County by the Chairman of the Board of Commissioners, Henderson County by the Chairman of the Board of Commissioners, Madison County by the Chairman of the Board of Commissioners, and the North Carolina Department of Transportation by the Secretary of Transportation. This Memorandum of Understanding becomes effective as of the last day signed. The following pages comprise the signature pages from each party to this Memorandum.

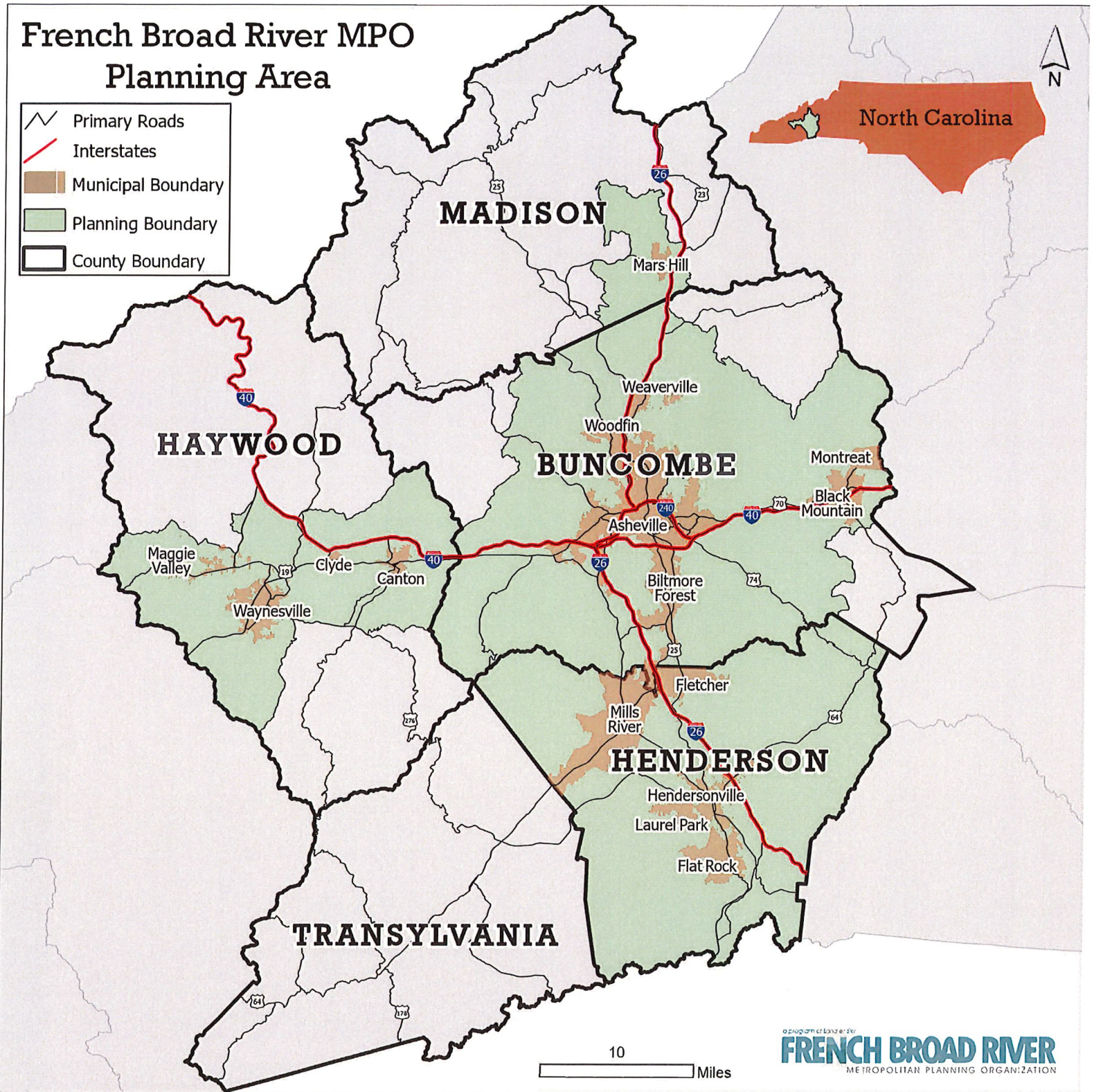
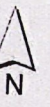
APPENDIX A

MPO PLANNING AREA

ADOPTED (2023)

French Broad River MPO Planning Area

-  Primary Roads
-  Interstates
-  Municipal Boundary
-  Planning Boundary
-  County Boundary



a program of land use
FRENCH BROAD RIVER
METROPOLITAN PLANNING ORGANIZATION

To: **Mayor & Town Council**

CC: Mark Biberdorf, Town Manager

From: Eric Rufa, Planning Director

Date: December 19, 2024

RE: **Potential LDC Amendments**

At their November 19, 2024 meeting, the Fletcher Planning Board unanimously recommended several minor amendments to the Fletcher Land Development Code. These are fairly minor amendments intended to either correct contradictory language or to remove obsolete cross references related to other sections previously amended.

A summary of the amendments is as follows:

- **Article 4 – Section 4.9 (D.2)** – Eliminating language that indicates that patios at pools have no setback requirements. (This contradicts other language that calls for 10 foot side and rear setbacks for the pool and any related equipment, patios, or other structures associated with the pool.
- **Article 5 – Section 5.8** – Eliminating reference to the C-1 and MHD zoning districts in the header for houses. C-1 does not allow most residential uses now (as amended several years ago). And we do not have an “MHD” zoning district
- **Appendix 2 – Heart of Fletcher Overlay** – Eliminating several references to residential development in areas where we previously removed residential uses from the permitted use table.

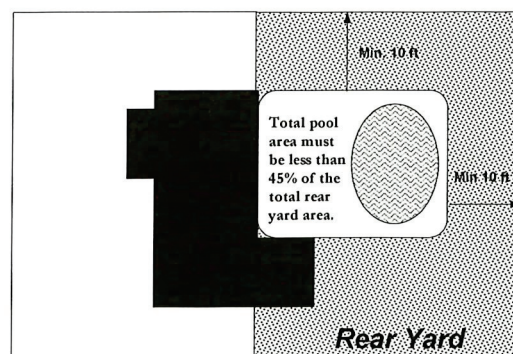
2. Trash containers, mechanical equipment and outdoor storage shall be located only within the rear or side yards.
3. Mailboxes, newspaper boxes, walls, fences, birdhouses, flagpoles, and pump covers may be placed in any front, side or rear yard.

C. General Requirements

1. Accessory structures including detached garages shall only be permitted in the side and rear yard.
2. Non enclosed carports, gazebos, and pergolas shall be permitted in front, rear, or side yards, provided that they meet minimum setback requirements.
3. Accessory buildings shall be regulated in size based upon the area of the lot.
 - a. Lots<1 acre: 800 square foot maximum footprint.
 - b. Lots 1-3 acres: 1500 square foot maximum footprint.
 - c. Lots>3 acres: no maximum footprint.
4. Accessory buildings in the C-1, CBD, NBD, and Heart of Fletcher Overlay Districts must be placed at the rear of the property and to the maximum extent possible, be kept out of view from the street. The structure may be in the side yard, but not in front of or closer to the road than the primary structure. On corner lots, the structure shall not be on the side that faces the second street frontage. If deemed visible from the street, then the structure must meet the façade requirements of Article 5 of this chapter. In no case shall an accessory structure be taller than the principal building. If an accessory structure is proposed that has bay doors/openings, then such doors/openings shall face the rear or side property line with the building facade facing the street frontage.
5. Cargo shipping containers and/or tractor trailers may NOT be utilized as permanent accessory buildings in the C-1, CBD, NBD, or C-2 zoning district, nor in the Heart of Fletcher Overlay District.

D. Pools (for Single Family Homes)

1. All pools for single family homes, whether above ground or below ground, shall be built in side or rear yards, except on lots greater than 2 acres, where this provision shall not apply. The definition of a pool shall include all structures, and walks or patio areas of cement, stone, or wood, at or above grade, built for, and used in conjunction with the pool.
2. Pools, as defined above, shall be setback a minimum of ten (10) feet from all side and rear property lines and from the



right-of-way where pools are allowed in the front yard. ~~Patio areas at grade have no setback requirements from rear and side lot lines.~~

3. Pools shall be enclosed by a privacy fence (with a self-latching gate) at a minimum height of four (4) feet and a maximum height of ten (10) feet.

5.8 Building Type: HOUSE (R-2, R-3, NBD, CBD, ~~C-1~~, ~~MHD~~)

- A. **Description:** The House is the predominant building type in the Town of Fletcher. It is flexible in use (where permitted), accommodating single family uses, multi-family uses up to four units, home occupations, professional offices, and limited retail uses based on the District in which it is located. The Town of Fletcher encourages the application of the following design guidelines in the development of such uses in residential areas.



Single-Family Home with Alley

B. **General Design Guidelines**

1. Useable porches and stoops should be used as a primary architectural element of the building design and be located on the front and/or side of the home. Useable front porches are at least 8 feet deep and extend more than 50% of the facade.
2. Garages with front loading bays (if permitted) should be recessed from the front facade of the house and visually designed to form a secondary building volume. All garages with more than two bays should be turned such that the bays are not visible from the street. The width of an attached garage should not exceed 40% of the total building facade.
3. Garage doors are not encouraged on the front elevation of any detached house on a lot less than 60 feet wide.
4. To provide privacy, all front entrances should be raised from the finished grade (at the frontage line) a minimum of 1½ feet. (Exception: Single Family Homes on lots greater than 60 feet wide)



Single-Family Homes with Driveway



Duplex



Triplex

C. **Materials**

1. Residential building walls should be primarily clad in wood clapboard, cementitious fiber board, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, vinyl, or synthetic materials similar and/or superior in appearance and durability.
2. Residential roofs should be clad in wood shingles, standing seam metal, terne, slate, dimensional asphalt shingles or synthetic materials similar and/or superior in appearance and durability.



Quadruplex

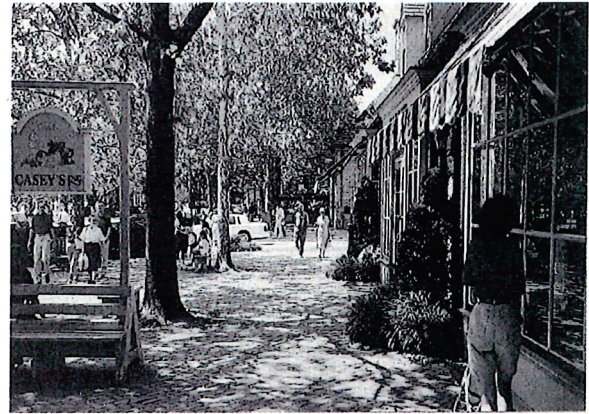
D. **Other Design Considerations:**

1. Pitched roofs with a minimum slope of 6/12 are encouraged for Primary roofs. Secondary roofs over sheds, dormers, porches, and other building elements are encouraged to be pitched roofs with a minimum slope of 3/12.

2. TOWN CENTER BUSINESS

Overview: The Town Center Business Precinct is primarily intended to create opportunity for the compact development of office, retail, and institutional and residential uses. The Town Center Business Precinct encourages design elements such as buildings pulled up to the street, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks and building entrances facing the street.

Visual Character



Recommended Uses: Retail, Commercial, Office/Professional, Institutional, ~~Multi-family Residential~~

Dimensional Requirements:

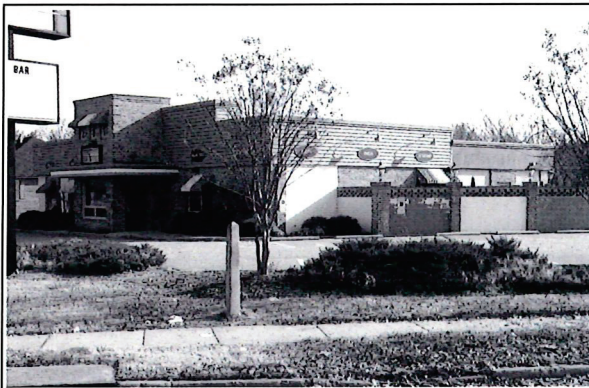
Building Height	1-3 stories (15-45 ft height)
Density	n/a
Building Location	75 ft max setback; structure encouraged to abut setback line for 70% of lot width
Transparency	50% of ground floor street-facing facade
Parking	Parking encouraged to be in side and rear, with no more than 1 row of parking in front without Planning Board approval
Sidewalks	specified in Article 12 of Land Development Code
Transition Yard	specified in Article 8 of Land Development Code
Design Standards	specified in Article 5 of Land Development Code

*Note: (1) New manufactured homes are prohibited in all precincts of the Overlay; however, grandfathered replacements are permitted.
(2) Drive-thru facilities, whether attached or freestanding, shall be located at the rear of the structure, and shall not be visible from the front right-of-way*

3. TOWN CENTER GATEWAY

Overview: The Town Center Gateway Precinct allows for a variety of commercial, ~~residential~~ and service-oriented uses along the north end of US 25. As the major corridor entrance into the town, US 25 should make a lasting first impression with a pleasing appearance. The Town Center Gateway Precinct encourages individual buildings to be multi-story with uses mixed vertically, such as street level commercial with upper level office ~~and residential~~. ~~In addition, higher residential densities are recommended.~~ Typical strip development patterns are discouraged in this precinct.

Visual Character:



Recommended Uses: Retail, Commercial, Office/Professional, ~~Multi-family Residential~~, Institutional

Dimensional Requirements:

Building Height	1-3 stories (15-45 ft)
Density	n/a
Building Location	75 ft maximum setback; structure encouraged to abut setback line for 50% of lot width
Transparency	40% of ground floor street-facing facade
Parking	surface parking in rear/side/front (5 ft minimum setback from street right-of-way); structured parking
Sidewalks	specified in Article 12 of Land Development Code
Transition Yard	specified in Article 8 of Land Development Code
Design Standards	specified in Article 5 of Land Development Code

Note: (1) New manufactured homes are prohibited in all precincts of the Overlay; however, grandfathered replacements are permitted.

MEMORANDUM

TO:

FROM:

COPY TO:

DATE:

SUBJECT: Presentation from Sergeant Diaz on his recent attendance at the National Forensic Academy.



Background:

Recommendation:

Attachments:

None

MEMORANDUM



TO:

FROM:

COPY TO:

DATE:

SUBJECT: Review of updated council committee list.

Background:

Recommendation:

Attachments:

1. Updated council committee list

COUNCIL COMMITTEE LIST

Committee	Councilmember serving	Alternate	Meets
LOS Council of Governments	Preston Blakely	Mark Biberdorf	last Wed of month at noon
FBR Metropolitan Planning Organization	Jim Player	Keith Reed	3rd Thurs at 1 pm via zoom
Henderson Co. Transportation Advisory	Jim Player	Mark Biberdorf	3rd Wed of the month at 4 pm
LGCCA	Preston Blakely & Keith Reed		quarterly 3rd Tues of month at 3 pm
Water & Sewer Advisory council	Amber McKinney	Keith Reed	quarterly 4th Mon of month at 6 pm
Metropolitan Sewer District	Preston Blakely		3rd Wed of the month at 2 pm
Fletcher Fire & Rescue liaison	Trevor Lance	Jim Player	3rd Wed every month at noon
Henderson Co Partnership ex-officio	Trevor Lance		last Wed of month at 3:30 pm
Asheville Regional Housing Board	Eric Rufa	Preston Blakely	quarterly or more often if needed
LOS - Land of Sky			
FBR - French Broad River			
LGCCA - Local Government Committee for Cooperative Action			

MEMORANDUM

TO:

FROM:

COPY TO:

DATE:



SUBJECT: Update on efforts to establish a farmers market in Fletcher - Mark Biberdorf, Town Manager

Background:

Recommendation:

Attachments:

1. Memo to Council - Update on Research for Farmers Market in Fletcher

MEMORANDUM

TO: Mayor and Town Council

FROM: Mark E. Biberdorf, Town Manager 

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

DATE: December 31, 2024

SUBJECT: Update on Establishing a Farmers Market in Fletcher

I wanted to provide an update on progress towards establishing a farmers market in Fletcher. When I last updated Council on this initiative I mentioned working with staff from the Cooperative Extension Office and a local nonprofit called the Appalachian Sustainability Agricultural Project (ASAP). Both of these organizations have been very helpful in determining if there is interest and demand for a market here.

In order to further determine if there was sufficient interest in establishing a new farmers market, I developed a survey that was distributed last month to local vendors. We received a decent amount of responses and it appears that there is sufficient interest to continue to pursue this. Respondents to the survey provided plenty of feedback and suggestions.

A next step that was suggested by the Extension Office was to set up a listening session. That has been scheduled for Monday, January 27 at 6:00 p.m. at Town Hall. This will be an opportunity for respondents to the survey and other interested parties to provide additional feedback. The hope is to then determine what would be the optimal day of the week and location to hold a farmers market in Fletcher. We would like to start the new market in May of 2025.

If Council should have any questions on this item prior to the agenda review meeting, please do not hesitate to contact me.

MEB/meb

MEMORANDUM

TO:

FROM:

COPY TO:

DATE:



SUBJECT: Update on storm related repairs at the park - Mark Biberdorf, Town Manager

Background:

Recommendation:

Attachments:

1. Memo to Council - Update on Storm Related Repairs at the Park

MEMORANDUM

TO: Mayor and Town Council

FROM: Mark E. Biberdorf, Town Manager 

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

DATE: January 2, 2025

SUBJECT: Update on Storm Related Repairs at the Park

Due to the complexity of repairs necessary for storm related damages at the park it was determined that engineering assistance would be helpful in moving these projects along. A request for qualifications (RFQ) was issued last month with proposals due on December 16th. McGill Associates was the only firm that responded to the RFQ. Their proposal was found to be qualified and McGill has been engaged to assist the Town with designing and bidding the repair projects.

Town staff met recently with McGill Associates to determine a process for organizing and prioritizing repair projects. The repairs to the ballfields, dog park, and multi-use courts will be bid as a single project and has been determined to be the highest priority. Design and bidding of repairs to the pedestrian bridge at the back of the park will be the second highest priority. The design and bidding of repairs to the streambank along sections of the greenway trail will be the third highest priority.

Specific timelines for each of the above described projects are still being determined. The ballfield repair project however is being targeted for completion by April of this year to help coincide with baseball games being played there.

If Council should have any questions on this item prior to the agenda review meeting, please do not hesitate to contact me.

MEB/meb

**Parks and Recreation Department
Monthly Report
December 2024**

Programs

- We hosted our annual "Christmas in the Park" event on December 7th from 12:00 PM to 2:00 PM. The weather was beautiful, and we had a great turnout. The event featured 18 craft vendors, a kids' ornament-making station, live Christmas music by the Lewendahl Band, the Taco Boy food truck, and horse and carriage rides. Our sponsors for the event were Advent Health, Tabatha Hamlin State Farm Insurance, and Mills River Dental.
- Registration for the winter yoga class opened on December 16th. Classes will begin on Thursday, January 9th, from 5:30 PM to 6:30 PM. We currently have 10 people signed up for this class.

Bill Moore Community Park

- Our maintenance crew has been working on cleanup and repairs following the damage from Hurricane Helene. Tasks completed include:
 - Removal of debris from the multi-purpose courts, ball fields, and soccer/lacrosse fields.
 - Painting the restroom front doors.
 - Shoveling dirt out of the dugouts.
 - Trimming trees and bushes around the garden area.
 - Pressure washing the multi-purpose courts.
 - Installing stakes and yellow rope along the driveway.
 - Cleaning up the dog park and adding material to muddy areas.
 - Installing a front park fence.
- All mowers and Polaris ATVs have been sent in for annual service.
- Turfplaner of Carolina won the bid to repair the ballfield infield material. Work is scheduled to begin in early January.
- 12 new trash can lids have been ordered.
- Ongoing trail maintenance on the inner greenway trails.

Vehicles

- The Parks and Recreation Department will send our Ford Explorer to auction. Additionally, FPD has transferred one of their 2016 Dodge Durango to our department.

Employment

- We are still in the process of interviewing candidates for the Recreation Program Supervisor position.

Monthly Update— December, 2024

Planning & Zoning

Planning Board/ZBA – The board did not meet in December. At their upcoming January 21 meeting the Board and staff will have an initial discussion about potential amendments to the Town’s flood damage prevention ordinance (appendix 1 of the LDC). We will be working on these amendments for the next few months and hope to have them in front of Council for initial discussion in March or April w/ public hearing to approve in either May or June.

- 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, we have now received all of the determinations from McGill. Owners of 16 total structures have been notified of substantial damage. I have spoken to many of these owners already. If we do not hear from an owner by Feb. 1, we will send additional notification that the damaged structures must be removed and ultimately would be required to issue notices of violation re: structures that remain non-compliant.



DANIEL D. TERRY
CHIEF

FLETCHER POLICE DEPARTMENT

TEAMWORK - PROFESSIONALISM - DEDICATION

MEMORANDUM

To: Mark Biberdorf, Town Manager
From: Chief D. Terry
Date: January 1, 2024
Re: December 2024 Monthly Report

Training & Professional Development:

- Sergeant Beddingfield attended the 3-day Pedestrian Crash Reconstruction Course.
- Officers Fogle and Kicklighter attended a 24-hour rifle course. Passing this course allows them to carry and utilize a rifle as part of their patrol duties. This adds significant capabilities to respond to serious events and enhance public safety.
- Officers Cucchiara, Fogle, and Kicklighter attended the 4-day Basic Radar Course which certifies them to utilize the speed radar in conducting traffic enforcement. Several additional officers were recertified in radar as their previous certifications had expired requiring them to retake the state test.
- Chief Terry and Captain Fulmer attended the North Carolina Sheriff's Association's Legislative Day where updates on new laws were provided.
- The department concluded its In-house training at AB-Tech. This covered several topics and included providing officers the opportunity to take the POPAT and receive two wellness days off for those that passed the test. The POPAT 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 and pass the test.

We had a total of 519 calls for service for the month of December. This does not include 1027 extra security checks. Seventy-one incident reports were filed. Twenty-five of these incidents required some type of investigative follow-up to be conducted. Forty-four citations were issued for a total of 59 charges. Twenty-nine auto accidents were reported and 26 arrests made.

300 OLD CANE CREEK ROAD, FLETCHER NC 28732
PHONE (828) 687-7922 – FAX (828) 654-8046
Email: d.terry@fletchernc.org

Activities of interest for the month of December include:

- Several members of the department, including Captain Fulmer, Sergeant Diaz, Officer Interlicchia, and Officer Fogle, received a Unit Citation for the successful response and thorough investigation related to the Breaking and Entering to a business in town. The Unit Citation is included below.
- The department concluded its 3rd Annual "No Shave November" fundraiser presenting TIP (Trauma Intervention Program of Western North Carolina) with a \$5,358 donation. Sergeant Diaz won the award for the best beard this year receiving a gift card from Surf & Brew. Officer Gibbard was the runner up for the second year in a row.
- The department began a complete inventory of the Evidence Room due to the recent addition to the department of Evidence Custodian Laura Phipps. It is best practice to conduct an inventory of the evidence function any time personnel responsible for, or access to, evidence changes. The inventory is expected to be concluded near the end of January.
- The department joined other first responders to assemble First Responder Kits4Kids. Each Kit4Kids is a unique collection of activities meticulously chosen to cater to a wide range of interests and needs. These kits help distract and make children feel more comfortable during service calls, which is crucial in minimizing exposure to children during emergencies.
- The Charlotte-Mecklenburg Police Department conducts a Christmas project annually. This year, because of the devastation brought on by Hurricane Helene, they chose to donate a vast amount of toys to departments in WNC. The Fletcher Police Department met at the Asheville Police Department where they retrieved a large amount of toys to include bicycles. Four Fletcher families, whose homes suffered significant damage and/or loss during the storm, were served by the department, receiving the collected toys in time for Christmas.
- Due the increase in calls for service and noted disorderly type calls in the area of the Super 8 Hotel reported last month, the department, with the assistance of the Henderson County Sheriff's Office, conducted an operation in the vicinity of the hotel. Surveillance was conducted on the hotel and people of interest were stopped leaving the hotel when there was legal cause found for the stop. Three traffic stops were conducted which resulted in two drug arrests being made.
- After being released from jail with charges pending for theft of a trailer reported on last month's report, the two offenders, Tucker Holton and Jessica Hoglen, are once again in jail for the theft of another trailer. The department received a report of a stolen trailer and Polaris Ranger that occurred overnight in the area of the Cane Creek Industrial Park. Investigation led to Holton and Hoglen. They were both located in Buncombe County in possession of the stolen items and taken into custody. They were charged with two counts of Larceny of a Motor Vehicle and Felony Conspiracy.
- The department received a report of two missing persons, a father and a 9 year old daughter, who were last seen at the Budget Motel in Fletcher. Other than their presence at the hotel for (2) hours they had no additional connection to the Town

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of Fletcher. Based upon the circumstances surrounding their disappearance there was concern for their wellbeing and the department initiated an investigation. The department was able to track them for numerous days placing them in South Carolina, Minnesota, and in North Dakota. It was then suspected that they may be returning to the area. On December 20th they were located in Haywood County where the father was involved in a shooting with the sheriff's office and killed. The daughter was found safe and unharmed.

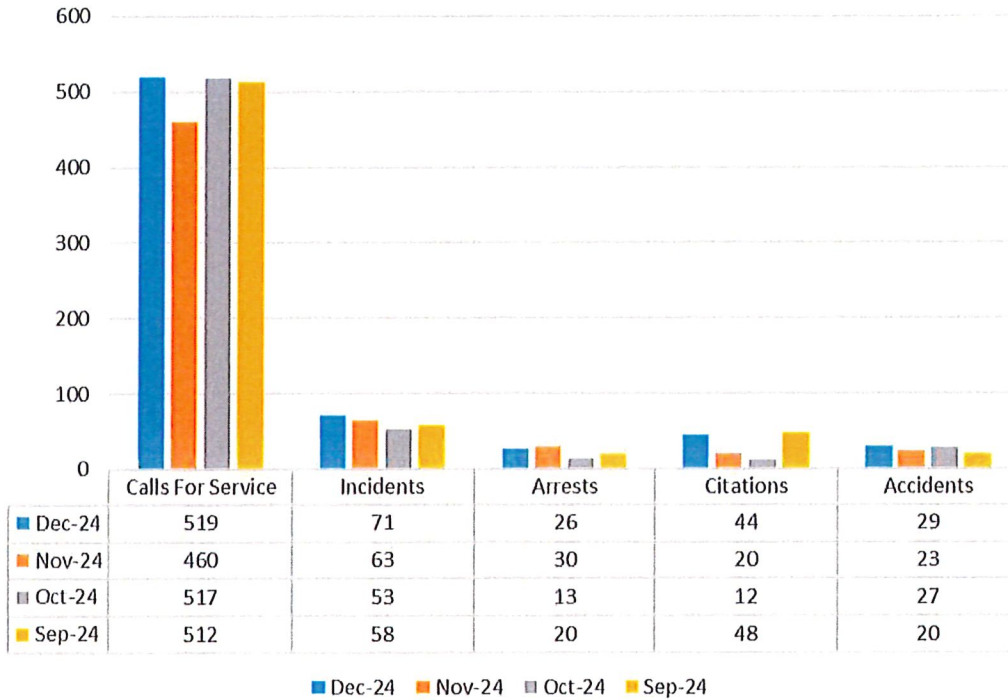
- Community engagement activities for the month of December consisted of attendance at Henderson County's Human Trafficking Response Team's monthly meeting, attendance at Safelight's LAP Partner Breakfast, and attendance at the Sheriff's Office's Annual VIP Awards Ceremony. The department also participated in Christmas in the Park, Shop with a Hero, Kits4Kids assembly, the above mentioned Toy Giveaway, Rolling Thunder, a multi-jurisdictional saturation patrol in Hendersonville on New Year's Eve, and the culmination of the "No Shave November" fundraiser. A tour of the police facilities was also given to staff and students from Veritas Christian Academy.

Respectfully Submitted,

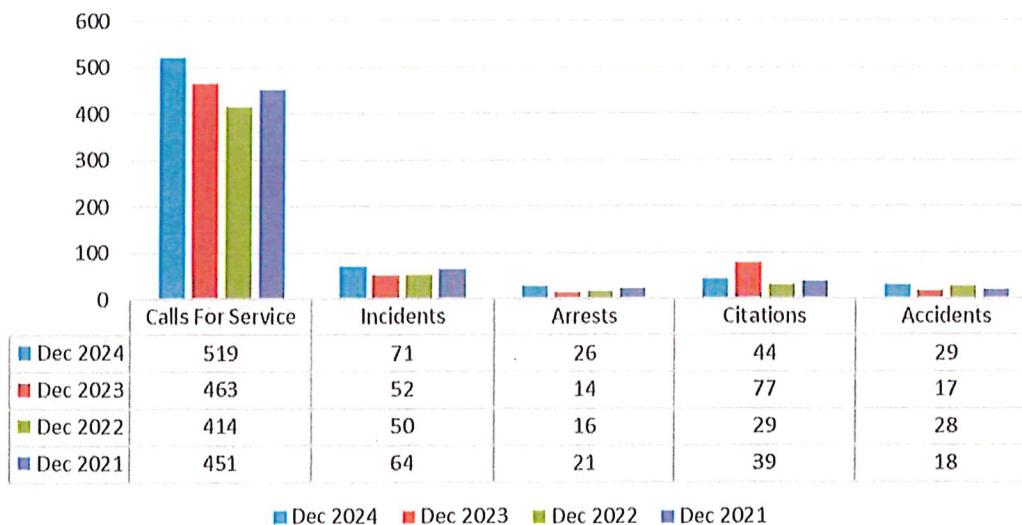


Chief Dan Terry

Fletcher Police Department - December - 2024 Monthly Comparison



Fletcher Police Department - December - 2024 Yearly Comparison



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FLETCHER POLICE DEPARTMENT
CRIMINAL INV DIVISION
DECEMBER 2024 STATISTICS

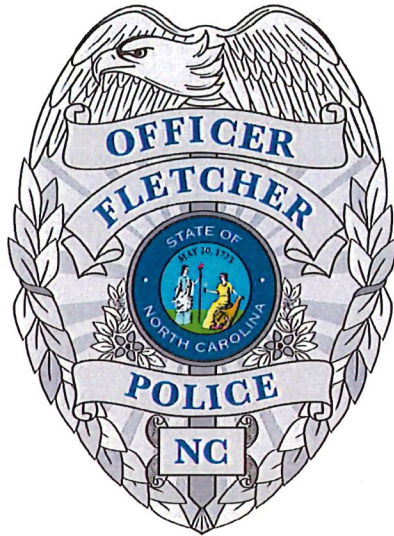
OFFENSE	MONTHLY ACTIVITY 2024					CUMULATIVE 2024				
	ASSIGNED	CLEARED w/ ARREST	EXCEPTIONALLY CLEARED	ADMINISTRATIVELY CLEARED	UNFOUNDED	OPEN PENDING	CLEARED BY ARREST	EXCEPTIONALLY CLEARED	ADMINISTRATIVELY CLOSED	UNFOUNDED
ARSON										
ASSAULT/BATTERY									1	
B&E (COMMERCIAL)							1	1	1	
B&E (RESIDENTIAL)						1				
B&E (TO MOTOR VEHICLE)						2			4	
CHILD ABUSE (PHYSICAL/NEGLECT)	1				1					1
CRIMINAL DAMAGE	1	1					1		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	3					3	4	2	6	1
HARASSMENT/INTIMIDATION										
HOMICIDE							1			
LARCENY		1					4	2	3	
MISSING PERSON (ADULT)										
MISSING PERSON (JUVENILE)	1		1					1		
MOTOR VEHICLE THEFT/UUMV	1	1		1		1	2		1	
ROBBERY									1	
SEX OFFENSE	1			1		1	1	1	2	3
SUICIDE/ATTEMPTED										
OTHER			1				3	2	1	
TOTAL	8	3	2	2	1	10	22	9	21	13
LAST MONTH	2	0	0	0	0					
YEAR-TO-DATE										

Department of Social Services			2024 YTD
TOTAL CASES REVIEWED	1		16
TOTAL CASES ASSIGNED	1		9

75 % Clearance rate for
December 2024

68% Year-To-Date Clearance

CITIZEN ASSIGNMENT LETTERS SENT 7 66



UNIT CITATION

Captain Brian Fulmer, Sergeant Ron Diaz, Officers Sydney Interlicchia and Matt Fogle
24-9565

Breaking & Entering to Building

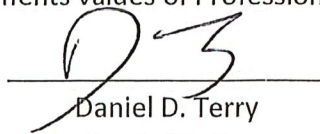
On June 26, 2024, a breaking and entering to Southern Pride Car Wash occurred. The suspect cut a hole in the roof, entered the business and stole \$800 worth of quarters. Officer Interlicchia responded to the scene and was later assisted by Officer Fogle, Sgt. Diaz, and Captain Fulmer.

The officers worked together as a team, each playing a different part in the investigation. A canvas of nearby businesses located video surveillance that provided general information, as to the suspect and his vehicle. Officers didn't stop with a canvas of nearby businesses, but also checked surveillance at the Mountain Energy Truck Stop, some distance from the crime scene.

This video surveillance provided more detailed information of the suspect.

Images from the video surveillance was shared with law enforcement officers from other jurisdictions. This led to the suspect being recognized and identified. With this, a search for the suspect began. The suspect was found in the Henderson County Jail. An immediate interview of the suspect was conducted which led to him confessing to the break-in. The vehicle used by the suspect was also located and consent to search obtained from its owner. Incriminating evidence was found in the vehicle and the suspect was subsequently charged with Breaking and Entering, Larceny After Breaking and Entering, and Injury to Property.

Captain Fulmer, Sergeant Diaz, Officer Interlicchia, and Officer Fogle should be recognized for their initiative, teamwork, and investigative skills. The communication between members of the department and their willingness to play whatever role was required led to the success of this case and exemplifying the departments values of Professionalism, Dedication, and Teamwork .


Daniel D. Terry
Chief of Police

**Public Works Department
Monthly Report
December 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 resumed December 2nd. Public Works collected 112 work orders for a total of 155 CYD's of leaves which are disposed of at the Henderson County Landfill.

Vehicles

We are still performing maintenance on Town vehicles. Currently, they are on an as needed basis since Public Works is still focusing our time on Hurricane Helene cleanup.

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. Currently, the outer greenway debris removal is complete. There is one site near the Mills Gap Bridge that will require stream bank repair. Public Works is removing the rest of the remaining damaged fencing at the ball fields and multi-purpose courts. Progress is being made at a steady pace.

Administration Monthly Report

Heather Taylor, Assistant Town Manager

December 2024

Assistant Town Manager:

- **Hurricane Helene/FEMA Park Recovery:**

- Held a meeting on December 3 with our FEMA and NC Emergency Management contacts to discuss how we will set-up our various projects. The plan is to complete a project for the completed projects in the park, a project for Category B/debris/emergency response projects, a project for the greenway bridge, and a project to fix everything else in the park.
- Submitted one project for completed work done at the park to include playground mulch, and trail repair. The project has been uploaded into the FEMA grant portal.
- 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 reviewing the bids for ballfield infield materials, lowest responsible bidder is Turfplaner and they plan to begin work in the new year.
- Participated in a site visit with FEMA and NC Emergency Management to review the greenway bridge issues on December 18.
- Posted the RFQ for engineering services for assistance with park repairs to include fencing/multi-court projects, greenway bridge project, and greenway trail projects. Selection committee chose McGill Engineering to begin work on design of these projects.

- **Website/Facebook:**

- Continuing to work on updating the Town's website with current Town information as well as trying to post to the Town's Facebook account a couple times a week.

Finance:

- **Taxes for 2024-** Candy and Susan have collected approximately 83% of taxes levied for 2024 as of December 31 and this amount will increase as we continue through the first week of the calendar year and into early January.
- **Business Registration Revenue-** Susan continues to work on collecting outstanding business registrations.
- **FY 23/24 Audit-** Carol Avery, Manager with Lowdermilk Church & Co (auditors) presented the audit of FY 23/24 during the December Council Meeting.
- **Budgets for 25/26-** Department Heads were updated on the upcoming budget calendar, and they can now begin to think about their upcoming budget requests.

Human Resource:

- **Employment-**

- Recreation Program Supervisor- interviews were held in December and position will be offered in early January.
- Police Officers- Chief Terry offered the last two vacant positions to two candidates one for the Police Cadet position and the other for Police Officer. The two candidates will begin in January and February.

- **Wellness-**

- Employee Gym- Over 40 hours were spent in the employee wellness gym as of 12/31.
- Blood Pressure Checks- A blood pressure screening was held on 12/11 and we had over 6 employees participate. Next screening will be in February.
- Employee Christmas- Coordinated 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 few months.