

Board of Commissioners' Agenda

January 21, 2025

Briefing Meeting

The Commission will hold a Briefing Meeting to hear updates from staff starting at 3:00 p.m. in the Commission Chambers, located on the 3rd floor of 200 College Street.

[January 16 Briefing Agenda](#)

- [Helene Update](#)
- [Internal Audit Report](#)
- [French Broad River Metropolitan Planning Organization Memorandum of Understanding](#)
- [Federal Transit Administration Funding Rescission](#)

Regular Meeting

Commission Meetings are held at [200 College Street](#), Room 326 in downtown Asheville beginning at 5:00 p.m.

Public Comment is taken at the beginning of the meeting.

Call To Order

[▲top](#)

Discussion / Adjustment / Approval To Follow Agenda

[▲top](#)

Consent Agenda [▲top](#)

1. [Approval of the January 7, 2025, combined Briefing and Regular meeting minutes](#)
2. [Resolution Approving Pyrotechnic Experts for Firework Displays](#)
 - [Resolution](#)

Public Comment

[▲top](#)

Good News

[▲top](#)

Presentations

[▲top](#)

Public Hearings [▲top](#)

1. [Public Hearing to consider rezoning application at 14 Hitching Post Lane](#)
 - [Rezoning application](#)

- [Applicant exhibits](#)
 - [Proposed maps](#)
 - [Planning Board’s Recommendation](#)
 - [Site plan](#)
 - [Staff Report](#)
 - [Ordinance to approve](#)
 - [Resolution to deny](#)
 - [More information](#)
2. [Public Hearing to consider request for additional funds from the North Carolina Recovery Housing Program](#)
- [Resolution](#)

County Manager's Report

▲top

Old Business

▲top

New Business

▲top

1. [External audit contract amendment and FY 2024 Audit report](#)
- [Amended contract](#)
 - [FY 2024 audit presentation](#)
2. [Budget amendment to consider education appropriation reductions based on prevailing economic conditions](#)
- [Budget amendment](#)
 - [More information](#)
3. [Budget amendment to consider reduction in General Fund Transfers](#)
- [Budget amendment for Future Conservation Easements, Early Childhood Education Fund](#)
 - [Budget amendment for Internal Fund Transfers – General Fund](#)
 - [Budget amendment for Reappraisal Reserve Fund](#)
4. [Budget amendment for Helene Recovery Housing Assistance Grant to CDBG funds](#)
- [Budget amendment](#)
 - [More information](#)
5. [Budget amendment to accept Parks and Recreation Trust Fund Accessible Parks grant](#)
- [Budget amendment](#)
 - [More information](#)

Board Appointments

▲top

[Appointments to Boards & Commissions:](#)

- Juvenile Crime Prevention Council (2 reappointments)
- Library Advisory Board (1 reappointment)

Announcements [▲top](#)

- The next Briefing and Regular meeting will be held on February 4, 2025 in the Commission Chambers starting at 3:00 p.m.

Closed Session / Open Session

[▲top](#)

Adjournment

[▲top](#)



Buncombe County Government

Avril M. Pinder, CPA, ICMA-CM
County Manager

Buncombe County Government
Commissioner Briefing
January 21st, 2025
3 pm
Commissioner's Chambers, 3rd floor

- | | | |
|------|---|---------------|
| I. | Meeting called to order | Chair Edwards |
| II. | Review the Board's January 21 st agenda | Chair Edwards |
| III. | Staff updates | |
| | a) Helene Update | Avril Pinder |
| | b) Internal Audit Update | Robb Hartman |
| | c) French Broad River Metropolitan
Planning Organization (FBRMPO)
Memorandum of Understanding | William High |
| | d) Federal Transit Administration
(FTA) funding rescission | William High |
| IV. | Open Discussion | All |





HELENE UPDATE

Board of Commissioners | January 21, 2025



BUNCOMBE COUNTY



Topics for Today

- **Housing** – Matthew Cable
- **Debris** – Kristy Smith
- **Public Assistance** – Matt Evans
- **Communications & Public Engagement** – Stacey Wood
- **Disaster Recovery Contract** – Rachael Sawyer & Brenna Minor



Housing: Impact, Focus & Approach

- **Impact:** 10,054 damaged units including 647 with major damage & 342 destroyed
- **Focus:** Support residents moving toward housing permanence
- **Approach:** Connect survivors to:
 - Transitional Sheltering Assistance (TSA)
 - Home repair resources
 - Temporary housing solutions
 - Short-term and long-term rentals
 - Rental/mortgage assistance
 - Permanent housing solutions



Transitional Sheltering Assistance (TSA)

- Outreach to TSA guests by County Community Navigators:
 - Interactions since 12/14: **347**
 - Door hangers, under door flyers, and signs in hotels
 - Code Red messaging to provide targeted support to guests
 - Directing guests to NCEM Supported Disaster Case Management
- Buncombe County Households in FEMA TSA: **701**
- Households in TSA in Buncombe County: **556**
 - Households remaining eligible as of 1/17 with next review anticipated 1/31: **448**
 - Households noticed ineligible on 1/17 with check out by 2/8: **108**
 - County Community Navigators active in BC TSA hotels
- Households in TSA outside of Buncombe County: **145**
 - Households remaining eligible as of 1/17 with next review anticipated 1/31: **116**
 - Households noticed ineligible on 1/17 with check out 1/25: **29**



Temporary Direct Housing



- Households Approved for FEMA Temporary Direct Housing: **105**
 - Temporary Units Leased In: **27**
 - Direct Lease Leased In: **9**
 - Temporary Units In Progress: **39**
 - Solution Not Yet Determined: **30**
- County completed amendments to local zoning regulations to facilitate temporary housing solutions:
 - Temporary Use Permits Issued: **183**
(including **65** by FEMA)



Rental Assistance

- Households that have received FEMA Rental Assistance: **656**
 - County developing communication to promote platforms to potential recipients of rental assistance
- County provision of funds for rental assistance
- County support of non-profit platforms that connect survivors with rentals:
 - Housed: **34 + 2** additional in process



Additional Response Coordination

- Development of resource guides to connect survivors with: repair providers and rental, mortgage, and utility assistance
- Communication of housing resources to:
 - Community Navigators
 - Disaster Case Managers
 - Community Partners
 - Our residents/the public
- Support during shelter closures to facilitate exit strategies to housing
- County staff undertaking consideration of long-term solutions given the temporary nature of initial housing solution responses



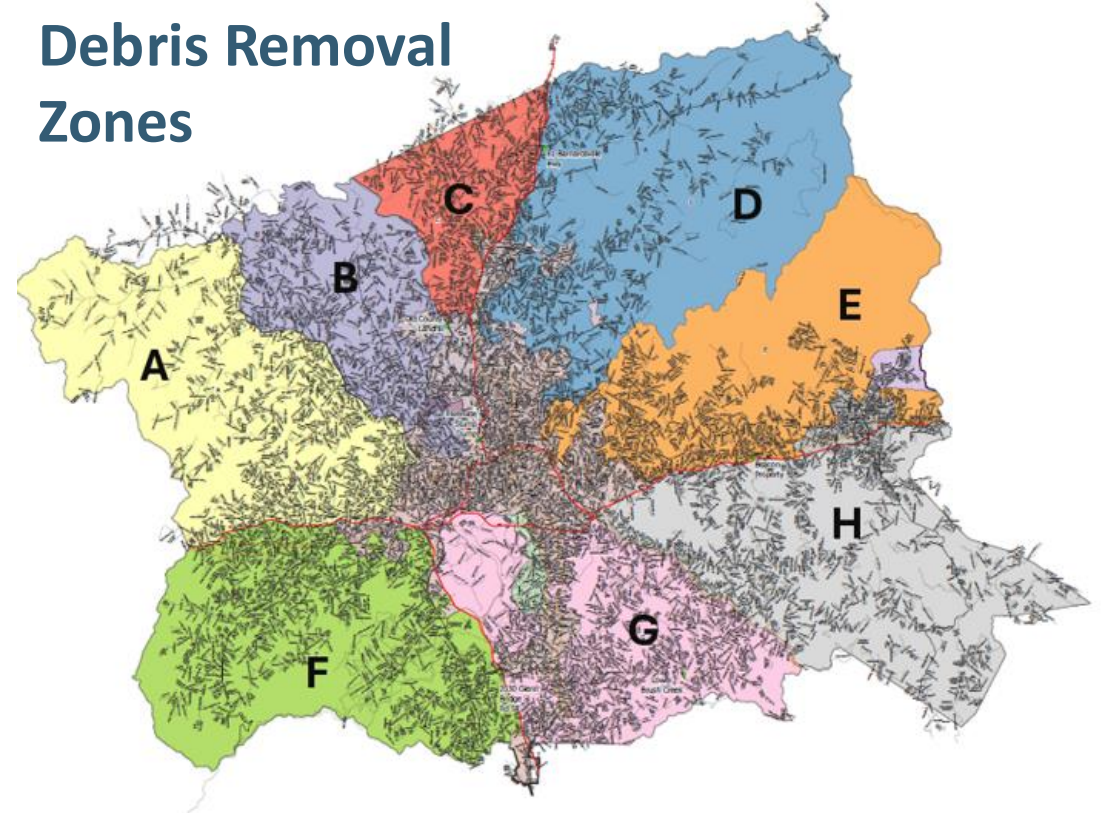
Questions?



Debris

- Right of Way Collection as of 1/16/2025
 - 752,697.9 cubic yards & 57,160.3 tons of soil
 - USACE contractor **nearing completion of first pass** in all eight collection zones.
 - 2nd pass will begin in zones A, B, C, F, G, and H
 - Zone E: 95% 1st pass completion
 - Zone D: 90% 1st pass completion

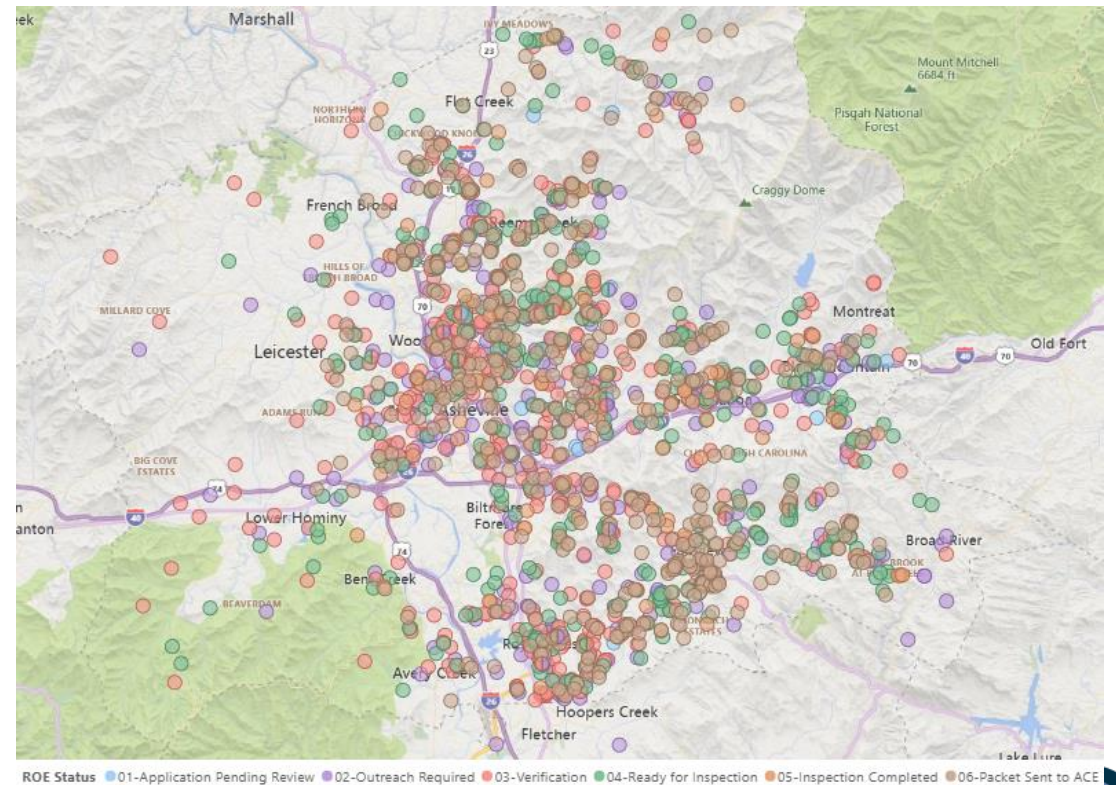
Debris Removal Zones



Private Property Debris Removal

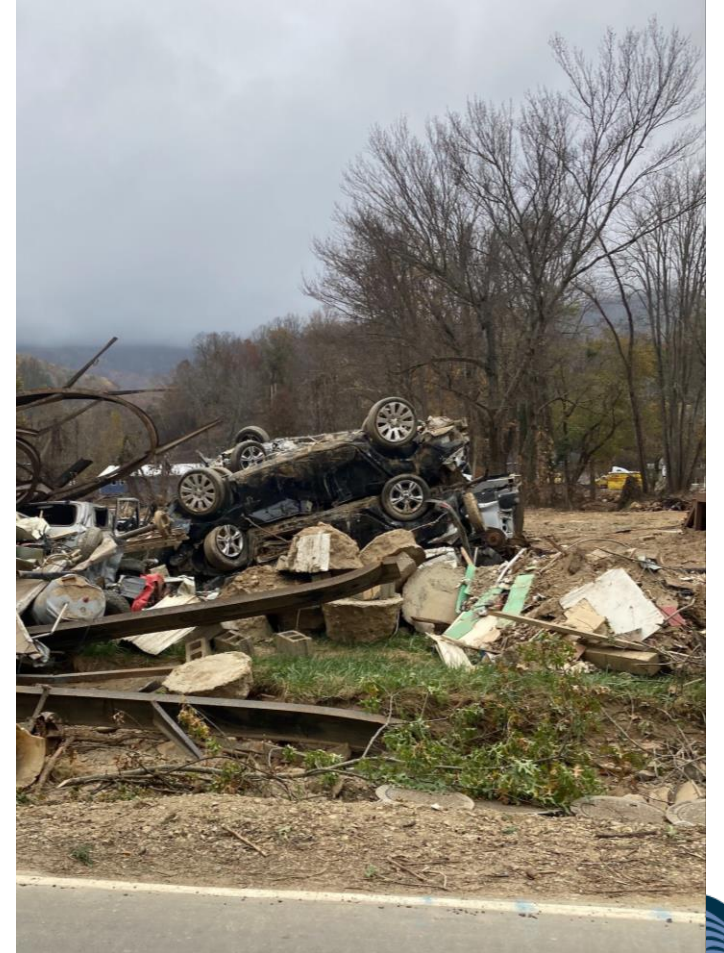
- **2,160 applications submitted** as of 1/17/2025
 - Unincorporated areas: 72.4%
 - City of Asheville: 20.2%
 - Town of Black Mountain: 3.3%
- **192 applications for demolition**, 23 are from commercial properties
- **84 commercial property applications** total
- **736 site inspections** have been completed
- **578 completed applications** have been provided to FEMA
- Expected timeline for clean up to begin: **February 2025**

Applications Submitted



Title Property & Waterway Debris

- **Title Property** expected to begin: **end of January 2025**
 - Contracting with local towing companies to remove storm damaged property such as vehicles & vessels
 - Current developing process aligned with state statute and local ordinances
- **Waterways** expected to begin: **February 2025**
 - USACE has released the RFP for removal of debris from waterways
 - Environmental and historic preservation (EHP) review will occur alongside the procurement



Questions?



FEMA Public Assistance

Purpose: To provide funding for emergency assistance to save lives and protect property, and assist with funding for permanently restoring community infrastructure affected by a federally declared incident

Emergency Work (6 Months*)

Debris Removal

Emergency Protective Measures

- Overtime and Benefits
- Equipment Usage
- Contracts/Invoices

Permanent Work (18 Months*)

Roads & Bridges

County Buildings and Equipment

Parks/Recreation Facilities



Public Assistance Projects

- Buncombe County is working with Tetra Tech to complete inventory of FEMA Public Assistance projects, including all anticipated emergency work and permanent work
 - Includes **40+ County locations with damage:**
 - 11 Roads & Bridges: Washed out; Debris; Culverts blocked
 - 15 Public Buildings with minor damages (0 destroyed or major damage)
 - 16 Parks/Recreation Facilities (2 destroyed; 6 major or significant damage; 8 limited damages)
 - We are adding in vehicles that were damaged during the storm
 - Final project list is due to FEMA **March 3, 2025** – Next big Public Assistance milestone



Owen Park

Pre-Helene:



Post-Helene:



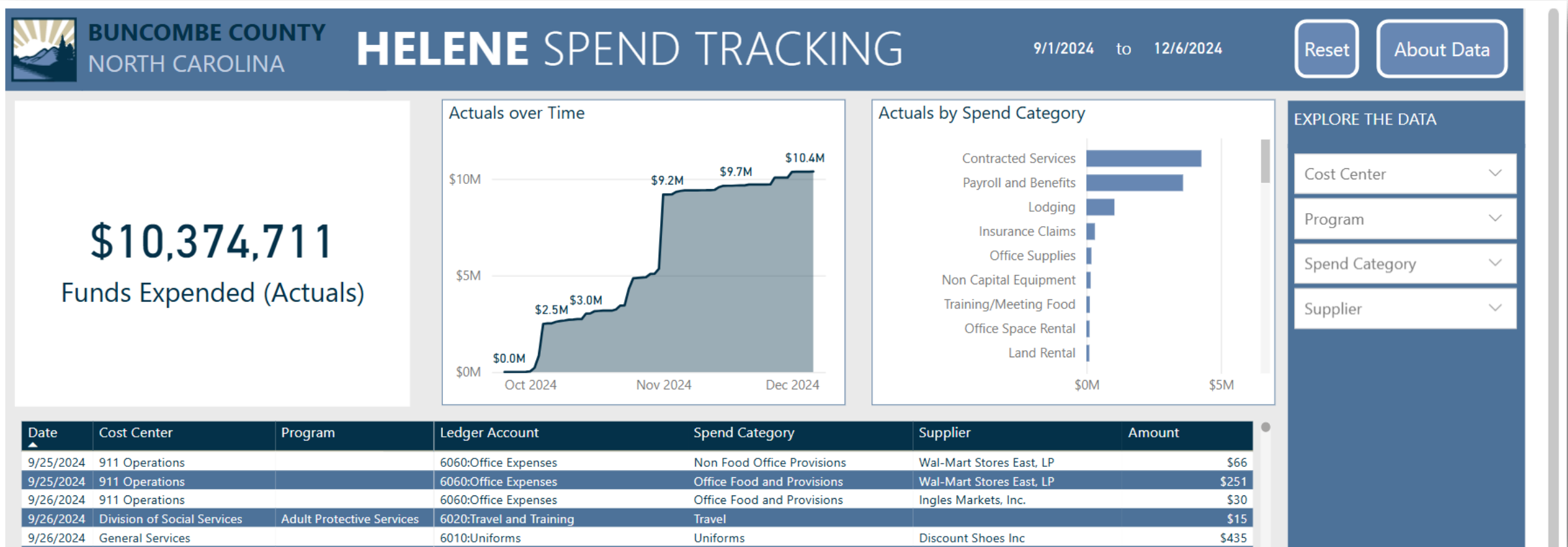
BUNCOMBE COUNTY

Public Assistance Timeline

- ✓ Emergency Declaration Declared: September 28, 2024
- ✓ Formal Request For Public Assistance: October 5, 2024
- ✓ Expedited Funding Requested For Debris: October 17, 2024
- ✓ FEMA Exploratory Call: November 22, 2024
- ✓ FEMA Recovery Scoping Meeting: December 3, 2024
- ☐ Project List Due to FEMA: **March 3, 2025**
- ☐ Schedule Site Inspections For Permanent Work: Ongoing
- ☐ Submit Projects to FEMA: Ongoing



Helene Spending Dashboard



BuncombeCounty.org/Transparency



Questions?



Communications & Public Engagement

- Briefings continue Wednesdays at 11 a.m.
- Continuing to distribute disaster relief information via our text and email platforms
- Social media following has grown
 - Facebook – 46,000
 - Instagram – 10,000
- News stories, Register of Deeds, GIS seeing highest web traffic with longest stays



Community Resource Roadshows

Barnardsville Fire Station, Barnardsville

100 Dillingham Rd. | Thurs., Feb 13, 5-7P

Owen High School, Black Mountain

99 State Rd. 2468 | Thurs., Feb 20, 5-7P

Reynolds High School, Asheville

1 Rocket Dr. | Tues., Feb 25, 5-7P

Leicester Community Center, Leicester

2979 New Leicester Hwy. | Thurs., Feb 27, 5-7P

"No wrong door" approach to connect to disaster recovery resources from private property debris removal, hazard mitigation, FEMA, and more along with various County services like libraries, parks, solid waste, and more



Recovery Engagement Site

Engage Buncombe County > Buncombe County Helene Recovery

BUNCOMBE COUNTY HELENE RECOVERY



[Translate](#)

[General](#) [Debris](#) [Economic Recovery](#) [Infrastructure](#) [Housing](#) [Natural and Cultural Resources](#) [Health and Social Services](#) [Recovery Presentations](#)

[Recovery Resources](#) [Community Engagement](#)

1.7.2025 BOC Commissioner Briefing Video and presentation.

Sign up to receive updates on Buncombe County Helene Recovery:



Questions?





Tetra Tech Task Orders

Status Update

Brenna Minor

Director, Recovery Programs

January 21, 2025



Scope Overview and Tasks

1

Community
Navigation

2

Disaster
Response EOC

3

Private Property
Debris &
Demolition

4

FEMA Public
Assistance

5

Floodplain
Management

6

Housing
Recovery

7

Unmet
Needs and
Long-term
Disaster Recovery
Funding

8

Overall
Program
Management

Accomplishments

Community Navigation Services

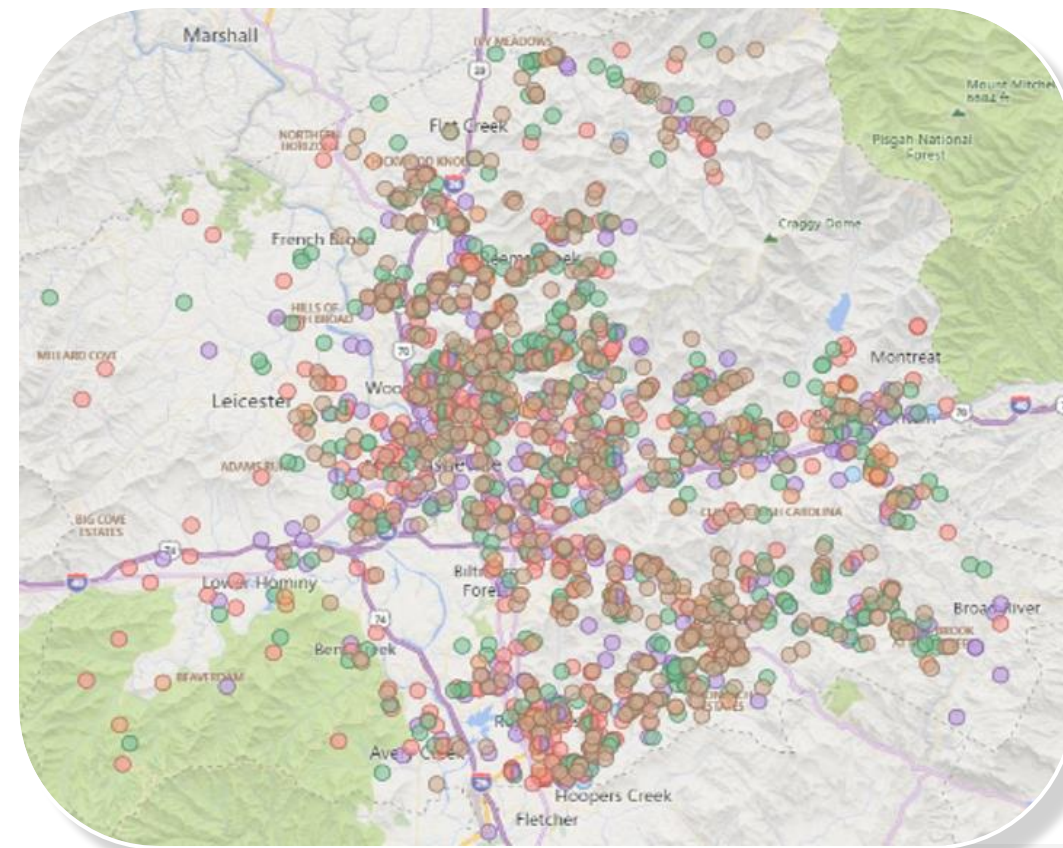
- 2,920 recorded interactions with survivors
- 851 interactions with TSA recipients to target at-risk households and mitigate unhoused disaster survivors
- Staff supported DRC operations for 31 days

Disaster Response EOC Augmentation

- EOC: Planning, documentation, financial, warehouse
- JIC: Public Information Office

PPDR Services

- 2,155 ROE applications received, 736 inspections completed, 578 applications sent to USACE
- Staffed 5 application centers, 5 days a week, and multiple in-community/mobile application teams
- 18k fliers distributed in multiple languages
- Co-located with site assessment teams to canvass neighborhoods and identify non-applicant parcels adjacent to applicant property lines
- Targeted small businesses in the hardest hit areas



● Application Review ● Inspection scheduled ● Inspection complete

Accomplishments



FEMA Public Assistance Operational Planning Support

- Damage assessments for impacted County facilities to estimate eligible FEMA PA costs
- FEMA exploratory call and recovery scoping meetings completed to initiate reimbursement process
- FEMA PA eligibility training on landslides and slope stabilization to guide County operations



Floodplain Management Services

- Inspected over 1,400 properties in the special flood hazard area for substantial damage.
- Contacted first batch of owners whose properties were substantially damaged (163)



Housing and Long-Term Recovery Support

- Provided technical assistance on the development and revision of Housing Task Force 90-Day Plan
- Provided technical assistance to Rental Assistance and Data working groups
- Developed white paper on data collection strategies for long-term recovery
- Developing dashboard for Housing Task Force to drive strategy and long-term recovery prioritization
- Held a workshop to develop CDBG-DR priorities

Goals for Closing Out First 90 Days

Continue to provide
**program referrals and
info** to the remaining TSA
recipients and the
community

Continue sending
125 applications to
FEMA/USACE weekly

Co-locate PPDR/CPDR
mobile app centers
with site inspectors

Refine FEMA damage
inventory to capture
eligible damages
by March 3

Combine datasets
to identify and
connect related data.

Begin a permanent
housing workgroup in
coordination with the
Housing RSF

Next Steps, Next Phase, What to Expect



Transfer information collected by Community Navigators to continue addressing unmet needs



Bring in additional PPDR applications as debris removal begins



Provide support for FEMA site inspections following damage inventory submission



Continue to provide technical assistance related to housing programs

Next Task Order

- Will cover through June 30, 2025
- Some tasks from initial task order have ended or will sunset & some new tasks may be added to meet the needs our needs in this phase of recovery
- Prioritizing work with most likely sources of reimbursement
- Prioritizing work requiring specialized expertise
- Staff will bring a budget amendment in February



Questions?



End of Presentation

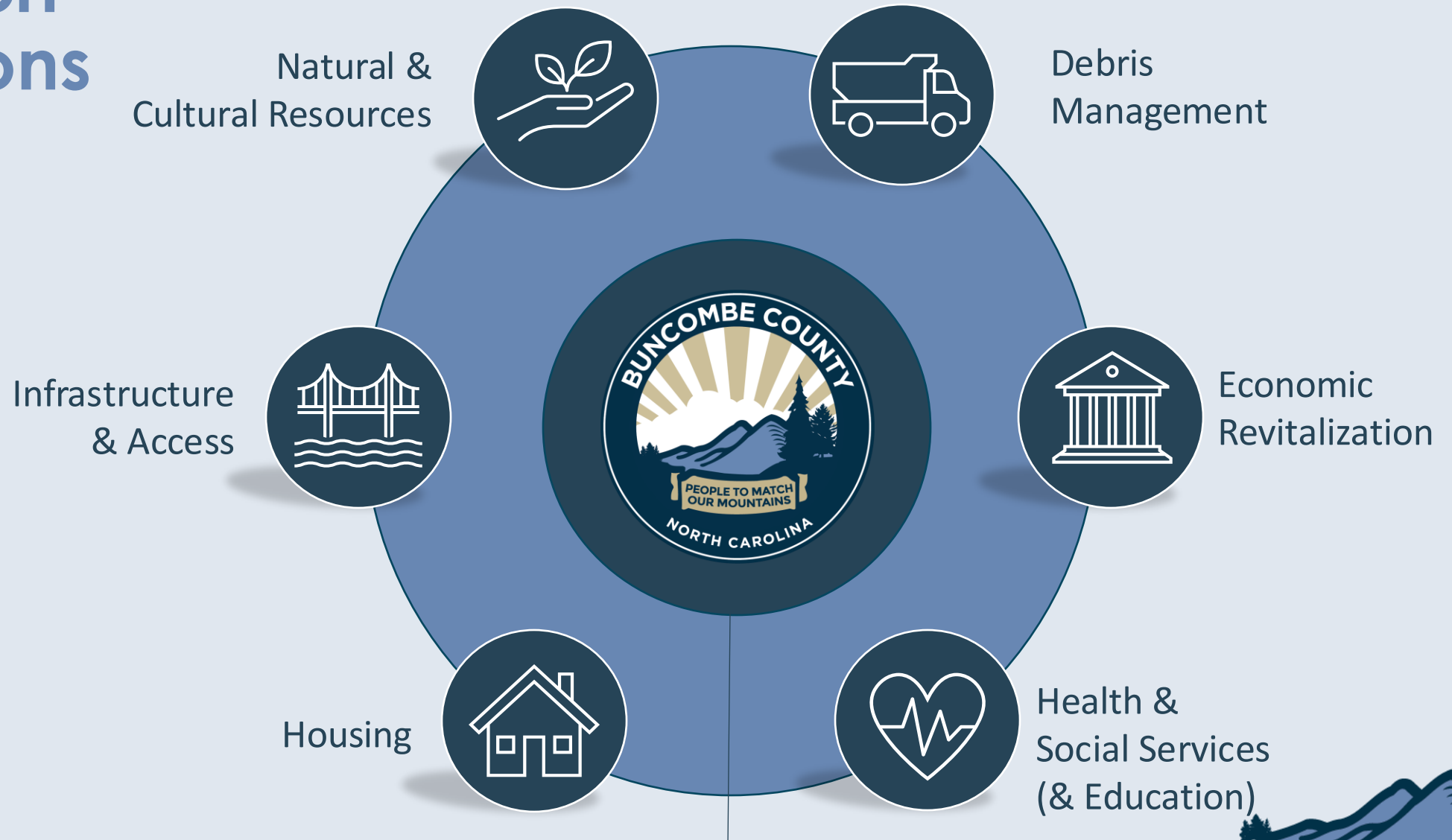


APPENDIX – DATA UPDATES

Reference Data by Recovery Support Function



Recovery Support Functions



Foundational



BUNCOMBE COUNTY



1/21/2025

DEBRIS MANAGEMENT



Focused on storm debris, including solutions for debris removal on public and private property and waterways, managing specialized debris types, evaluating hazardous materials considerations, coordinating disposal, and exploring sustainable re-use of debris.



DEBRIS MANAGEMENT

- Cubic yards of debris collected: 752,698 (13%+ increase over last update)
- Tons of mud, silt and soil collected: 57,160 (28%+ increase over last update)
- PPDR applications received: 2,160 (11%+ increase over last update)
- PPDR applications ready for site inspection: 413 (55%+ increase over last update)
- PPDR applications delivered to FEMA: 578 (100%+ increase over last update)
- PPDR inspections complete: 736 (31%+ increase over last update)
- % of applications received on-line: 59%
- % of applications received in-person: 41%
- % of applications requesting debris removal only: 91%
- % of applications requesting debris and demolition: 8%
- % of applications requesting demolition only: 1%



ECONOMIC REVITALIZATION



Focused on stimulating economic recovery, supporting local businesses, responding to workforce needs, and ensuring the long-term economic stability and prosperity of the area with a focus on revitalization of critical economic sectors



ECONOMIC REVITALIZATION

- Asheville-Buncombe "Rebuilding Together" Business Grant www.mountainbizworks.org/helene/fund/
 - 843 applications received totaling more than \$18M (no change compared to prior update)
 - Buncombe County Only
 - 137 small businesses awarded grants, totaling \$1,567,480 (no change compared to prior update)



ECONOMIC REVITALIZATION

Unemployment Estimates: Revised October 2024 and November 2024

	Reported Oct 2024	Revised Oct 2024	Reported Nov 2024*
Buncombe County	8.8%	10.4%	7.2%
Asheville Metro**	7.4%	8.5%	6.1%

*Next Unemployment Update will be available Tuesday January 28th, 2025 and will include November 2024 Revised and December 2024

** Asheville Metro includes Buncombe, Haywood, Henderson, and Madison counties

Helene Impact on County Unemployment Rankings November 2024

County	Labor Force*	Unemployment **	Rate	Rank
Yancey	8,480	522	6.2	96
Avery	7,897	504	6.4	97
Madison	10,328	677	6.6	98
Buncombe	147,359	10,621	7.2	99
Mitchell	6,643	591	8.9	100

*Number of people working in Buncombe County

** Number of people unemployed



HEALTH & SOCIAL SERVICES



Focused on ensuring the health and well-being of residents with attention to the social determinants of health, including consideration of medical, behavioral, educational, and environmental health concerns and social service recovery needs



HEALTH & SOCIAL SERVICES

- Applications submitted for individual assistance thru Buncombe Co.: 5,827 (no change compared to last update)
- Applications approved for individual assistance: 147 (100%+ increase over prior update)
- Funds approved for individual assistance: \$556,000 (100%+ increase over prior update)
- Total loads of laundry at Community Care Sites: 43,822 (8%+ increase over prior update)
- Total number of showers at Community Care Sites: 42,048 (2%+ increase over prior update)
- Number of vaccines provided at Community Care Sites: 1,022 (vaccine administration ended 12/16)
- Mass care meals provided (avg. / day): 1,500 (25% decrease over prior update)
- Current individuals in emergency shelters: Shelter closed as of 13/31
- Low-income energy assistance program (LIEAP) approved households: 1,466 (no change compared to last update)
- LIEAP approved funds: \$440,700 (no change compared to last update)



EDUCATION

- The number of homeless (unhoused) students identified under the McKinney-Vento Act in **Asheville City Schools** is currently at 225; the number is 1298 for **Buncombe County School**
 - For **ACS**, **74** of these cases are due to Helene
 - For **BCS**, **883** cases are due to Helene
- *(As of January 8th)* All but 2 of **Buncombe County Schools** sites have resumed normal water usage after receiving lead test results
 - 2 sites still awaiting test results
- All **Asheville City Schools** continue to use bottled water and are awaiting lead testing results



HOUSING



Focused on supporting people in moving toward housing permanence through home repair, removing barriers to temporary housing units, connecting survivors to short- and long-term rental, and coordinating rental and mortgage assistance for survivor households with economic impacts



HOUSING

- Residential units destroyed: 343 (1%+ increase over prior update)
- Residential units with major damage: 647 (2%+ increase over prior update)
- Residential units with habitability repairs: 9,065 (3%+ increase over prior update)
- Total residential units damaged: 10,054 (3%+ increase over prior update)
- Households currently in TSA: 699 (49%- decrease over prior update)
- Households approved for FEMA direct housing: 105 (18%- decrease from prior update)
- FEMA temporary housing units complete: 36 (38%+ increase over prior update)
- FEMA temporary housing units in-progress: 39 (13%- decrease over prior update)
- Households approved for rental assistance: 656 (151%+ increase over prior update)



INFRASTRUCTURE & ACCESS



Focused on restoring and enhancing essential public infrastructure and accessibility to private property, including comprehensive damage assessments, coordination of repairs/restoration, and mitigation of future hazards such as floods and landslides



INFRASTRUCTURE & ACCESS

- 130 Hazard Mitigation Grant Program (HMGP) applications have been submitted to NCEM
 - 80 for acquisition & 50 for elevation
- Helene related building permit apps filed across 1,100+ unique locations (5% increase over last update)
- Helene related building inspections conducted at 800+ unique locations (11% increase over last update)
- 300+ private addresses assessed for bridge damage by Fire Marshall
- 1,000+ landslides occurred in the County with 400+ damaging roads and structures
- 1,400 assessments conducted of properties in flood plain with letters of significant damage being sent
 - County standing up free surveyor program for household appealing significant damage determination



NATURAL & CULTURAL RESOURCES



Focused on the restoration and sustainable management of natural and cultural resources, including capabilities to maintain, conserve, renew, and rehabilitate resources such as parks, farmland, watersheds and streambanks in alignment with environmental and historical preservation laws



NATURAL & CULTURAL RESOURCES

- Emergency watershed protection potential applicants identified: 409 (14% increase over last update)
- 7 County parks open to the public (no change compared to prior update)
- 11 County libraries open to the public (no change compared to prior update)





FOUNDATIONAL

Focused on coordinating the resources needed for an effective recovery for and linking recovery with organizational operations –such as grants & funding, data sharing, county property damage, staffing considerations, communications, funding, facilities, fleet, human capital and technology



FOUNDATIONAL

- \$11.6M expended for Helene; \$11.35M committed
- 1 Category A project submitted in FEMA grants portal
 - Submitted: \$68,240,087.00
 - Received: \$34,120,044.00
- 28 active staff reassignments being managed by HR
- 112 internal county staffing vacancies (not including BCSO)
- Bi-directional Data sharing agreement NCEM secured the week of 1/13/25





Internal Audit Update

Presented by

Robb Hartman

Internal Audit Director

1/21/2025



Key Takeaways

- ✓ Building the foundation for Internal Audit
- ✓ Internal Audit Work Product
 - ✓ Completed Risk Assessment
 - ✓ Special Project
 - ✓ FY 2025 Audit Plan will contain only 1 audit
- ✓ Helene Impact on Internal Audit
- ✓ Next Steps
 - ✓ FY 2025
 - ✓ FY 2026



Building The Foundation

- ✓ Updating Audit Charter
 - ✓ Change from Generally Accepted Government Auditing Standards to Global Internal Audit Standards
- ✓ Ensuring compliance with new Global IIA standards
 - ✓ Effective 1/1/2025
- ✓ Drafting Audit Manual



Internal Audit Work Product

- ✓ Completed County-Wide Risk Assessment & Developed Internal Audit Plan
 - ✓ Adjusted in the wake of Helene
- ✓ Completed fieldwork for one special project
 - ✓ Report to be presented at next Audit Committee meeting
- ✓ FY 2025 Audit Plan
 - ✓ Procurement Card Audit



What did Helene Look Like?

- ✓ Re-assigned to manage County Distribution Warehouses to help distribute supplies
 - ✓ Independence Considerations – unable to audit warehousing process
- ✓ Internal Audit Employee Retirement & Hiring Freeze
- ✓ Re-evaluation of Risk by IA & Buncombe County Management



Next Steps – FY 2025

- ✓ Hire open positions once hiring freeze ends
- ✓ Continue to develop process documentation
- ✓ Begin audit work approved by Audit Committee
- ✓ Complete Risk Assessment for FY 2026 Audit Plan
- ✓ Presentation at Industry Conference
 - ✓ Association of Local Government Auditors



Next Steps – FY 2026

- ✓ Consider software needs
- ✓ Develop departmental strategic plan
- ✓ Train new auditors



Questions For IA?





French Broad River Metropolitan Planning Organization (FBRMPO) MOU

Presented by

William High, Lead Transportation Planner

Planning and Development Department – Community Development

January 21, 2025

Board Briefing



FBRMPO OVERVIEW

- The French Broad River Metropolitan Planning Organization (FBRMPO) is an intergovernmental partnership for transportation decisions in the Census Designated Urban Asheville area
- Local transportation investments prioritized through the FBRMPO
- Currently governed by a 2013 Memorandum of Understanding



PROPOSED CHANGES TO FBRMPO MOU

- FBRMPO Board Membership Change
- FBRMPO TCC Membership Changes
- Cost Sharing Section Addition
- NCDOT Approved Formatting



FBRMPO BOARD MEMBERSHIP STRUCTURE

Existing

- Voting Representatives:
 - 4 Counties
 - 16 Municipalities
 - NCDOT Divisions 13 & 14
 - Urban & Rural Transit Representatives
- Non-voting Members:
 - Federal Highway Administration (FHWA)
 - *Transylvania County*

New

- Voting Representatives:
 - 4 Counties
 - 16 Municipalities
 - NCDOT Divisions 13 & 14
 - Urban & Rural Transit Representatives
- Non-voting Members:
 - Federal Highway Administration (FHWA)
 - **Federal Transit Administration (FTA)**



FBRMPO TCC MEMBERSHIP STRUCTURE

Existing

- Voting Representatives:
 - 4 Counties
 - 16 Municipalities
 - NCDOT Divisions 13 & 14
 - Urban & Rural Transit Reps.
- Non-voting Members:
 - FHWA
 - Land of Sky Regional Council
 - Asheville Regional Airport
 - WNC Regional Air Quality Agency
 - NCDOT Regional Traffic Engineer
 - *Transylvania County*
 - *Land of Sky Rural Planning Organization*

New

- Voting Representatives :
 - 4 Counties
 - 16 Municipalities
 - NCDOT Divisions 13 & 14
 - Urban & Rural Transit Reps.
 - **Land of Sky Rural Planning Organization (formerly a Non-voting Member)**
- Non-voting Members:
 - FHWA
 - Land of Sky Regional Council
 - Asheville Regional Airport
 - WNC Regional Air Quality Agency
 - **NCDOT Regional Safety Engineer**
 - **NCDOT Freight**
 - **NCDOT Rail**
 - **NCDOT Integrated Mobility Division**
 - **Federal Transit Administration (FTA)**
 - **Regional Housing Representative**
 - **Vulnerable Road Users Representative**



COST SHARING

- Cost sharing section added for confirmation and clarification of cost structure currently in effect for planning studies
 - Buncombe County provides dues for the unincorporated area and:
 - Town of Biltmore Forest
 - Town of Black Mountain
 - Town of Montreat
 - Town of Weaverville
 - Town of Woodfin
- Clarifies access to planning funds



NEXT STEPS

- Request for Board Action – February 4th BOCC Regular Meeting
 - Consideration of FBRMPO MOU changes
 - Adoption of Resolution approving changes



QUESTIONS?





FTA SECTION 5307 TRANSIT FUNDING

Presented by

William High, Lead Transportation Planner

Planning and Development Department – Community Development

January 21, 2025

Board Briefing



OVERVIEW

1. 5307 Funding Overview
2. Transit Budget Comparison
3. Triennial Review: FTA Direction to the City of Asheville
4. FY 2025 Rescission
5. FY 2026 Funds at Risk & Rescission Consideration



5307 FUNDING OVERVIEW

Funding for urban area transit and which can support:

- Capital
- Operating
- Planning

Funding allocations are divided from the annual apportionment:

- Buncombe County 32%
- City of Asheville 47%
- Henderson County 21%

Buncombe County's Mountain Mobility operates in the urban area but also in the rural area. Section 5307 funds can only support transit activities in urban areas. Section 5307 eligible activities are, as a result, a relatively small portion of Mountain Mobility operations and a relatively limited portion of eligible activity and expenses.



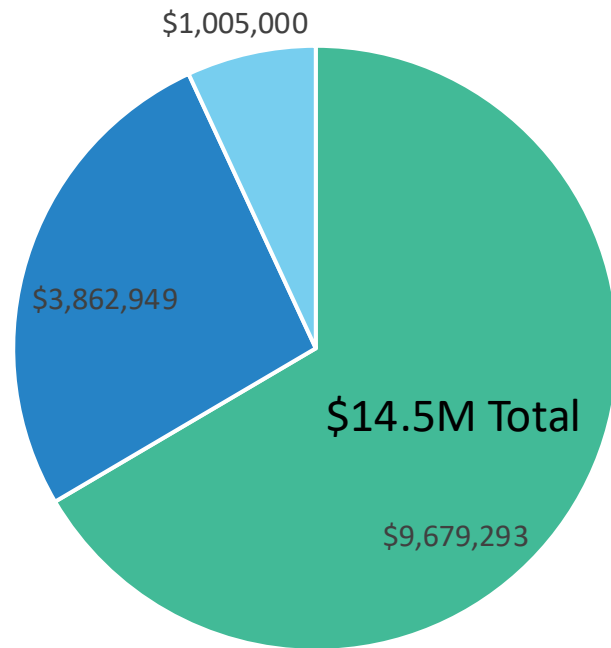
5307 SPEND RATE

- Allocations > Eligible Operating Expenses
 - Allocations Currently >\$1M Annually
 - Eligible Operating Expenses Currently ≈ \$500K Annually
- Allocation amount increases > Eligible Operating Expenses amount increases



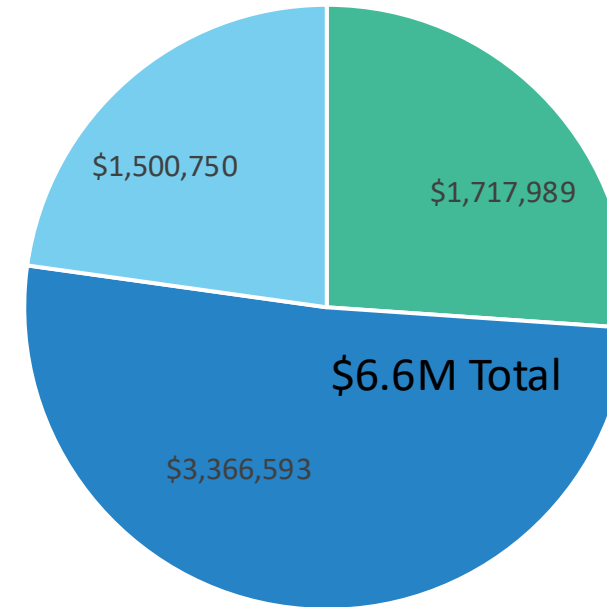
TRANSIT BUDGET COMPARISON

Asheville Transit Budget - FY25



■ Local Funds ■ Grants ■ Revenues

Buncombe County Transit Budget - FY25



■ Local Funds ■ Grants ■ Revenues

City of Asheville has the capacity to absorb Section 5307 funding to offset local budget commitment.
Buncombe County is, at present, fully leveraging urban transit grant funding given other grants received.



TRIENNIAL REVIEW: FTA DIRECTION TO THE CITY OF ASHEVILLE

1. Reduce Open Grants

- Spend funds in older grants and close those grants
- Close older grants and rescind funds to FTA

2. Program Unallocated Funds



FY2025 RESCISSION

- In July 2024, Buncombe County rescinded \$1.37M in 5307 funds to the City of Asheville with the following requests:
 - *Accepting the funds under the expectation that no additional funds will be requested for the continued operation of the New Leicester Highway Extension & Route 170 in FY2025 (Complete);*
 - *Rescinding \$138,830 in FY2025 Section 5310 Traditional funds to Buncombe County to support County transportation for older adults and individuals with disabilities (Complete);*
 - Evaluating WE2 Route changes to improve safer connection to Buncombe County's Enka-Candler Trailblazer Route (Anticipated Start in FY25); and
 - Evaluating increased trip frequency for the S3 and S6 routes serving south Asheville (Anticipated Start in FY25).



FY 2026 5307 FUNDS AT RISK

ANNUAL = \$782,544

JARC = \$81,794

TOTAL= \$864,338



FY2026 RESCISSION CONSIDERATION

- Consider rescinding funds to the City to prevent return of funds to FTA
- Rescission conditions should include:
 - The City not requesting additional funds for the continued operation of the New Leicester Highway Extension & Route 170 in FY2026; and
 - The City not applying for Section 5310 Traditional funds for FY2026 so that Buncombe County can compete for a larger share of funds that directly support County transportation for older adults and individuals with disabilities
 - Evaluating WE2 Route changes to improve safer connection to Buncombe County's Enka-Candler Trailblazer Route (Anticipated Start in FY26); and
 - Evaluating increased trip frequency for the S3 and S6 routes serving south Asheville (Anticipated Start in FY26).
- The Board may also consider any conditions that advance transit and transportation with the City of Asheville and Buncombe County



NEXT STEPS

- Request for Board Action – February 4th BOCC Regular Meeting
 - Consideration of rescission conditions
 - Consideration and approval of rescission



QUESTIONS



MINUTES OF THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS'

BRIEFING MEETING OF JANUARY 7, 2025.

BE IT REMEMBERED: That the Board of Commissioners met to hold a Briefing Meeting on January 7, 2024, in the Commission Chamber at 200 College Street in downtown Asheville, North Carolina at 3:00 p.m.

Present: Chair Amanda Edwards; Vice-Chair Martin Moore; Commissioner Terri Wells, Commissioner Al Whitesides; Vice-Chair Parker Sloan; Commissioner Martin Moore; Commissioner Jennifer Horton.

The following items were reviewed.

- [Residential Waste Collection Update](#)

Dane Pederson, Solid Waste Director opened up the presentation to provide background information. FCC staff then provided updates participating remotely. They explained that FCC started deployment December 2, 2024, of multiple sized carts based on the most current subscriber list and to any new customers who wish to sign up for service. Current FCC Customer Count is approximately 38,500 and said that all carts have been delivered to residents that were on the previous haulers list. They explained that FCC is currently decaling bear carts and continues to process new subscriber's daily. There is 1000 96 gal carts on standby and 75,889 carts have been delivered through January 3, 2025. The Board had several questions related to subscription fees and service throughout the County. Staff advised that the first three days of service went well, everything completed by mid-day Sunday, except for a number of streets left due to road conditions that will be serviced the following morning and that a Communication Plan was installed, notifying all County Residents who did not receive service on planned day. Staff also provided a link to the Issue Tracker, to report disruptions; the [form](#) where County residents can submit concerns related to the transition from Waste Pro to FCC Environmental Services as well as report any hot spots of debris in the public right-of-way that may be causing public safety risks.

- [Helene Update](#)

Avril Pinder, County Manager provided an update on Housing, Private Roads & Bridges and Debris Removal; EB Odderstol provided an update on Individual & Small Business Assistance; Ariel Zijp provided an update on the Emergency Watershed Protection; Nate Pennigton provided an update on Floodplain Regulations and Steve McGugan, the North Carolina State Mitigation Officer provided the update on Hazard Mitigation Grant Program.

- [Homeowner Grant Program Update](#)

Phillip Hardin, Economic Development Analyst in the Health and Human Services Department, provided the background and updates on the Homeowner Grant Program. He explained that the program was designed to assist in preserving homeownership for low-income households in areas where increasing property value outpaces income and there are various

Board of Commissioners'
Meeting Minutes
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criteria to qualify. To date, the County has processed 90% of the total applications. Of the 1,158 applications that have been disposed of so far, 64% have been approved and 36% have been denied. Of the 1,158 applications, 498 have been White applicants; 583 chose not to specify and 42 applicants were Black or African American.

MINUTES OF THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS'

REGULAR MEETING OF JANUARY 7, 2025, AT 5:00 p.m.

BE IT REMEMBERED: That the Board of Commissioners met to hold a Regular Meeting on January 7, 2025, in the Commission Chamber at 200 College Street in downtown Asheville, North Carolina at 5:00 p.m.

Present: Chair Amanda Edwards; Vice-Chair Martin Moore; Commissioner Terri Wells, Commissioner Al Whitesides; Vice-Chair Parker Sloan; Commissioner Martin Moore; Commissioner Jennifer Horton; and joined by Commissioner Ball.

Chair Edwards called the meeting to order at 5:00 p.m. and provided opening statements.

Consent Agenda

1. [Adoption of the December 17, 2024, meeting minutes](#)
2. [Approval of the November 2024 tax collection report](#)
3. [Support for the Blue Ridge Rising Strategic Plan and appropriations](#)

Commissioner Wells raised a concern regarding the tax collection report, noting that collections were about 2% behind compared to the previous year. Jennifer Pike, Tax Collector from the tax office explained that the shortfall could be attributed to the recent storm and the ongoing recovery efforts. She noted that 1% of the collection rate represents over \$2.5 million for Buncombe County. She assured the Board that Staff is working to process remaining payments and will continue to monitor the collection rate closely. Jennifer also encouraged community members to contact the office for assistance with payment arrangements.

Commissioner Whitesides made the motion to approve the consent agenda. The motion was seconded by Commissioner Moore and carried unanimously.

Public Comment

No public comments were received.

New Business

1. [Appointment of Drew Ball to fill vacant District 3 seat on Board of Commissioners](#)

Chair Edwards explained that the Democratic Party recommended Drew Ball to fill the District 3 seat, vacated by her and that the Board shall vote on his appointment to serve as Commissioner on the Board. Commissioner Sloan made the motion to appoint Drew Ball to serve the raining term of District 3; the motion was seconded by Commissioner Moore and carried unanimously. Anna Stearns provided the Oath to Commissioner Drew Ball.

2. [Appointment of Curt Euler to fulfill the duties as interim County Attorney](#)

Board of Commissioners'
Meeting Minutes
January 7, 2025

Chair Edwards explained that the Board would like to appoint Senior Attorney Curt Euler to serve as interim County Attorney. Commissioner Whitesides made the motion to appoint Euler as interim County Attorney; the motion was seconded by Commissioner Horton and carried unanimously.

Board Appointments

3. Board of Commissioner Appointments to Boards

Chair Edwards explained that Commissioners serve as liaisons or members to various boards and commissions and that the Commissioners have reviewed and agreed on the proposed assignments listed in the attached agenda.

Commissioner Sloan made the motion to appoint Commissioners to serve on Boards and Commissions as outlined in front of them; Commissioner Ball seconded the motion and it was carried unanimously.

4. Board and Commission Appointments

Commissioner Wells made the motion to make the recommended appointments to the Mountain Area Workforce Development; Commissioner Horton seconded the motion, and it was carried unanimously.

Commissioner Moore made the motion to make the recommended appointments to the Juvenile Crime Prevention Council; Commissioner Horton seconded the motion, and it was carried unanimously.

Commissioner Sloan made the motion to reappoint Nate Pennington to the Metropolitan Sewerage District Board; Commissioner Whiteside seconded the motion, and it was carried unanimously.

With no further agenda items or discussion from the Board, Commissioner Whitesides made the motion to adjourn; the Motion was seconded by Commissioner Sloan and the meeting adjourned at 5:23 p.m.



Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: 1/21/2025

Consent Agenda

Department: Emergency Services

Presenter(s): Kevin Tipton, Fire Marshal

Contact(s): Kevin Tipton, Fire Marshal

Subject: Resolution Approving Pyrotechnic Experts for Firework Displays

Brief Summary: Request from Pyrowright LLC, The NC Office of the State Fire Marshal, and UNC Asheville to conduct a fireworks show on February 13th, 2025 at UNCA 1 University Heights Asheville N.C. 28804. It is important for this Resolution to note that Buncombe County Fire Marshal is only submitting the approved paperwork. If approved, this event is under the jurisdiction of the N.C. Office of the State Fire Marshal.

Recommended Motion & Requested Action: Approve Resolution

County Manager's comments and Recommendation:

**RESOLUTION APPROVING PYROTECHNICS EXPERTS FOR CONDUCTING
FIREWORKS DISPLAYS**

WHEREAS, pursuant to North Carolina General Statutes Section 14-410 and 14-413 the Board of Commissioners is authorized to review and approve the qualifications of persons applying for approval as pyrotechnics experts for the purpose of conducting fireworks displays; and

WHEREAS, application has been made by Pyrowright LLC for pyrotechnic displays; and

WHEREAS, this Board is of the opinion that the application received to conduct firework pyrotechnic displays should be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Buncombe as follows:

1. That the following be granted permission to conduct fireworks displays at the location and on the dates shown, to-wit:

<u>NAME</u>	<u>LOCATION</u>	<u>DATE</u>
Pyrowright LLC	UNCA 1 University Heights Asheville N.C. 28804	February 13, 2025

2. The N.C. Office of the State Fire Marshal has reviewed these requests and found that those listed above are qualified pyrotechnic experts.
3. That pursuant to N.C.G.S. 14-410 and 14-413 the Board has found that the above named individual/company is a qualified pyrotechnic expert for the purpose of conducting fireworks displays.
4. Buncombe County Fire Marshal is only submitting the approved paperwork. If approved, this event is under the jurisdiction of the N.C. Office of the State Fire Marshal.

ADOPTED this the 21st day of January 2025.

ATTEST



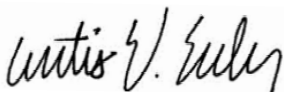
SARAH GROSS, CLERK

**BOARD OF COMMISSIONERS
FOR THE COUNTY OF BUNCOMBE**



AMANDA EDWARDS, CHAIR

APPROVED AS TO FORM:



COUNTY ATTORNEY



Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: January 21, 2025

Public Hearings

Department: Planning and Development

Presenter(s): Shannon Capezzali

Contact(s): Gillian Phillips, Long Range Planning Division Manager
Shannon Capezzali, Planner III

Subject: ZPH2024-00034 Hitching Post Map Amendment

Brief Summary: Barney Danzansky of Equity Development Group, LLC has applied to rezone a 10.35 acre portion of one (1) parcel of land identified as tax lot PIN 9619-86-2572 (14 Hitching Post Lane) from R-2 Residential to CS Commercial Service.

Requested Action:

1. The Planning Staff recommends approval of the request
2. The Planning Board recommended approval at their December 16, 2024 meeting

County Manager's comments and Recommendations:

1. The County Manager recommends as presented

Recommended Motion:

- A. The Board approves the rezoning of the subject property as it is consistent with the Buncombe County 2043 Comprehensive Plan.

-or-

- B. The Board denies the rezoning of the subject property as it is NOT consistent with the Buncombe County 2043 Comprehensive Plan.



BUNCOMBE COUNTY
PLANNING & DEVELOPMENT
(828) 250-4830 - PlanningInfo@BuncombeCounty.org
www.buncombecounty.org/planning

Application for a Zoning MAP AMENDMENT (Rezoning)

A PRE-SUBMITTAL CONFERENCE WITH THE PLANNING DEPARTMENT
IS REQUIRED PRIOR TO SUBMITTAL.

A. Property Information

Application is hereby made to the Board of Commissioners of Buncombe County to amend the Official Zoning Map of Buncombe County as it pertains to the following properties:

PIN(s): 9619-86-2572

Address(es): 14 Hitching Post Lane

Acreage: 10.35 of a 19.68 tract Available Utilities: ☒ Public water ☐ Private well
☒ Public MSD Sewer ☐ Private septic

B. Zoning Classification

Current zoning district(s): R-2 Requested zoning district(s)*: CS

**If only a portion of the property is requested to be rezoned, or a rezoning to include more than one zoning district is proposed, please enclose a map indicating the area(s) of the property to be considered for rezoning.*

C. Applicant Contact Information

Equity Development Group, LLC

Company/Corporate Name (if applicable)

Barney Danzansky

Applicant's Name

6420 Congress Avenue, Suite 1800

Mailing Address

Boca Raton, FL 33487-2811

City, State, and Zip Code

(561) 212-7563

Telephone

barney@danzansky.com

Email

Property Owner Contact Information (If different)

Harry & Marjorie Clay

Owner's Name

14 Hitching Post Lane

Mailing Address

Asheville, NC 28806

City, State, and Zip Code

(828) 545-0926

Telephone

Email

OFFICE USE ONLY:

Date Received: _____

Pre-Submittal meeting with: _____

Case Number: ZPH _____ - _____

Owner's Affidavit Submitted: ☐ Yes ☐ No

Planning Board Hearing Date: _____

D. MAP AMENDMENT CONSISTENCY & APPROPRIATENESS

Please answer the following questions (if necessary attach a separate sheet of paper):

1. Describe how the size of the tract proposed for rezoning in reference to surrounding properties makes it suitable for the proposed zoning classification:

The site proposed for rezoning is approximately 10.3 acres. Its large size along with its adjacency to New Leicester Highway (a major multi-laned State highway), relatively flat topography, proximity to existing high intensity commercial and residential developments and accessibility to public water and sewer makes it ideal for the Commercial Service District classification and its allowed land uses that are compatible with the surrounding community or neighborhood.

2. Describe how the proposed rezoning is consistent with the Growth, Equity, and Conservation Framework from Buncombe County's 2043 Comprehensive Plan (*available on the BC Planning Department website, section starts on page 46 in the Plan*).

The proposed CS rezoning is consistent with the Buncombe County 2043 Comprehensive Plan in many ways. The property sits squarely within the section of New Leicester Highway that was recently upgraded and improved by the State of North Carolina Department of Transportation with addition vehicular lanes. This area currently consists of high intensity commercial (Mt Carmel Intersection with retail sales) and residential developments (i.e., several large apartment complexes at 16 units per acre). With the existing transportation and public utility investments, and existing and trending land use characteristics, this area is a growth corridor that it is well set up for further planned development, including community commercial retail. Consistent with the County's Growth, Equity and Conservation Framework, the CS District would offer a fuller range of services and amenities to the surrounding community or neighborhood that is partially developed with a mix of residential and commercial or retail developments. The proposed rezoning would guide development towards areas with adequate infrastructure and development potential that will support the needs of the surrounding community while promoting conservation in areas prioritized for environmental or agricultural protection (See pages 146-148 of the Comp. Plan).

3. Describe how the proposed rezoning would be reasonable and in the public interest, with specific attention to the zoning and existing land uses of surrounding properties, and the potential effects of the proposed rezoning on property owners, adjacent neighbors, and the surrounding community.

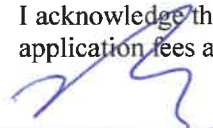
It is reasonable and in the public interest to direct higher intensity development associated with the CS District to areas, like New Leicester Highway near the Mt. Carmel intersection, where significant public investment in infrastructure has already occurred (i.e., transportation and utility networks). This promotes the stability of rural areas that do not possess such infrastructure. The CS District's allowed uses are compatible with the large apartment complexes in this area and the larger retail services and facilities around the New Leicester Highway/Mt. Carmel intersection and near the city limit boundaries of Asheville.

4. Is/are the applicant(s) listed below the owner(s) of the property? ☐ Yes ☒ No

If the applicant(s) listed herein are not the owner(s) as listed within the Buncombe County Tax Records, North Carolina General Statutes require the applicant to certify that the owner(s) received notice for each public hearing. An owner's affidavit must be submitted with this application, and certification of notice must be provided by the applicant once notice has been made for each public hearing 5 days prior to the hearing date; sample documents for both items can be obtained from the Planning Department.

E. CERTIFICATION

- I hereby certify that I am the owner, authorized agent of the owner, or have provided legal notification to the owner, and the above information is correct to the best of my knowledge and hereby make application for a Zoning Map Amendment. Any information given that is incorrect will cause this application to become null and void.
- I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application.



Signature of Applicant

Bernard Danzansky

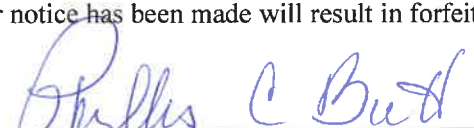
Signature of Applicant

Signature of Applicant

Signature of Applicant

Signature of Applicant

Signature of Applicant



Signature of Owner

Phyllis Clay Butt, Authorized Representative

Signature of Owner

Signature of Owner

Signature of Owner

Signature of Owner

Signature of Owner



NOTE TO USER: THIS VERSION OF SECTION E.
CERTIFICATION IS FOR USE IN CASES WHERE
NUMEROUS PROPERTIES, OWNED BY
NUMEROUS PROPERTY OWNERS, ARE
INVOLVED IN THE REZONING APPLICATION

**Application for a Zoning
MAP AMENDMENT**
Multiple Lots and Owners

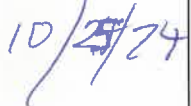
E. CERTIFICATION

E.1. Required Information: Each property owner who is participating in this rezoning application must complete this form. Each owner or group of owners (corporation, LLC, trust, or similar) should provide their information on a separate form. Owners of multiple properties within the rezoning area may use one form to list all affected properties. Use additional forms if necessary.

E.1.1. Location of Properties Proposed for Rezoning		
	Physical E-911 Address <i>Street number, name, city, state, zip code. You may verify your E911 Address at https://discover.buncombecounty.org/</i>	PIN Number <i>15-digit unique identifier for each parcel. PIN numbers can be found on your tax bill or online at https://gis.buncombecounty.org/buncomap/. Example: 965415728000000 or 9654-15-7280</i>
1	14 Hitching Post Lane, Asheville, NC 28806	9619-86-2572
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

E.1.2. Contact Information and Certification of All Owners of Above-Referenced Property or Properties.

By signing this document I hereby certify that I am the owner of the property or properties referenced herein, and that any information given that is incorrect will cause this application to become null and void. I hereby authorize Buncombe County Staff to enter upon the property referenced below for the purpose of processing this rezoning request. I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application. I hereby authorize the Applicant referenced below, to act as my representative for the purposes of this rezoning request.

	Owner Name	Corporate Title (if applicable)	Mailing Address <i>Street number, name, city, state, zip code</i>	Telephone Number	Email Address
1	Harry & Marjorie Clay		14 Hitching Post Lane, Asheville, NC 28806	828-545-0926	
	Owner Signature: Date:		Applicant/ Designated Representative - Name: Phyllis Clay Butt, Representative (see attached) Signature: Date:		
2					
	Owner Signature: Date:		Applicant/ Designated Representative - Name: Signature: Date:		
3					
	Owner Signature: Date:		Applicant/ Designated Representative - Name: Signature: Date:		
4					
	Owner Signature: Date:		Applicant/ Designated Representative - Name: Signature: Date:		

2f

Doc ID: 035623910006 Type: CRP
Recorded: 09/28/2022 at 01:38:41 PM
Fee Amt: \$26.00 Page 1 of 6
Workflow# 0000794330-0001
Buncombe County, NC
Drew Reisinger Register of Deeds
BK 6262 PG 1453-1458

Power of Attorney
TYPE OF DOCUMENT

GRANTOR: Margorie C Clay

GRANTEE: Phyllis C Butt

PREPARED BY: 1

MAIL TO: Phyllis Butt
32 Hansel Ave
Asheville NC 28806

Original document returned to customer at time of recording

NORTH CAROLINA GENERAL POWER OF ATTORNEY OF

I, Marjorie C Clay (the "Principal"), with a mailing address of 44 Hitching Post Lane, State of NC, hereby designate Phyllis C Butt ("Attorney-in-Fact"), with a mailing address of 32 HANSEL AVE, State of NC, my Attorney-in-Fact, to act as set forth below, in my name, in my stead and for my benefit, hereby revoking any and all powers of attorney I may have executed in the past.

I. POWERS

I confer upon my Attorney-in-Fact the power to act on my behalf and in my stead, as if I were present, and to exercise or perform the acts or powers I have designated with my initials as set forth below.

My Attorney-in-Fact, shall NOT have the power to act on my behalf if I have not so designated with my initials

MC 1. **Power to Make Payments or Collect Monies Owed.** My Attorney-in-Fact has the power to make any payments on any accounts I may owe and to hold, collect and request any sums that may be due, owing or payable to me or in which I may hereinafter acquire an interest, in whatever form, whether liquidated or un-liquidated, to have, use, and take all lawful means in my name for the collection and recovery thereof, and to adjust, sell, compromise, and agree for the same and to execute and deliver for me, on my behalf, and in my name, all endorsements, releases, receipts, or other sufficient discharges for the same;

MC 2. **Power to Acquire, Lease and Sell Personal Property.** To acquire, purchase, exchange, lease, grant options to sell, and sell and convey personal property, or any interests therein, on such terms and conditions, including credit arrangements, as my Attorney-in-Fact shall deem proper; to execute, acknowledge and deliver, under seal or otherwise, any and all assignments, transfers, titles, papers, documents or instruments which my Attorney-in-Fact shall deem necessary in connection therewith; to purchase, sell or otherwise dispose of, assign, transfer and convey shares of stock, bonds, securities and other personal property now or hereafter belonging to me, whether standing in my name or otherwise, and wherever situated;

MC 3. **Power to Acquire, Lease and Sell Real Property.** To acquire, purchase, exchange, lease, grant options to sell, and sell and convey real property, or any interests therein, on such terms and conditions, including credit arrangements, as my Attorney-in-Fact shall deem proper; to execute, acknowledge and deliver, under seal or otherwise, any and all assignments, transfers, deeds, papers, documents or instruments which my Attorney-in-Fact shall deem necessary in connection therewith;

MC 4. **Management Powers.** To maintain, repair, improve, invest, manage, insure, rent, lease, encumber, and in any manner deal with any real or personal property, tangible or intangible, or any interests therein, that I now own or may hereafter acquire, in my

name and for my benefit, upon such terms and conditions as my Attorney-in-Fact shall deem proper;

mc **5. Banking Powers.** To open and close accounts, make, receive, and endorse checks and drafts, deposit and withdraw funds, acquire and redeem certificates of deposit, in banks, savings and loan associations, and other institutions, execute or release such deeds of trust or other security agreements as may be necessary or proper in the exercise of the rights and powers herein granted;

mc **6. Motor Vehicles.** To apply for a Certificate of Title upon, and endorse and transfer title thereto, for any automobile, truck, pickup truck, van, motorcycle, or other motor vehicle, and to represent in such transfer or assignment that the title to said motor vehicle is free and clear of all liens and encumbrances except those specifically set forth in such transfer or assignment;

mc **7. Tax Powers.** To act without limitation on my behalf with regard to federal income taxes (Forms 1040, 1040EZ, 1040X, etc.), state and local income taxes, estate, gift (Form 709) and other tax returns of all sorts, whether federal or state and local, including where appropriate joint returns, FICA returns, payroll tax returns, claims for refunds, requests for extensions of time to file returns or pay taxes, extensions and waivers of applicable periods of limitation, protests and petitions to administrative agencies or courts, including the tax court, regarding tax matters, and any and all other tax related documents, including but not limited to consents and agreements under Section 2032A of the Internal Revenue Code or any successor section thereto and consents to split gifts and closing agreements, for all tax periods from 1980 through 2050, and for all jurisdictions; to complete Internal Revenue Service Form 2848, Power of Attorney and Declaration of Representative (or other prescribed form) on my behalf as well as to perform all other functions contemplated by that form whether they are required or merely permissible; to consent to any gift and to utilize any gift-splitting provisions or other tax election; and to prepare, sign, and file any claims for refund of any tax; to post bonds, receive confidential information and contest deficiencies determined by the Internal Revenue Service or any state or local taxing authority; to exercise any and all elections that I may have under federal, state or local tax laws including without limitation the allocation of any generation-skipping tax exemption to which I may be entitled; to the extent that I may have omitted some power or discretion, some tax period, some form or some jurisdiction, I hereby grant to my Attorney-in-Fact the power to amend the Internal Revenue Service form power of attorney (presently Form 2848 or Form 2848-D) in my name;

mc **8. Safe-Deposit Boxes.** To have access at any time or times to any safe-deposit box rented by me or to which I may have access, where so ever located, including drilling, if necessary, and to remove all or any part of the contents thereof, and to surrender or relinquish said safe-deposit box; and any institution in which any such safe-deposit box may be located shall not incur any liability to me or my estate as a result of permitting my Attorney-in-Fact to exercise this power;

mc **9. Gift Making Powers.** To make gifts, grants, or other transfers (including the forgiveness of indebtedness and the completion of any charitable pledges I may have made) without consideration, either outright or in trust to such person(s) (including my Attorney-in-Fact hereunder) or organizations as my Attorney-in-Fact shall select, including, without limitation, the following actions: (a) transfer by gift in advancement of a bequest or devise to beneficiaries under my will or in the absence of a will to my spouse and descendants in whatever degree; and (b) release of any life interest, or waiver, renunciation, disclaimer, or declination of any gift to me by will, deed, or trust;

mc **10. Lending and Borrowing.** To make loans in my name; to borrow money in my name, individually or jointly with others; to give promissory notes or other obligations

therefor; and to deposit or mortgage as collateral or for security for the payment thereof any or all of my securities, real estate, personal property, or other property of whatever nature and wherever situated, held by me personally or in trust for my benefit;

MC 11. **Contracts.** To enter into contracts of whatever nature or kind in my name;

MC 12. **Health Care.** To take any and all steps necessary to arrange for my admission to any type of health care facility, including, without limitation, a hospital, rehabilitation facility, skilled nursing facility, or hospice, and to authorize the release of my medical records in the discretion of my Attorney-in-Fact;

MC 13. **HIPAA.** To have the power and authority as my personal representative for all purposes of the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191);

MC 14. **Power to Hire and Pay for Services.** To retain such accountants, attorneys, social workers, consultants, clerks, employees, workers, or other persons as my agent shall deem appropriate in connection with the management of my property and affairs and to make payments from my assets for the fees of such persons so employed;

MC 15. **Reimbursement of Attorney-in-Fact.** To reimburse my Attorney-in-Fact for any reasonable expenses incurred in connection with such services; and

MC 16. **Power to Sue Third Parties Who Fail to Act Pursuant to Power of Attorney.** If any third party (including stock transfer agents, title insurance companies, banks, credit unions, and savings and loan associations) with whom my Attorney-in-Fact seeks to transact refuses to recognize my Attorney-in-Fact's authority to act on my behalf pursuant to this Power of Attorney, I authorize my Attorney-in-Fact to sue and recover from such third party all resulting damages, costs, expenses, and attorney's fees incurred because of such failure to act. The costs, expenses, and attorney's fees incurred in bringing such action shall be charged against my general assets, to the extent that they are not recovered from said third party.

17. **Other** – Power to conduct the following _____

II. INTERPRETATION AND GOVERNING LAW

This instrument is to be construed and interpreted as a general non-durable power of attorney. The enumeration of specific powers herein is not intended to, nor does it, limit or restrict the general powers herein granted to my Attorney-in-Fact. For a third party to construe otherwise would be contrary to my intent. This instrument is executed and delivered in the State of North Carolina and the laws of such state shall govern all questions as to the validity of this power and the construction of its provisions. Nevertheless, I intend that this instrument be given full force and effect in any state or country in which I may find myself or in which I may own property, whether real or personal. I direct that my Attorney-in-Fact not be required to give bond and, if any bond

5

is required, that no sureties be required. I direct that photocopies of this instrument shall have the same power and effect as the original.

III. EFFECTIVE DATE AND TERMINATION

To indicate when this document shall become effective, initial one of the following:

MCC Upon the date of this document with my authorization.

MC The following date 10-31, 2020.

To indicate when this document shall become terminated, initial all of the following that apply (termination is effective at which of the following occurs first):

____ - On the following date _____, 20____.

____ - When I have made a written revocation.

MC When and if I become incapacitated and unable to make decisions as determined by a physician.

IV. THIRD PARTY RELIANCE

Any party dealing with my Attorney-in-Fact hereunder may rely absolutely on the authority granted herein and need not look to the application of any proceeds nor the authority of my Attorney-in-Fact as to any action taken hereunder. In this regard, no person who may in good faith act in reliance upon the representations of my Attorney-in-Fact or the authority granted hereunder shall incur any liability to me or my estate as a result of such act. I hereby ratify and confirm whatever my Attorney-in-Fact shall lawfully do under this instrument. Any gift of property made by my Attorney-in-Fact in the proper exercise of the gift-making powers specifically granted in section I (9) herein shall be a full and complete delivery of title upon which third-party purchasers for value may rely. My Attorney-in-Fact is authorized as he or she deems necessary to bring an action in court so that this instrument shall be given the full power and effect that I intend on by executing it.

IN WITNESS WHEREOF, I have on this October 31, 2020 executed this General Non-Durable Power of Attorney.

Margorie Crawford
Principal's Signature

Margorie Crawford
Print Name



ACCEPTANCE OF APPOINTMENT

I, Phyllis C. Butt the Attorney-in-Fact named above, hereby accept appointment as Attorney-in-Fact in accordance with the foregoing instrument.

Phyllis C. Butt
Attorney-in-Fact's Signature

Phyllis C. Butt
Print Name

WITNESS ACKNOWLEDGMENT

We, the witnesses, each do hereby declare in the presence of the principal that the principal signed and executed this instrument as his Power of Attorney in the presence of each of us, that he signed it willingly, that each of us hereby signs this Power of Attorney as witness at the request of the principal and in his presence, and that, to the best of our knowledge, the principal is eighteen years of age or over, of sound mind, and under no constraint or undue influence.

Mark Poore
Witness's Signature

Mark Poore
Print Name

Witness's Signature

Print Name

ACKNOWLEDGMENT OF NOTARY PUBLIC

STATE OF NORTH CAROLINA

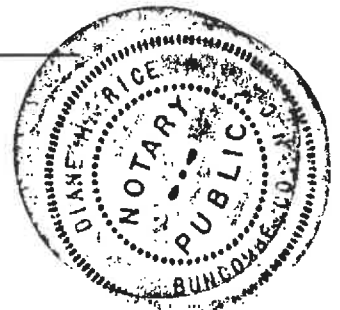
Burcombe County, ss.

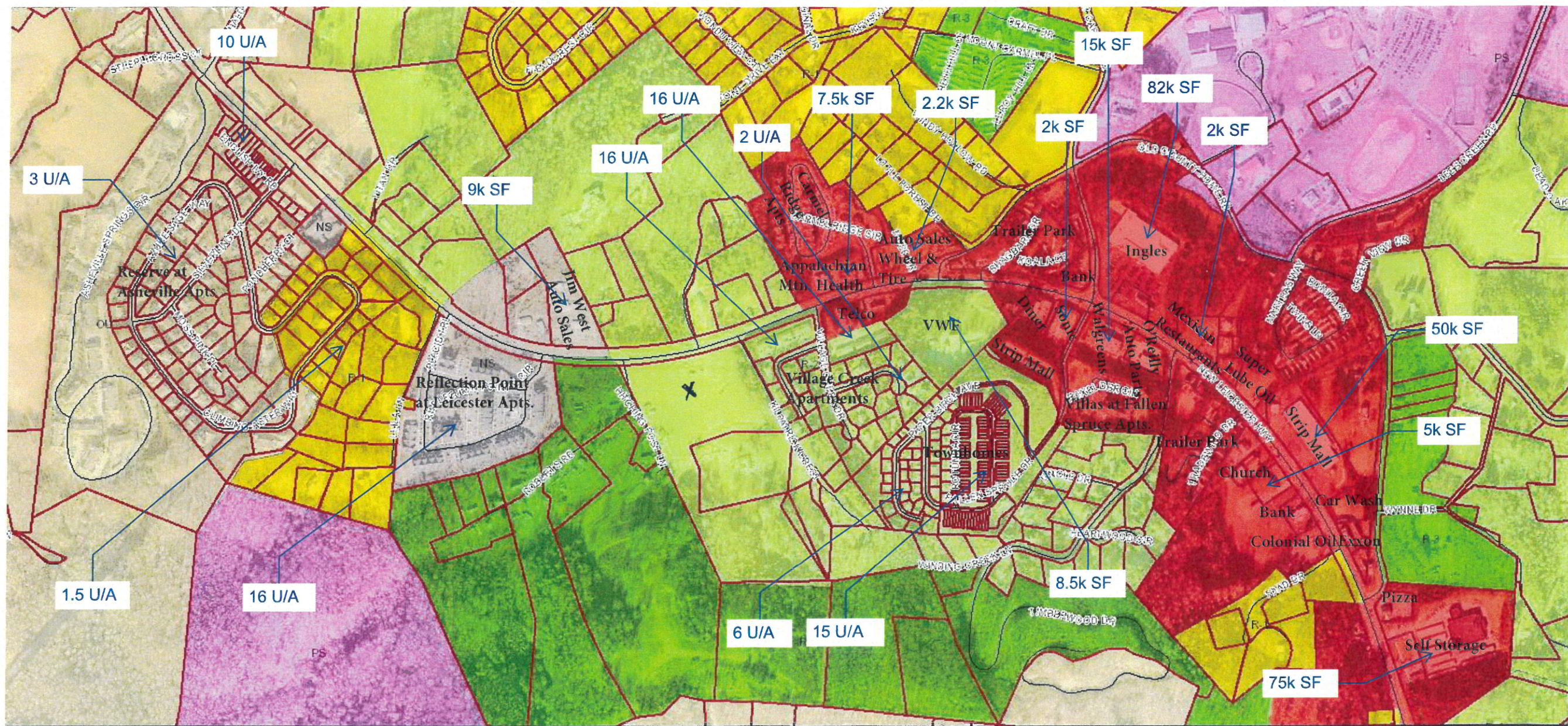
On this 31 day of October, 2020, before me appeared Margaret Crawford Butt as Principal of this Power of Attorney who proved to me through government issued photo identification to be the above-named person, in my presence executed foregoing instrument and acknowledged that he executed the same as his free act and deed.

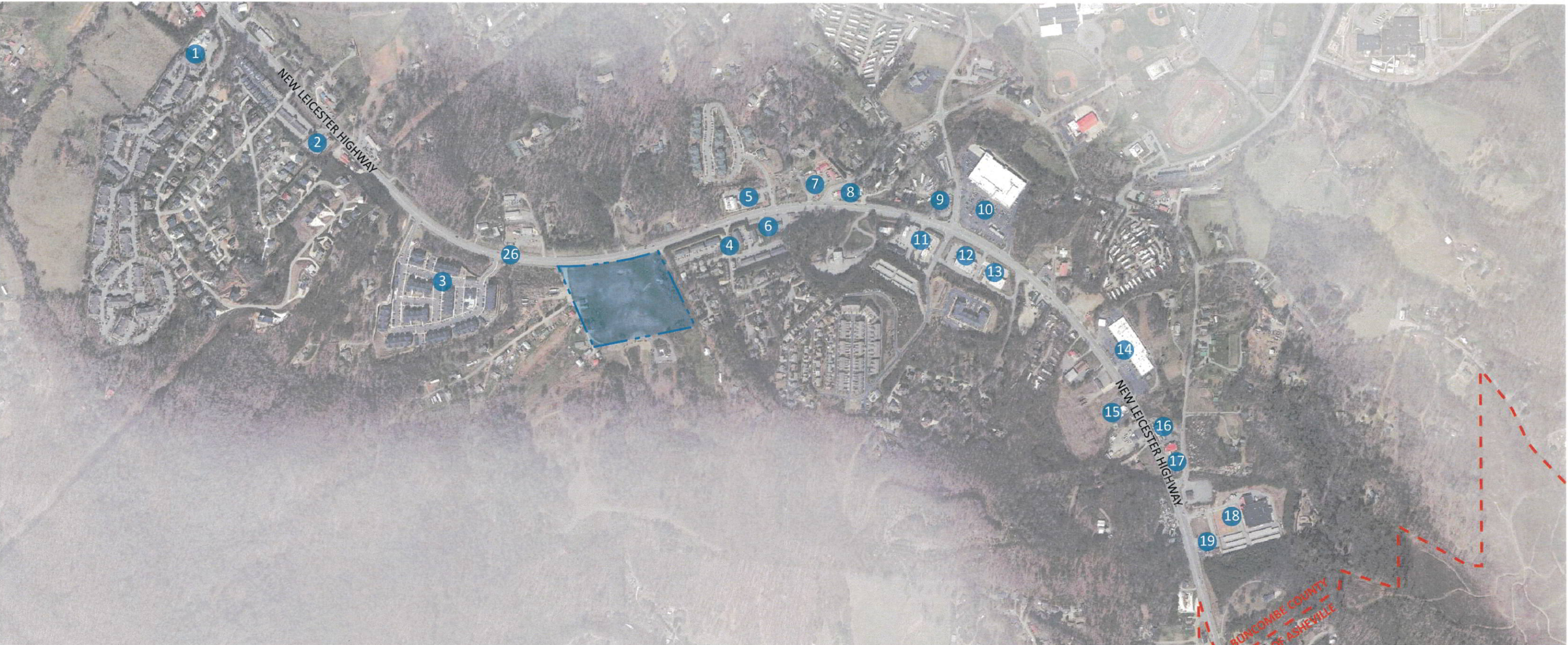
Diane M. Rice
Notary Public Signature

DIANE M. RICE
Print Name

My Commission Expires: Sept. 20, 2022





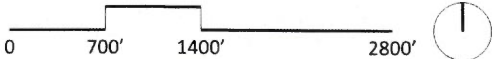


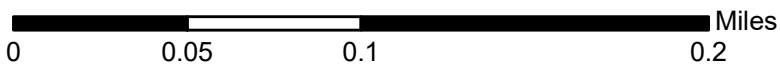
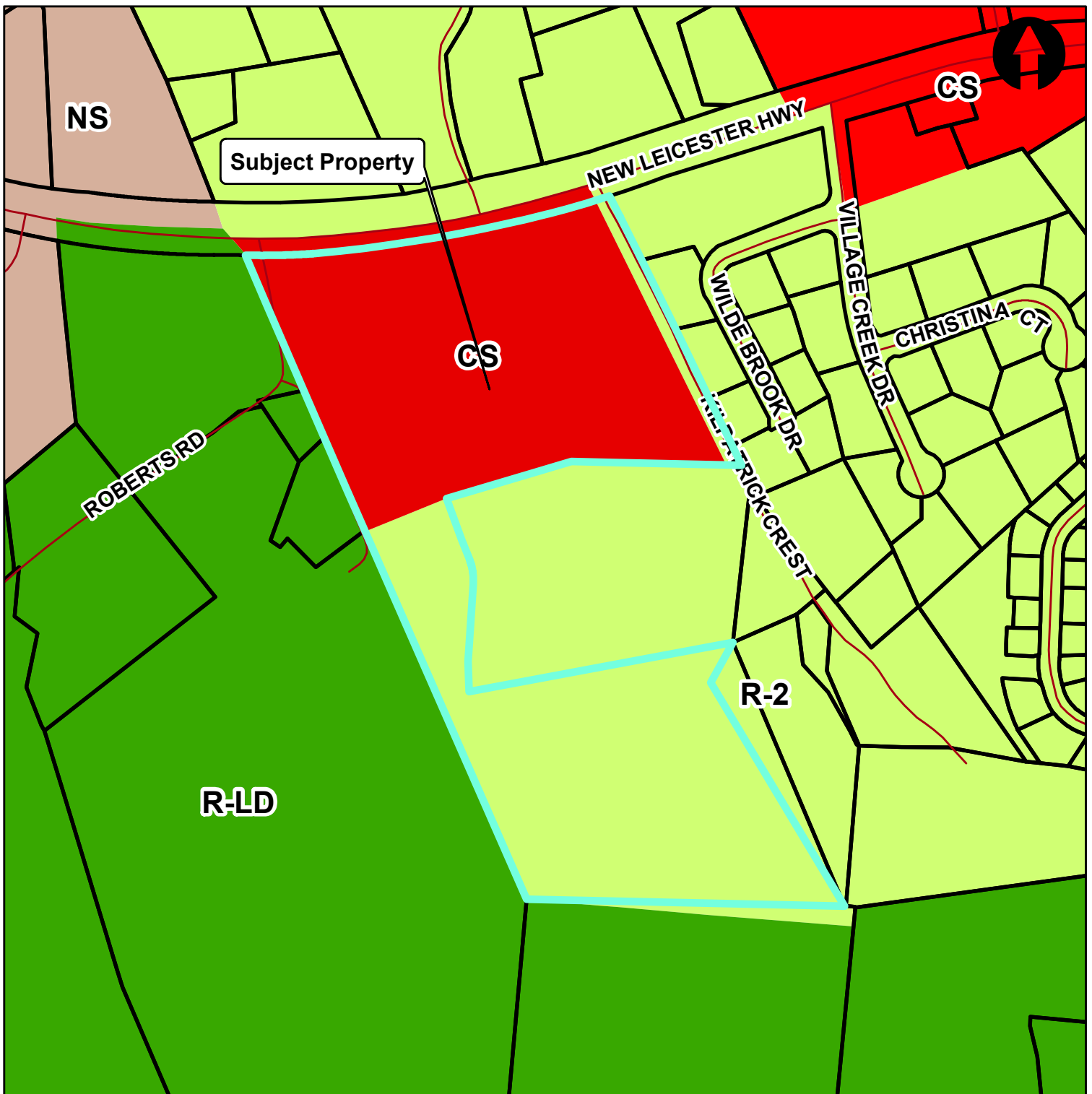
KEY

- | | | |
|-----------------------------------|-------------------------------------|--------------------------------------|
| 1 RESERVE AT ASHEVILLE APARTMENTS | 10 INGLES | 19 ADVANCED AUTO PARTS |
| 2 CRESTVIEW APARTMENTS | 11 COMMERCIAL STRIP AND RESTAURANTS | 20 VETERINARY HOSPITAL |
| 3 REFLECTION POINTE APARTMENTS | 12 WALGREENS | 21 NOVANT URGENT CARE |
| 4 VILLAGE CREEK APARTMENTS | 13 O'REILY AUTO PARTS | 22 DOLLAR GENERAL |
| 5 APPALACHIAN MOUNTAIN HEALTH | 14 COMMERCIAL STRIP | 23 COMMERCIAL STRIP & DRIVE THROUGH |
| 6 TELCO COMMUNITY CREDIT UNION | 15 FIRST HORIZON BANK | 24 TD BANK |
| 7 AUTO SALES | 16 CAR WASH | 25 COMMERCIAL STRIP & DRIVE THROUGHS |
| 8 AUTO MECHANIC | 17 GAS STATION | 26 5 LANE NEW LEICESTER HIGHWAY |
| 9 FIRST CITIZENS BANK | 18 SELF STORAGE | |



NEW LEICESTER HIGHWAY
SITE CONTEXT





14 Hitching Post Ln
PIN 9619862572

ZPH2024-00034 Hitching Post Map Amendment

Proposed Zoning Map

Created By: Buncombe Co. Planning
Date: 11/27/2024



0 0.05 0.1 0.2 Miles

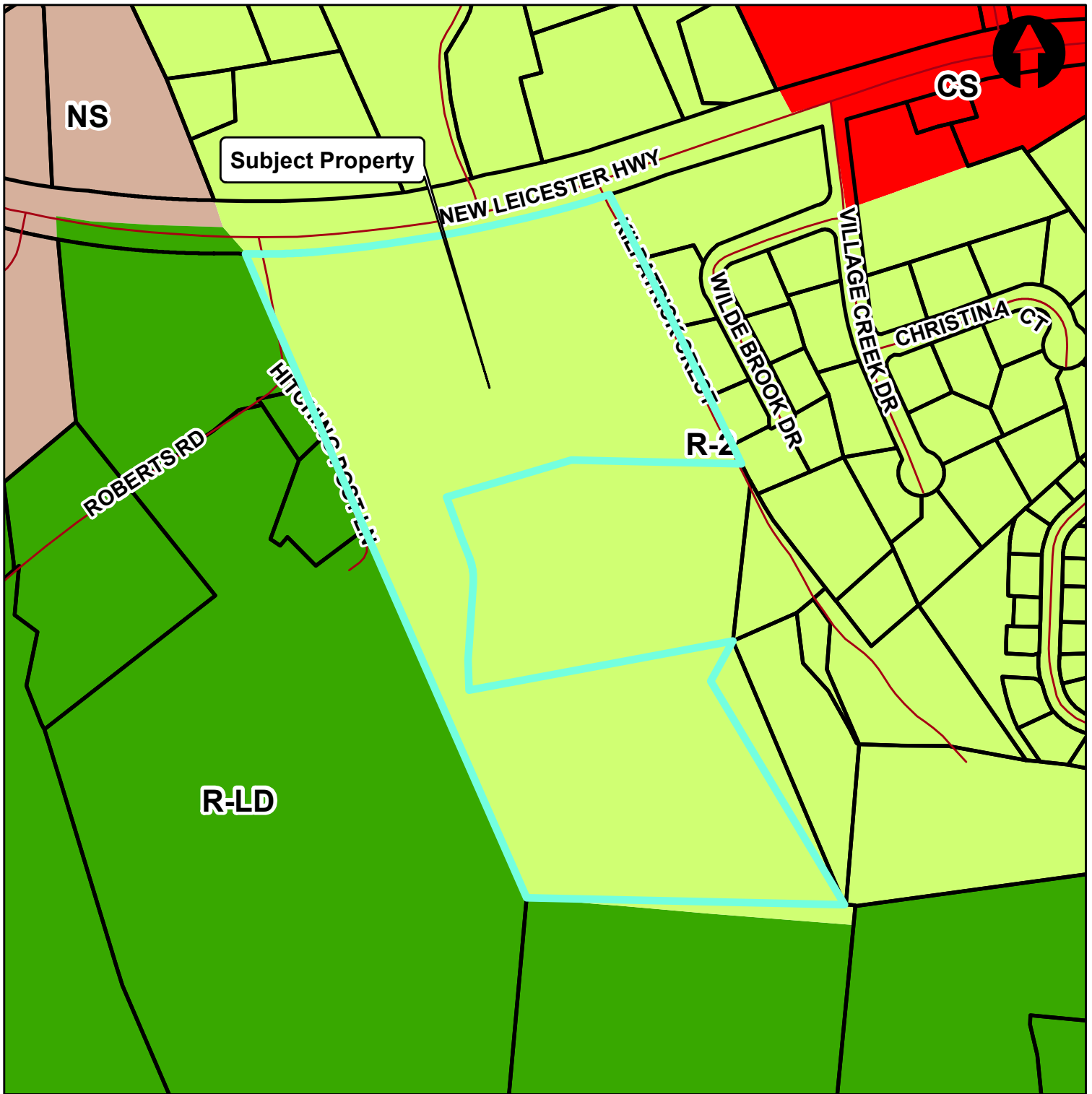
14 Hitching Post Ln
PIN 9619862572

ZPH2024-00034
Hitching Post
Map Amendment

-  Roads
-  Property Boundaries

Aerial Map

Created By: Buncombe Co. Planning
Date: 11/27/2024



0 0.05 0.1 0.2 Miles

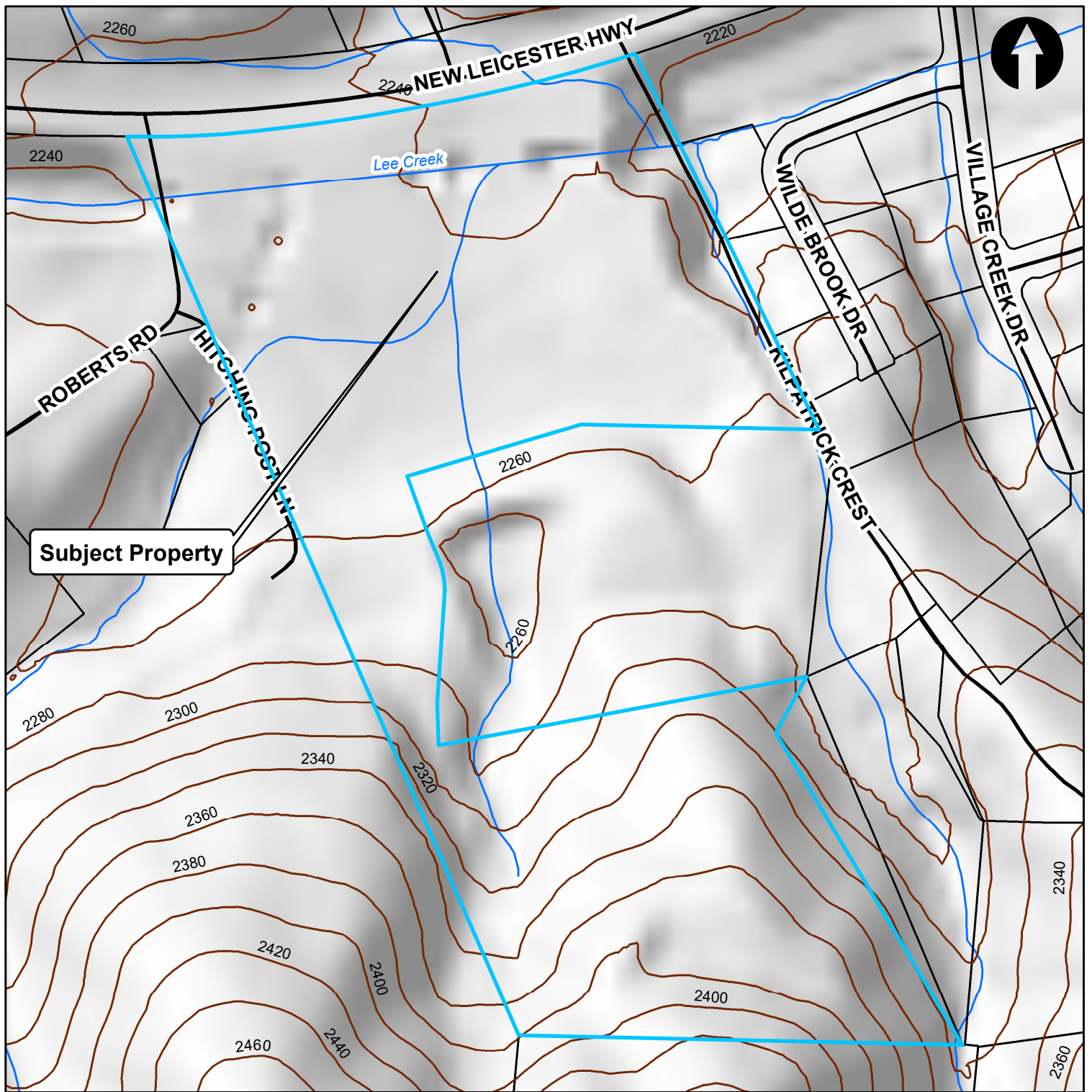
14 Hitching Post Ln
PIN 9619862572

ZPH2024-00034 **Hitching Post** **Map Amendment**

Zoning Map

Created By: Buncombe Co. Planning
 Date: 11/27/2024

AI	EMP	R-1
BDM	NS	R-2
CR	OU	R-3
CS	PS	R-LD



0 187.5 375 750 Feet

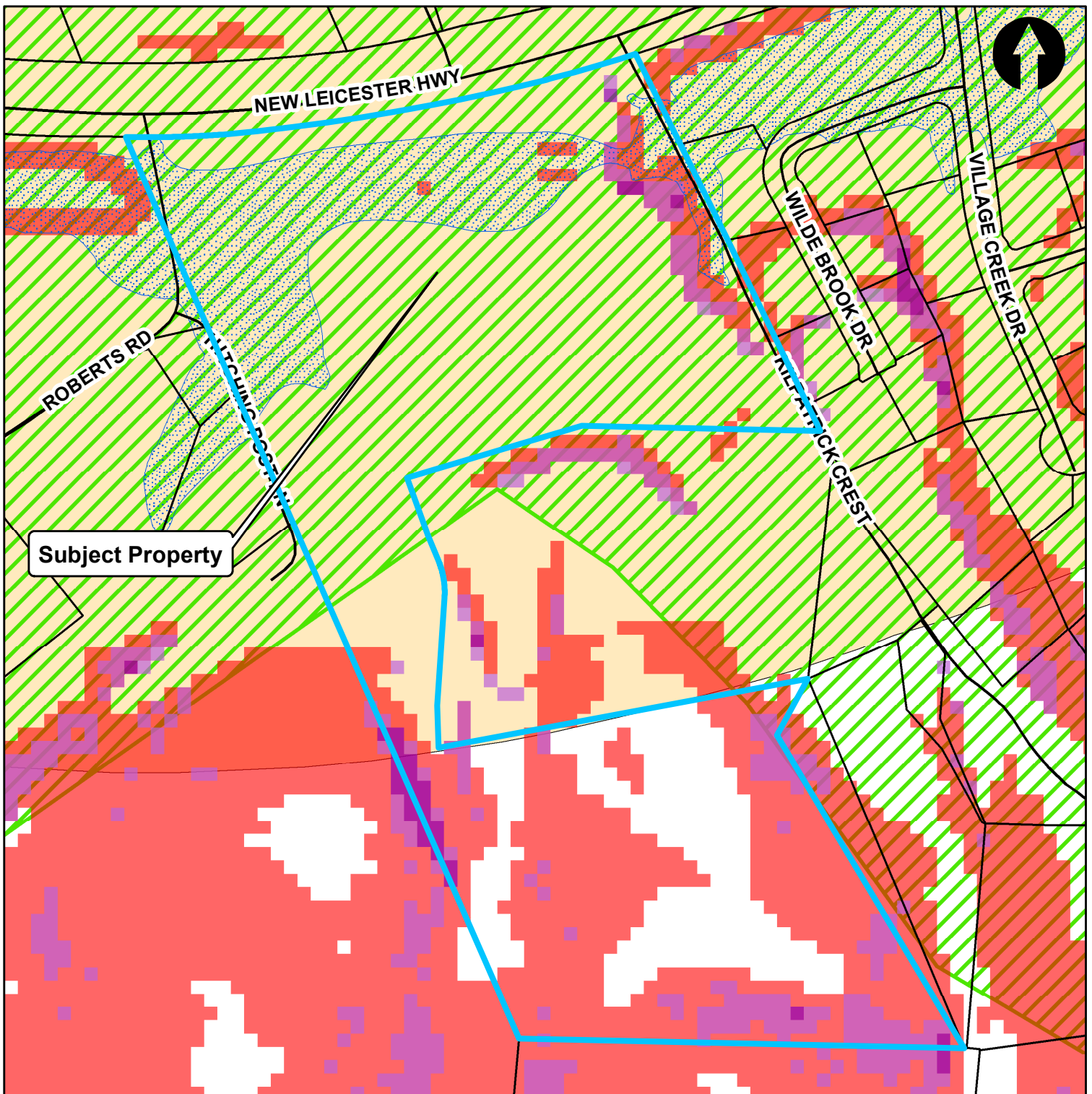
14 Hitching Post Ln
PIN 9619862572

ZPH2024-00034 Hitching Post Map Amendment

Topo Map

Created By: Buncombe Co. Planning
Date: 11/27/2024

- Roads
- 20 Foot Contours
- Property Boundaries



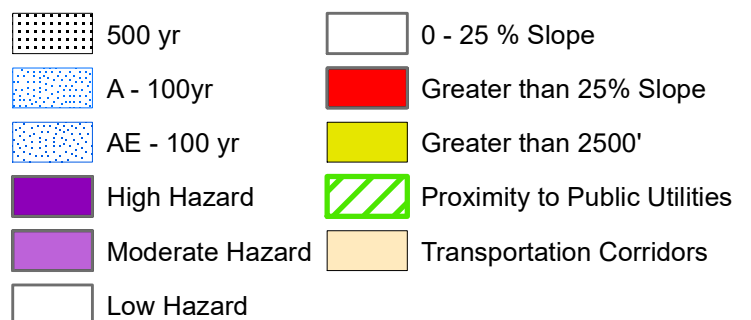
0 187.5 375 750 Feet

14 Hitching Post Ln
PIN 9619862572

ZPH2024-00034 **Hitching Post** **Map Amendment**

Land Use Map

Created By: Buncombe Co. Planning
 Date: 11/27/2024



PLANNING BOARD'S WRITTEN RECOMMENDATION TO THE BUNCOMBE COUNTY
BOARD OF COMMISSIONERS TO APPROVE APPLICATION ZPH2024-00034
REQUESTING AN AMENDMENT TO THE OFFICIAL ZONING MAP

WHEREAS, the Zoning Administrator for Buncombe County has received an application (ZPH2024-00034– Hitching Post Lane) requesting an amendment to The Official Zoning Map of Buncombe County on the parcel(s) depicted in the map attached hereto as “Exhibit A” and identified as follows:

PIN(s): 9619862572

Addresses: 14 Hitching Post Lane

Owner(s): Harry & Marjorie Clay

Applicant(s): Barney Danzansky, Equity Development Group LLC

WHEREAS, the applicant is requesting that the zoning designation for the subject property be changed from R-2 to CS as shown on the attached survey, with the remainder of the property to remain R-2.

WHEREAS, the Zoning Administrator certified that notices of the meeting of the Buncombe County Planning Board at which this application was considered have been properly mailed to members of the Planning Board, the applicant(s), owner(s), and all adjoining property owners at least ten (10) days prior to the meeting; public notice of the meeting has been properly published in a newspaper having general circulation in the County; and notices of the public hearing concerning this zoning map amendment have been prominently posted as required; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Division 8 of Chapter 78, Article VI of the Buncombe County Code of Ordinances, the Planning Board duly advertised and held a public hearing to consider the proposed amendment; and

WHEREAS, pursuant to Buncombe County Code of Ordinances Sec. 78-717 and N.C. Gen. Stat. § 160D-604(d), the Planning Board has advised and commented on “whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable” and has provided “a written recommendation to the board of county commissioners” concerning the same (said written recommendation, which is incorporated herein by reference, is attached hereto as “Exhibit B”); and

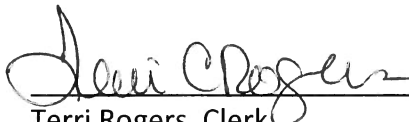
WHEREAS, the Planning Board recommends that the Buncombe County Board of Commissioners **APPROVE** the proposed map amendment by a vote of 7 to ~~10~~.

NOW, THEREFORE, THE BUNCOMBE COUNTY PLANNING BOARD HEREBY RECOMMENDS AS FOLLOWS:

1. The Planning Board recommends that the Buncombe County Board of Commissioners **APPROVE** the proposed Zoning Map amendment as presented in Exhibit A.

Read, approved and adopted this the 16th day of December 2024.

ATTEST

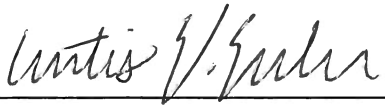

Terri Rogers, Clerk

PLANNING BOARD FOR THE
COUNTY OF BUNCOMBE

BY 

Nancy Waldrop, Chair

APPROVED AS TO FORM


County Attorney

Consented to (YES/NO):

Planning Board Members:

Nancy Waldrop, Chair -

John Noor -

Tim Collins -

Ken Kahn -

~~Mike Fisher~~ Karl Koon

Eric Robinson -

Alan Coxie -

Jay Marino -

Exhibit A

**OFFICIAL ZONING MAP
-EXCERPT-
PROPOSED AMENDMENT**

PIN(s): 9619862572

Addresses: 14 Hitching Post Lane

Owner(s): Harry & Marjorie Clay

Applicant(s): Barney Danzansky, Equity Development Group LLC

PROPOSED ZONING DISTRICT – CS

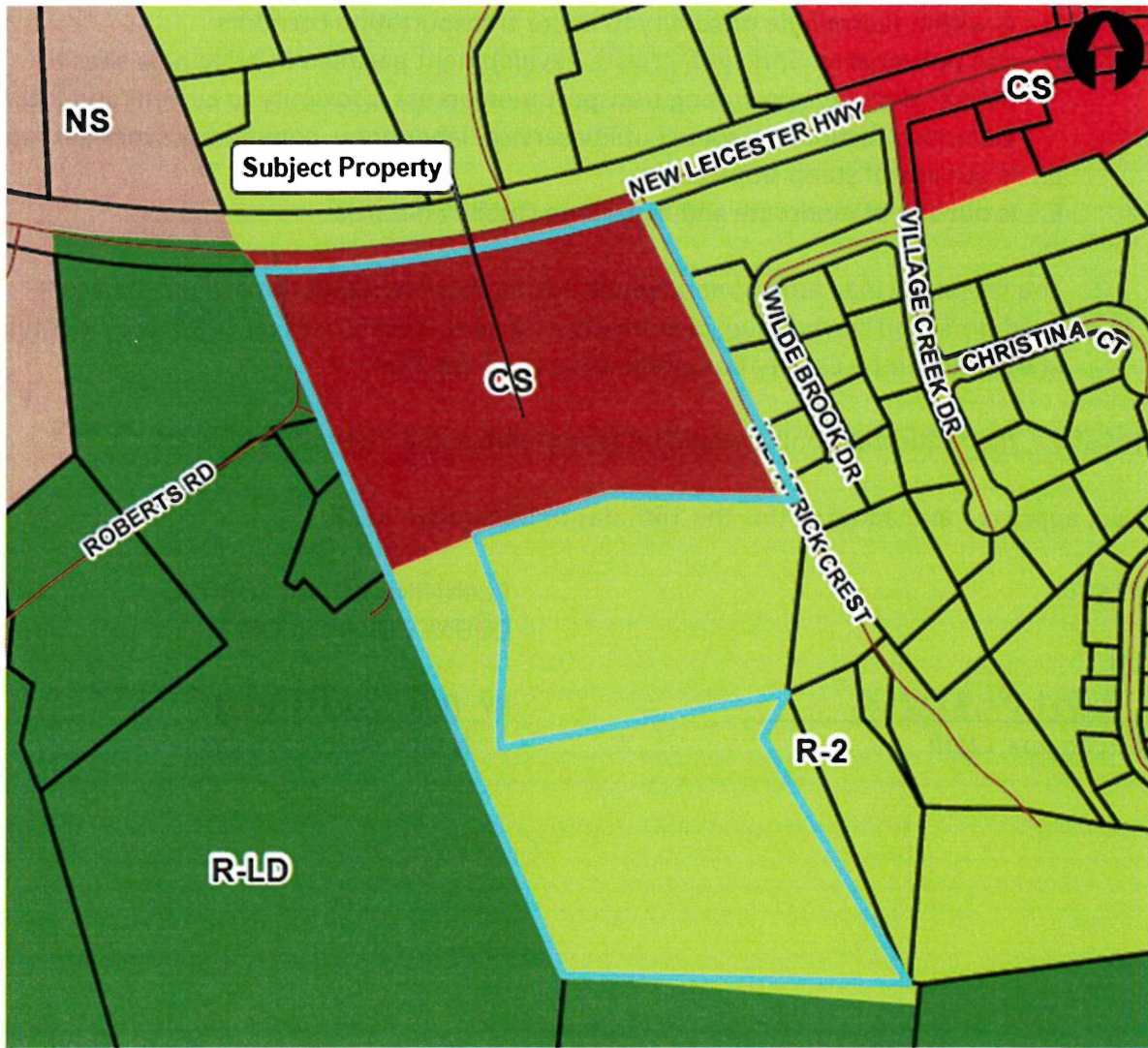


Exhibit B

PLAN CONSISTENCY STATEMENT

ZONING MAP AMENDMENT
CONSISTENT WITH PLAN

Pursuant to N.C. Gen. Stat. §160D-604(d) the Buncombe County Planning Board hereby approves and adopts the following Plan Consistency Statement for the rezoning of a portion of tax lot PIN(s) 9619862572 from the R-2 to CS zoning district. The Board finds the following:

1. The proposed rezoning of the subject property is consistent with the Buncombe County 2043 Comprehensive Plan in that the property:
 - A. Is consistent with the GEC Character Framework description
 - B. Is within reasonable proximity to water and sewer infrastructure
 - C. Is within reasonable proximity to major transportation corridors
 - D. Has potential to work with private development partners to bring new sites to market that have promising transportation access, proximity to current and future economic corridors, a robust utility service, labor draw, community synergies, etc.
 - E. Is outside of steep slope area
 - F. Is outside of moderate and high slope stability hazards
2. The proposed map amendment would not be detrimental to the owners, adjacent neighbors, and surrounding community as it **does** meet a number of goals as identified in the Buncombe County Comprehensive Land Use Plan.

Therefore, the requested zoning would be **reasonable and in the public interest**.

Read, approved and adopted this the 16th day of December 2024.

ATTEST


Terri Rogers, Clerk

PLANNING BOARD FOR THE
COUNTY OF BUNCOMBE

BY 
Nancy Waldrop, Chair

NOTES:

- 1) A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL HAZARD AREA ZONE AE AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY PER D.F.I.R.M.#37009619001 - EFFECTIVE DATE: JANUARY 6, 2010.
- 2) PROPERTY SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD, INCLUDING, BUT NOT LIMITED TO, THOSE SHOWN HEREON.
- 3) SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE SEARCH. THERE MAY BE EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS PROPERTY.
- 4) BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONDITIONS, CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
- 5) AREA BY COORDINATE COMPUTATION.
- 6) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES. THE HORIZONTAL DATUM FOR THIS SURVEY IS NAD83(2011). THE COMBINED GRID FACTOR IS 0.99978471.
- 7) THE ELEVATION DATUM FOR THIS SURVEY IS NAVD83. THE CONTOUR INTERVAL IS TWO FEET.
- 8) SUBJECT PROPERTY IS ZONED "R2" PER THE BUNCOMBE COUNTY ZONING ORDINANCE. REFER TO THIS ORDINANCE FOR REGULATIONS APPLICABLE TO THE SUBJECT PROPERTY.

BUILDING SETBACKS (PER R2 CLASSIFICATION):
FRONT= 10'
SIDE= 7'
REAR= 15'

REFERENCES:

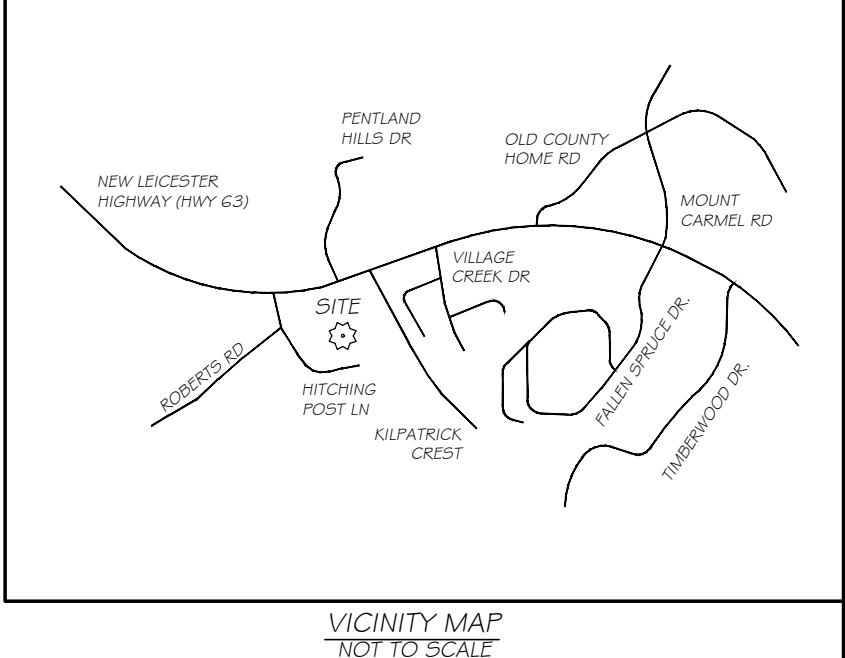
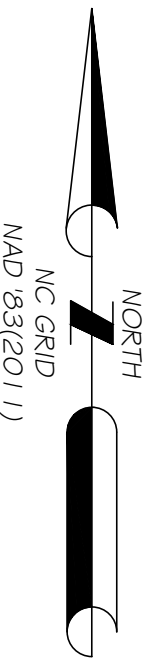
- DB 960 PG 209
- PB 120 PG 86
- DB 1813 PG 666
- DB 1724 PG 673
- DB 876 PG 264
- DB 1346 PG 437
- DB 1815 PG 325
- DB 5935 PG 85
- PB 2 PG 191 - DOT PLANS
- PB 17 PG 73
- PB 60 PG 102

LEGEND & ABBREVIATIONS:

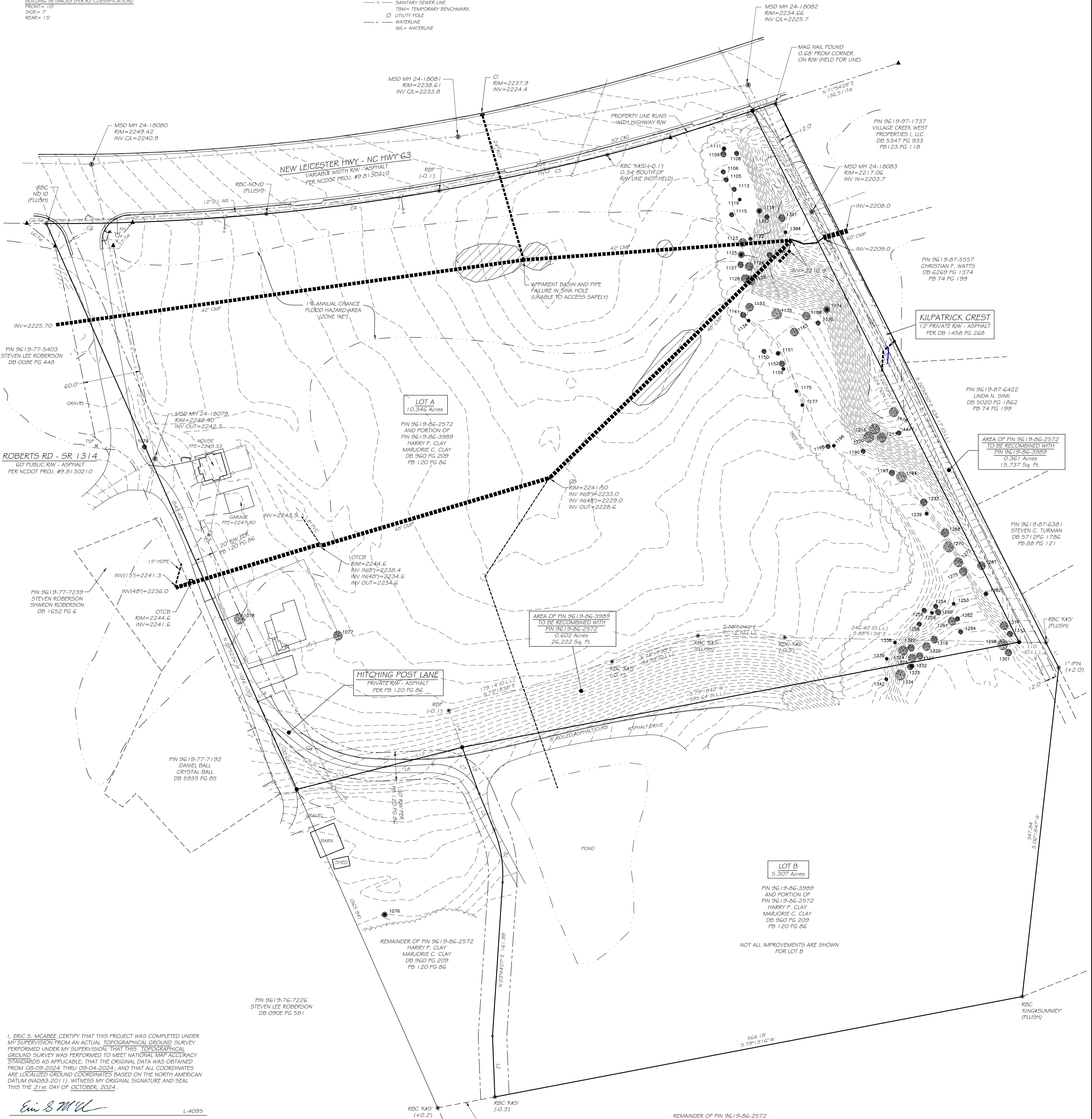
- FB= PLAT BOOK
DB= DEED BOOK
PG= PAGE
RW= RIGHT OF WAY
PIN= PARCEL IDENTIFICATION NUMBER
○ CALCULATED POINT
(NOT MARKED IN FIELD)
● RECOVERED BOUNDARY MONUMENT
(SIZE AND TYPE AS NOTED)
▲ #4 REBAR WITH 'McAbee' ID CAP SET
NCDOT RIGHT-OF-WAY MONUMENT FOUND
(+/-)= HEIGHT OF PROPERTY MONUMENT
ABOVE/BELW ADJACENT GRADE
C&G= CONCRETE CURB AND GUTTER
CMP= CORRUGATED METAL PIPE
DI= DUCTILE IRON PIPE
FFE= FINISHED FLOOR ELEVATION
FI= FIRE HYDRANT
GUY WIRE
HDPE= HIGH-DENSITY POLYETHYLENE PIPE
INV= INVERT ELEVATION
IPIN= IRON PIN FOUND
K&S= KING AND SUMMEY ID CAP
MH= SANITARY SEWER MANHOLE
NLL= NEW LOT LINE
OVERHEAD UTILITY LINE
O.L.L.= OBSOLETE LOT LINE REMOVED
BY RECOMBINATION
OTCB= OPEN-THROATED CATCH BASIN
RBC= REBAR WITH ID CAP FOUND
RBF= REBAR FOUND (NO ID CAP)
SANITARY SEWER LINE
TBM= TEMPORARY BENCHMARK
UTILITY POLE
WATERLINE
WL= WATERLINE

PROPERTY CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	125.00'	57.04'	N 09°20'15" W	56.55'
C2	2331.83'	30.76'	N 89°12'20" E	90.76'
C3	2331.83'	140.71'	N 86°51'42" E	140.69'
C4	2331.83'	183.42'	N 82°24'46" E	183.37'
C5	2331.83'	249.39'	N 77°03'44" E	249.27'
C6	2331.83'	20.50'	N 89°25'39" W	20.50'
C7	50.00'	61.49'	N 57°58'30" W	57.69'
C8	125.00'	150.61'	N 58°21'20" W	141.66'

PROPERTY LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 27°02'44" E	29.28'
L2	N 02°15'56" W	63.87'
L3	N 22°24'38" W	40.37'
L4	S 20°05'37" E	41.13'
L5	N 71°54'28" E	90.60'
L6	S 50°54'27" E	38.53'
L7	N 39°58'51" E	31.79'
L8	S 87°07'37" W	49.68'
L9	S 20°05'37" E	52.01'
L10	N 88°51'34" W	28.26'
L11	N 75°44'24" E	56.38'
L12	N 75°44'24" E	83.04'
L13	N 71°54'28" E	25.28'
L14	N 66°07'34" E	14.82'



VICINITY MAP
NOT TO SCALE



I, ERIC S. MCABEE, CERTIFY THAT THIS PROJECT WAS COMPLETED UNDER MY SUPERVISION FROM AN ACTUAL TOPOGRAPHICAL GROUND SURVEY PERFORMED UNDER MY SUPERVISION; THAT THIS TOPOGRAPHICAL GROUND SURVEY WAS PERFORMED TO MEET NATIONAL MAP ACCURACY STANDARDS AS APPLICABLE; THAT THE ORIGINAL DATA WAS OBTAINED FROM 08-09-2024, THRU 09-04-2024; AND THAT ALL COORDINATES ARE LOCALIZED GROUND COORDINATES BASED ON THE NORTH AMERICAN DATUM (NAD83-2011). WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 21st DAY OF OCTOBER, 2024.

Eric S. McAbee

L-4095

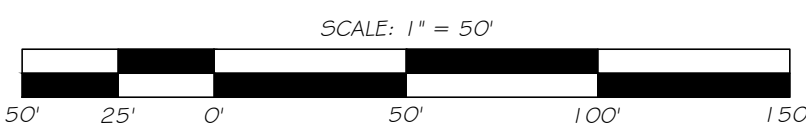
I, ERIC S. MCABEE, CERTIFY:

THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION; DEED DESCRIPTION RECORDED IN BOOK 960 PAGE 209 AND BOOK 1813 PAGE 666; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN MULTIPLE DOCUMENTS SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:110,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 21st DAY OF OCTOBER, 2024.

THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN AN AREA OF THE COUNTY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND, AS DESCRIBED IN G.S. 47-30 (X)(1)(A).

Eric S. McAbee

L-4095



NO.	DATE	DESCRIPTION	BY

SUBDIVISION & RECOMBINATION SURVEY OF THE PROPERTIES OF:

HARRY P. CLAY & MARJORIE C. CLAY

PIN: 9619-86-2572
PIN: 9619-86-3989

LEICESTER TOWNSHIP
BUNCOMBE COUNTY, N.C.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE:

I, REVIEW OFFICER OF BUNCOMBE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

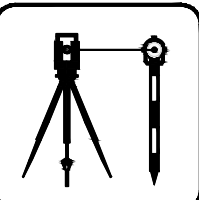
EXEMPT FROM THE BUNCOMBE COUNTY SUBDIVISION ORDINANCE.

DATE

COUNTY PLANNER: SIGNATURE

PRINTED NAME

DATE: X-X-13
PROJECT #: XXXX
DRAWING #: G-13-XXX
DRAWN BY: XXX
SCALE: 1"=X'



McAbee & Associates, P.A.
PROFESSIONAL LAND SURVEYING

Eric S. McAbee, PLS
J. Barry West, PLS
Wallace S. McAbee, PLS (Emeritus)
3 McAbee Trail Fairview North Carolina, 28730
www.mcabeesurvey.com Firm License Number: C-694

Fax (828) 628-1294
Telephone (828) 628-1295



ZONING MAP AMENDMENT
STAFF ANALYSIS
Legislative Hearing

LOCATION MAP		A. CASE	
		ZPH2024-00034	
		Hitching Post Ln Rezoning	
B. PROPERTY INFORMATION		PIN(s): 9619-86-2572 Addresses: 14 Hitching Post Ln. Owner(s): Harry & Marjorie Clay Acreage: 10.35 acres of a 19.68 acre tract Utilities: Public water and sewer Access Road: New Leicester Hwy	
C. REZONING REQUEST			
Summary: Barney Danzansky of Equity Development Group LLC has requested to rezone a portion of one parcel of land from R-2(Residential) to CS (Commercial Service). Refer to the Maps exhibit for area of property to be rezoned.		Existing: R-2 Residential	
		Proposed: CS- Commercial Service	
D. PUBLIC NOTICE		Planning Board	Board of Commissioners
Citizen Times and BC website:		12-4-24	1-10-25
Mailed to owners within 1,000 ft:		12-6-24	1-10-25
Physical posting on site:		12-6-24	1-10-25
Hearing Date:		12-16-24	1-21-25
E. RECOMMENDATION & SUMMARY OF CONSISTENCY REVIEW			
STAFF: APPROVAL	Staff recommends that the rezoning of the parcel be approved as it is consistent with the recommendations from the Comprehensive Plan for utility types, density, proximity to transportation corridor, location outside of overlay districts and high/moderate hazard stability areas, and is located in close proximity to other CS zoned areas along the same corridor. While not completely consistent with the G.E.C. map, this area could be appropriate for more intense development as Leicester Hwy emerges as a commercial corridor.		

F. SPOT ZONING & STATEMENT OF REASONABLENESS

Spot Zoning: A zoning ordinance, or amendment, which singles out and reclassifies a relatively small tract owned by a single person and surrounded by a much larger area uniformly zoned, so as to impose upon the smaller tract greater restrictions than those imposed upon the larger area, or so as to relieve the small tract from restrictions to which the rest of the area is subjected, is called "spot zoning." *Spot Zoning, David W. Owens, April, 2020, quoting Blades v. City of Raleigh, 280 N.C. 531, 547, 187 S.E.2d 35, 45 (1972).*

CONSISTENT

POTENTIAL
SPOT
ZONING

1. Staff Analysis of spot zoning:

The subject acreage to be rezoned exceeds 10 acres in size and is adjacent to a major transportation corridor. Based on the nature of the request, Staff does not have concerns related to spot zoning.

X

Statement of Reasonableness: When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors:

CONSISTENT

IN-
CONSISTENT

1. The size, physical conditions, and other attributes of the area proposed to be rezoned

X

2. The benefits and detriments to the landowners, the neighbors, and the surrounding community

X

3. The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment

X

4. Will the action taken is in the public interest

X

5. Any changed conditions warranting the amendment

N/A

G. 2043 COMPREHENSIVE PLAN CONSISTENCY

PLEASE NOTE: If a rezoning request is approved that is not consistent with the adopted comprehensive plan, the zoning amendment shall have the effect of also amending any future land use map (e.g., the Growth, Equity, and Conservation Map) in the approved plan. No additional request or application for a plan amendment shall be required per the statute.

GEC CHARACTER FRAMEWORK (FUTURE LAND USE MAP):

CONSISTENT

NOT
CONSISTENT

1. FLUM CATEGORY DESCRIPTION

The proposed rezoning is not consistent with the Character area description of 'Mixed Use Neighborhood' where this parcel is located.

X

2. WASTEWATER & POTABLE WATER TYPE

The parcel has access to public water and sewer.

X

3. DENSITY

The proposed zoning district has a maximum density of up to 12 units an acre which is the same as the current zoning district.

X

4. PRIMARY AND SECONDARY LAND USES The uses allowed in the proposed zoning district include uses which are not recommended in the Character Framework for this area, some of which may be incompatible with the intent of the Growth, Equity, and Conservation Framework.		X
PLAN POLICIES AND ACTIONS:	<u>CONSISTENT</u>	<u>NOT CONSISTENT</u>
5. Proximity to Transportation Corridor (<i>Transportation Action 4</i>) The parcel is located on a major transportation corridor, New Leicester Hwy	X	
6. Support higher density residential development near job centers and amenities (<i>Transportation Action 4</i>) The rezoning from R-2 to CS will not result in any change to the allowable density. Most of the development in the area is low density residential sprawl.	N/A	
7. Prioritize environmental conservation of other natural lands (such as intact forest lands, wetlands, and other unique habitats) to protect and increase the capacity to sustain the county's existing biodiversity (<i>Env. Conserv. Action 3</i>) This parcel is in the Mixed Use Neighborhood area on the GEC Map. This is a growth area and so this question does not apply.	N/A	
8. Prioritize the conservation of physical connections between natural landscapes to avoid fragmentation of large forest blocks in order to benefit wildlife migration (<i>Env. Conserv. Action 3</i>) This rezoning would not cause the fragmentation of a large forest block.	X	
9. Using the guidance of the GEC Map, work with private development partners to bring new sites to market that have promising transportation access, proximity to current and future economic corridors, a robust utility service, labor draw, community synergies, etc. (<i>Economic Dev. Action 2</i>) The rezoning of this parcel will increase the land use options for the existing and future property owners. It is located on New Leicester Hwy., a major transportation corridor.	X	
10. Support the creation of place-based community gathering destinations at Walkable Destination Centers, Mixed Use Areas, and Rural Centers identified on the GEC Map (<i>Economic Dev. Action 3</i>) Rezoning the subject parcel to CS would not necessarily result in the creation of more place-based community gathering destinations in the Mixed Use Neighborhood area where it is located.	N/A	

11. Integrate equity considerations into projects that improve air, water, and land quality by utilizing tools including redlining maps of Asheville and other municipalities and EPA's Environmental Justice Screening Tool (<i>Health Action 7</i>) The parcel is not in an area identified on the red lining map of Asheville and does not score high on the Buncombe County Community Index Map Equity Index.	Equity Analysis is not suggested for this parcel.	
ENVIRONMENTAL:	<u>CONSISTENT</u>	<u>NOT CONSISTENT</u>
12. Steep Slope/High Elevation and Protected Ridge Overlay Districts The parcel is not within an Overlay District.	X	
13. Regulated Flood Hazard Areas The parcel is partially located within a regulated flood hazard area.		X
14. High or Moderate Hazard Stability Areas The parcel does not contain significant hazard stability areas.	X	

H. NEIGHBORHOOD CONSISTENCY			<u>CONSISTENT</u>	<u>NOT CONSISTENT</u>
1. CURRENT DEVELOPMENT TYPES: Subject acreage has the following adjacent zonings and uses:				X
DIRECTION	ZONING	ADJACENT USES		
NORTH	R-2 Residential	Residential and Vacant Lots		
EAST	R-2 Residential	Residential Apartments and single-family homes		
SOUTH	R-2 Residential and R-LD	Single-family homes and vacant land		
WEST	R-LD Residential low density	Single-family homes and vacant land		
2. Does the proposed rezoning allow for any transition between higher density or intensity uses and lower density or intensity uses? (<i>Examples include medium intensity zoning between a low and high intensity district, topographic separations, other natural features to ensure a transition or buffer.</i>) The rezoning of the property from R-2 to CS could cause a measurable increase in the types and intensity of uses allowed on the property compared to the current zoning. However, it is in close proximity, though not adjacent, to CS zoned areas along the same corridor, as well as some higher density residential apartments to the west.				X

3. Are the uses allowed in the proposed zoning district compatible with the existing uses in the area? The proposed zoning district allows a variety of uses from residential to commercial, and warehousing. The existing uses in the immediate area includes single-family residential and vacant residential land.			X
4. ALLOWED DEVELOPMENT TYPES AFTER CHANGE: The proposed rezoning would allow additional uses in the CS district that are not currently allowed in the R-2 districts. Examples of uses that would be allowed after the rezoning include commercial planned unit developments, veterinary clinics, banks, cargo and freight terminals, commercial greenhouses, Hotels and motels, kennels, manufacturing operations, medical clinics, vehicle impoundment, repair, and sales lots, gas stations, fitness centers, business offices, restaurants, retail, business schools, warehousing and mini-storage, vacation rental complexes, and more.			
5. DENSITY & DIMENSIONAL STANDARDS COMPARISON:			
		Existing District:	Proposed District:
		R-2 Residential	CS Commercial Service
Min. Lot Size	No Public Sewer Public Sewer/No Water Public Water & Sewer	30,000 SF 10,000 SF 6,000 SF	30,000 SF 10,000 SF 5,000 SF
Max. dwelling units per acre		12	12
Setbacks (Front/Side/Rear)		10/7/15 with public sewer 20/10/20 septic system	10/10/10
Max. height		35 feet	50 feet
6. PREVIOUS ZONING ACTIONS & RELEVANT SITE HISTORY: There are currently two residential structures on the portion of the lot being proposed for the rezoning, with a third residential home being accessed from a private driveway through the subject property.			
I. COMPARISON OF ZONING ORDINANCE DISTRICT STATEMENT OF INTENT			
<u>EXISTING ZONING DISTRICT – R-2</u> The R-2 District is primarily intended to provide locations for residential development and supporting recreational, community service and educational uses in areas where public water and sewer services are available or will likely be provided in the future. These areas will usually be adjacent to R-1 Residential Districts, will provide suitable areas for residential subdivisions requiring public water and sewer services, and in order to help maintain the present character of R-1 districts, will not allow manufactured home parks.		<u>PROPOSED ZONING DISTRICT – CS</u> The CS Commercial Service District is primarily intended to provide suitable locations for clustered commercial development to encourage the concentration of commercial activity in those specified areas with access to major traffic arteries, to discourage strip commercial development, and to allow for suitable noncommercial land uses. Such locations should currently have water and sewer services or be expected to have such services available in the future. This CS Commercial Service District may be applied to suitable areas adjacent to existing commercial concentration to allow for their expansion.	

J. EQUITY ANALYSIS

1. Buncombe County Government is utilizing an Equity Analysis Tool for certain types of planning-related development decisions. The following is Staff's Equity Analysis for this rezoning:

Based on this parcel's ranking on the Community Index Map, this parcel is not located in an equity opportunity area.

K. PLANNING BOARD RECOMMENDATION

1. BOARD BASIS FOR DECISION MAKING

The Board must determine if there is a reasonable basis for the requested change in light of its effect on all involved including the following considerations:

- The requested change does not directly or indirectly result in the creation of spot zoning
- Size of the tract in question
- Compatibility of the change with the adopted 2043 Comprehensive Plan
- Benefits and detriments resulting from the change for the owner of the newly zoned property, their neighbors, and the surrounding community
- Relationship between the uses envisioned under the new zoning and the uses currently present in adjacent tracts

*References: Good Neighbors of South Davidson v. Town of Denton, 355 N.C. 254, 559 S.E.2d 768 (2002)
Chrismon v. Guilford County, 322 N.C. 611, 370 S.E.2d 579 (1988)*

L. BOARD OPTIONS

The following options are available to the Board:

- a. Recommend approval of the proposed rezoning, as presented.
 - i. *Motion:* The Board approves the rezoning of the subject property as it is consistent with the Buncombe County 2043 Comprehensive Plan.
- b. Recommend approval of a portion of the proposed rezoning.
 - i. *Motion:* The Board approves this portion [describe portion] of the rezoning of the subject property as it is consistent with the Buncombe County 2043 Comprehensive Plan.
- c. Recommend denial of the proposed rezoning, as presented.
 - i. *Motion:* The Board denies the rezoning of the subject property as it is NOT consistent with the Buncombe County 2043 Comprehensive Plan.

M. ATTACHMENTS

- Application
- Maps

ORDINANCE NO. 25-01-04

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF BUNCOMBE COUNTY, CHAPTER 78,
ARTICLE VI OF THE BUNCOMBE COUNTY CODE OF ORDINANCES, THE ZONING ORDINANCE OF
BUNCOMBE COUNTY
ZPH2024-00034

WHEREAS, pursuant to N.C. Gen. Stat. §160D-7-1, the County may adopt a zoning ordinance to regulate development within its territorial jurisdiction;

WHEREAS, on December 1, 2009, the Buncombe County Commissioners enacted Buncombe County Ordinance No. 09-12-01 which established a comprehensive zoning plan for the properties located in Buncombe County outside of the boundaries of incorporated municipalities and their zoning jurisdictions;

WHEREAS, pursuant to N.C. Gen. Stat. §160D-6-2, the County may amend its zoning ordinance after giving proper public notice and holding a public hearing;

WHEREAS, the Planning Board has received an application for an amendment to the Official Zoning Map of Buncombe County, North Carolina ("Official Zoning Map") to rezone the below listed parcels, and shown herein as Exhibit A:

PIN(s): 9619862572

Addresses: 14 Hitching Post Lane

Owner(s): Harry & Marjorie Clay

Applicant(s): Barney Danzansky, Equity Development Group LLC

WHEREAS, the applicant is requesting that the zoning designation for the subject property be changed from R-2 to CS, with the remainder of the property to remain R-2, as shown and depicted in Exhibit A, which is attached hereto and incorporated herein by reference, and

WHEREAS, in accordance with the procedures set forth in the Buncombe County Zoning Ordinance, the Planning Board met to consider the proposed amendment on December 16, 2024, at which meeting a motion to **approve** the proposed map amendment passed by a vote of **7 to 0**; and,

WHEREAS, this Board has reviewed these written recommendations of the Buncombe County Planning Board; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Division 8 of Chapter 78, Article VI of the Buncombe County Code of

Ordinances, the Board of Commissioners duly advertised and held a public hearing to consider the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. This Board has considered whether this proposed amendment is consistent with the Buncombe County 2043 Comprehensive Plan, and hereby finds the following:

- a) The proposed rezoning of the subject property is consistent with the Buncombe County 2043 Comprehensive Plan in that the property:
 - i. Has access to public water and sewer
 - ii. Is within the recommended density of the GEC Character area
 - iii. Is within reasonable proximity to major transportation corridors
 - iv. Prioritizes the conservation of physical connections between natural landscapes to avoid fragmentation of large forest blocks in order to benefit wildlife migration
 - v. Brings a new site to market that has promising transportation access, proximity to current and future economic corridors, a robust utility service, labor draw, community synergies, etc.
 - vi. Is not located within an Overlay District
 - vii. Does not contain significant hazard stability areas.
- a) The proposed map amendment would **not be detrimental** to the owners, adjacent neighbors, and surrounding community as it **does** meet a number of goals as identified in the Buncombe County Comprehensive Land Use Plan Update.
- b) Therefore, the requested zoning would be **reasonable** and **in the public interest**.

Section 2. This Board does hereby **approve** the request to rezone PIN(s) 9619-86-2572 (14 Hitching Post Lane) Buncombe County, NC, from R-2 Residential District to CS Commercial District, as shown and depicted upon Exhibit A, which is attached hereto and incorporated herein by reference;

Section 3. If any section, subsection, clause or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance;

Section 4. All ordinances and clauses of ordinances in conflict herewith be and are hereby repealed to the extent of such conflict; and

Section 5. This ordinance is effective upon adoption.

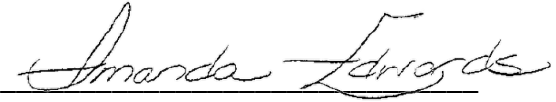
Read, approved and adopted this the 21st day of January 2025.

ATTEST



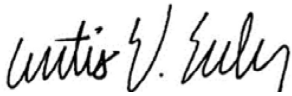
Sarah Gross, Clerk

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

BY 

Amanda Edwards, Chairman

APPROVED AS TO FORM



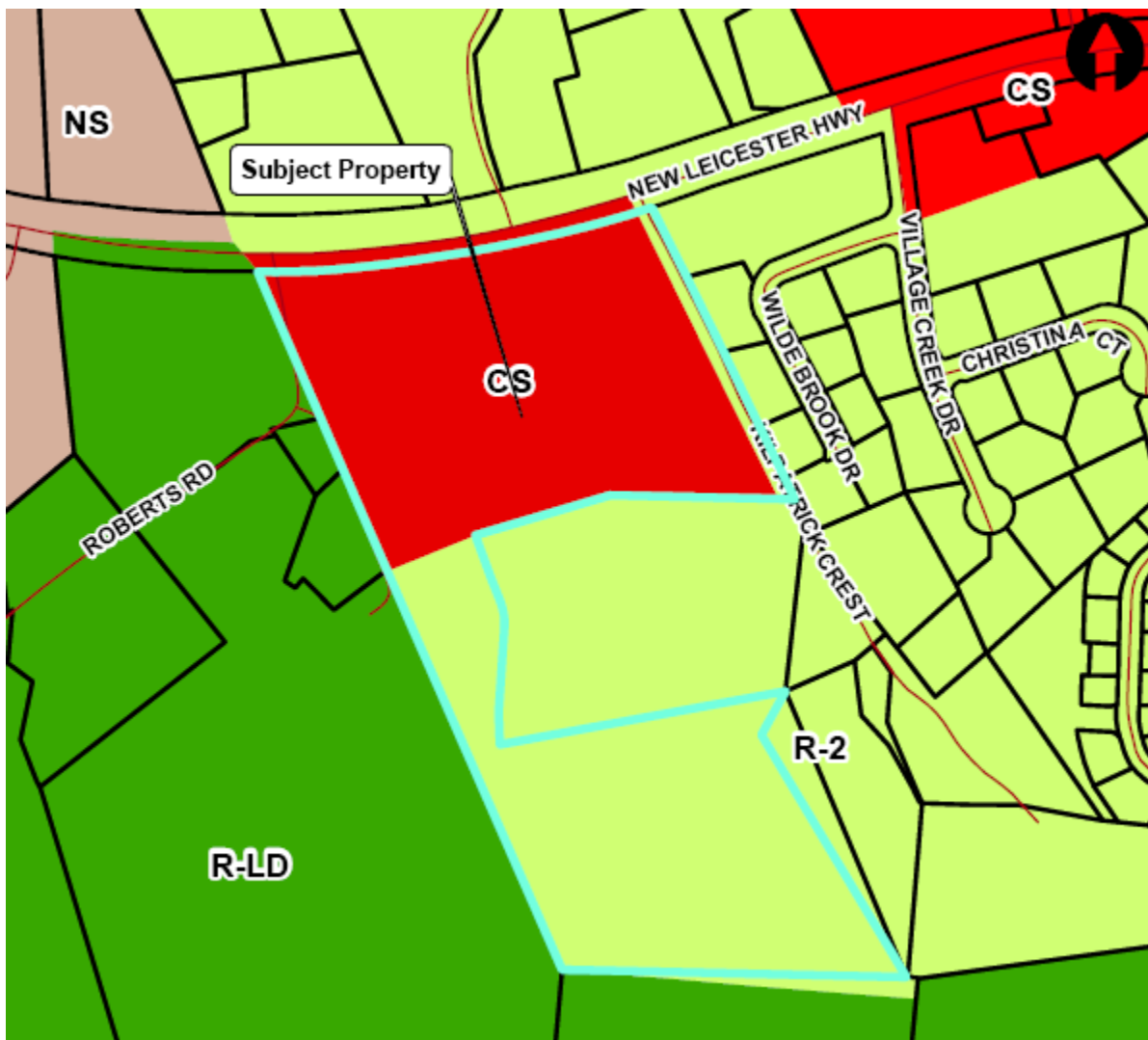
County Attorney

Exhibit A

**OFFICIAL ZONING MAP
-EXCERPT-
PROPOSED AMENDMENT**

PIN(s): 9619862572
Addresses: 14 Hitching Post Lane
Owner(s): Harry & Marjorie Clay
Applicant(s): Barney Danzansky, Equity Development Group LLC

PROPOSED ZONING DISTRICT – CS



RESOLUTION NO. _____

RESOLUTION DENYING A REQUEST TO AMEND
THE OFFICIAL ZONING MAP OF BUNCOMBE COUNTY,
CHAPTER 78, ARTICLE VI OF THE BUNCOMBE COUNTY CODE OF ORDINANCES,
THE ZONING ORDINANCE OF BUNCOMBE COUNTY
ZPH2024-00034

WHEREAS, pursuant to N.C. Gen. Stat. §160D-7-1, the County may adopt a zoning ordinance to regulate development within its territorial jurisdiction;

WHEREAS, on December 1, 2009, the Buncombe County Commissioners enacted Buncombe County Ordinance No. 09-12-01 which established a comprehensive zoning plan for the properties located in Buncombe County outside of the boundaries of incorporated municipalities and their zoning jurisdictions;

WHEREAS, pursuant to N.C. Gen. Stat. §160D-6-2, the County may amend its zoning ordinance after giving proper public notice and holding a public hearing;

WHEREAS, the Planning Board has received an application for an amendment to the Official Zoning Map of Buncombe County, North Carolina ("Official Zoning Map") to rezone the below listed parcels, and shown herein as Exhibit A:

PIN(s): 9619862572

Addresses: 14 Hitching Post Lane

Owner(s): Harry & Marjorie Clay

Applicant(s): Barney Danzansky, Equity Development Group LLC

WHEREAS, the applicant is requesting that the zoning designation for the subject property be changed from R-2 to CS, with the remainder of the property to remain R-2, as shown and depicted in Exhibit A, which is attached hereto and incorporated herein by reference, and

WHEREAS, in accordance with the procedures set forth in the Buncombe County Zoning Ordinance, the Planning Board met to consider the proposed amendment on December 16, 2024, at which meeting a motion to **approve** the proposed map amendment passed by a vote of **7 to 0**; and,

WHEREAS, this Board has reviewed these written recommendations of the Buncombe County Planning Board; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Division 8 of Chapter 78, Article VI of the Buncombe County Code of Ordinances , the Board of Commissioners duly advertised and held a public hearing to consider the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. This Board has considered whether this proposed amendment is consistent with the Buncombe County 2043 Comprehensive Plan, and hereby finds the following:

1.1. Said zoning change is **inconsistent** with the Buncombe 2043 Comprehensive Plan because the proposed rezoning is:

Board-Insert Finding

1.2. Said rezoning **would be detrimental** to the owners, adjacent neighbors, and surrounding community as it **does not** meet a number of goals as identified in the Buncombe 2043 Comprehensive Plan.

1.3. Therefore, the requested zoning would be **unreasonable** and **not in the public interest**.

Section 2. This Board does hereby **deny** the request to rezone PIN(s) 9619-86-2572 (14 Hitching Post Lane) Buncombe County, NC, from R-2 Residential District to CS Commercial District, as shown and depicted upon Exhibit A, which is attached hereto and incorporated herein by reference;

Section 3. This resolution is effective upon adoption.

Read, approved and adopted this the 21st day of January 2025.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Sarah Gross, Clerk

BY _____
Amanda Edwards, Chairman

APPROVED AS TO FORM

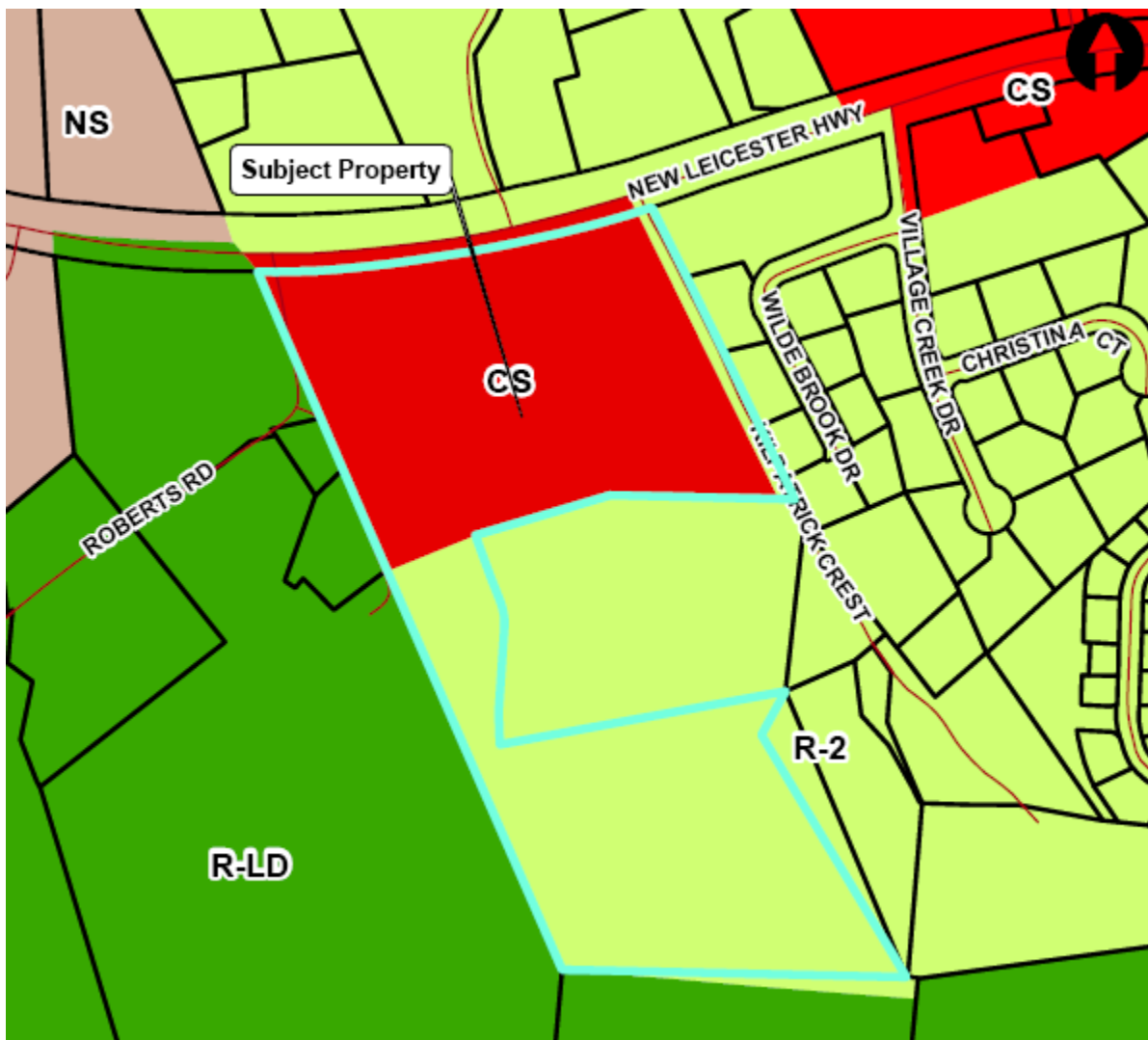
County Attorney

Exhibit A

**OFFICIAL ZONING MAP
-EXCERPT-
PROPOSED AMENDMENT**

PIN(s): 9619862572
Addresses: 14 Hitching Post Lane
Owner(s): Harry & Marjorie Clay
Applicant(s): Barney Danzansky, Equity Development Group LLC

PROPOSED ZONING DISTRICT – CS





ZPH2024-00034 Hitching Post Ln Zoning Map Amendment

Presented by

Shannon Capezzali

Planning & Development Department



BUNCOMBE COUNTY



Hearing Notification

- ✓ CASE NUMBER: ZPH2023-00034
- ✓ Notice in Asheville Citizen Times legal ad: 1-10-25
- ✓ Notice mailed to owners within 1,000 ft: 1-10-25
- ✓ Physical posting: 1-10-25
- ✓ Notice on BC Website: 1-10-25
- ✓ Public Hearing: 1-21-25



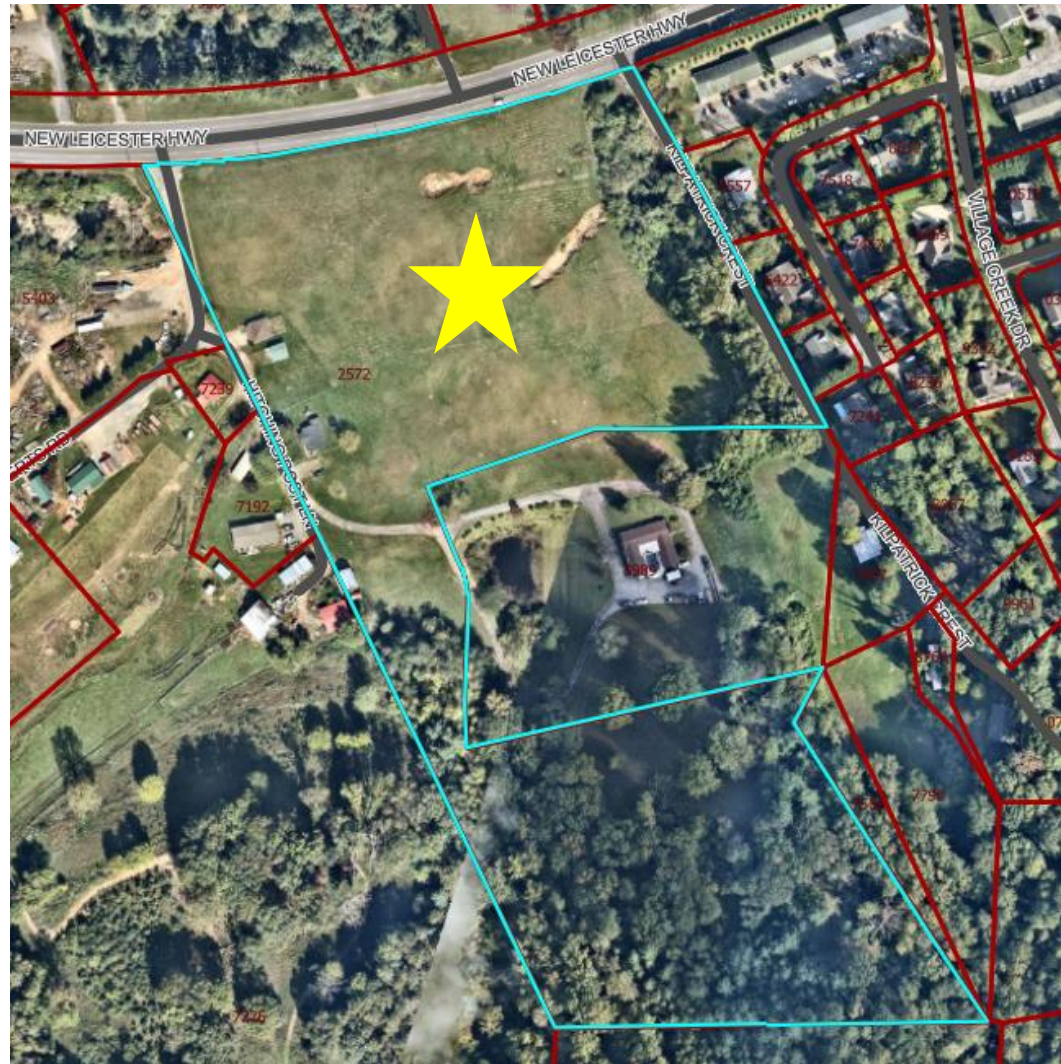
Applicant Information

- ✓ Applicant: Barney Danzansky, Equity Dev. Group LLC
- ✓ Owner(s): Harry & Marjorie Clay
- ✓ Address(es): 14 Hitching Post Lane



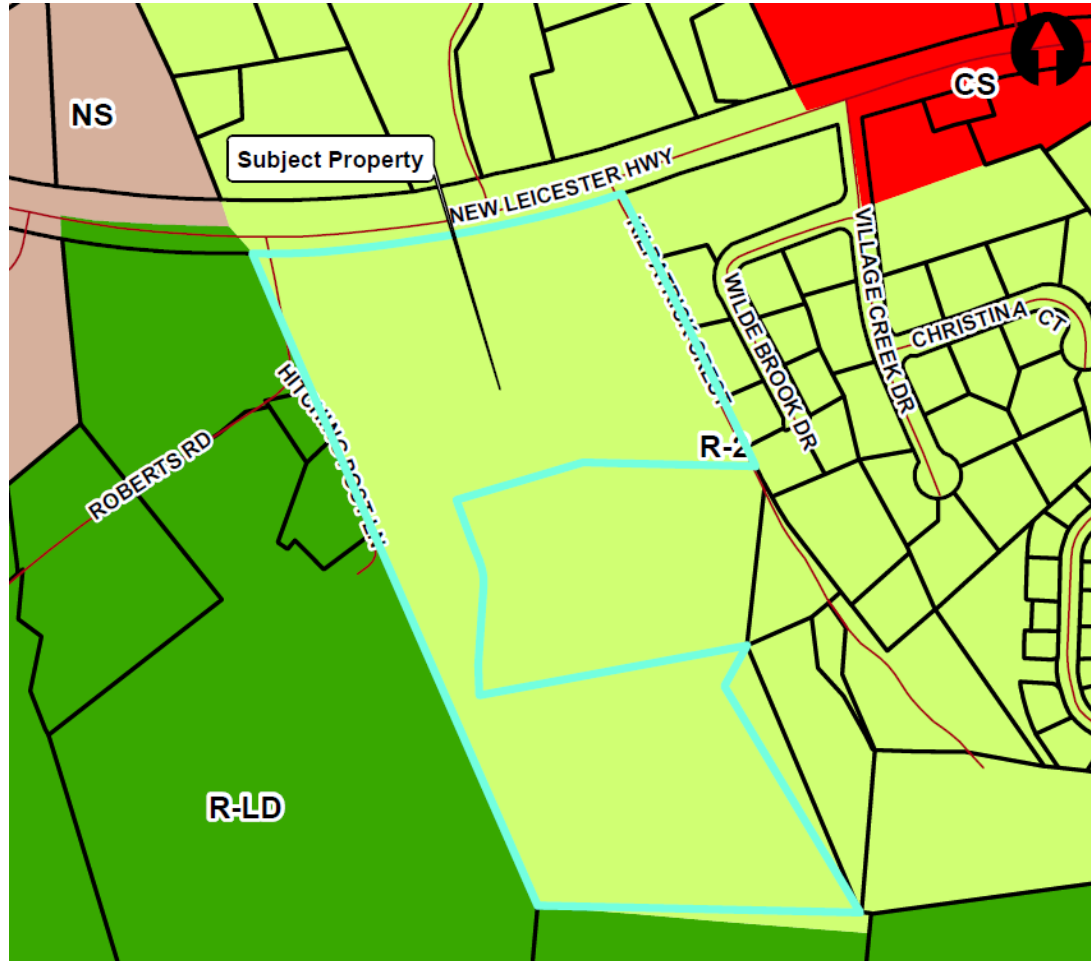
Property Information

- ✓ 10.35 acre portion of a 19.68 acre tract
- ✓ Current Use: Residential
- ✓ Public Water & Sewer

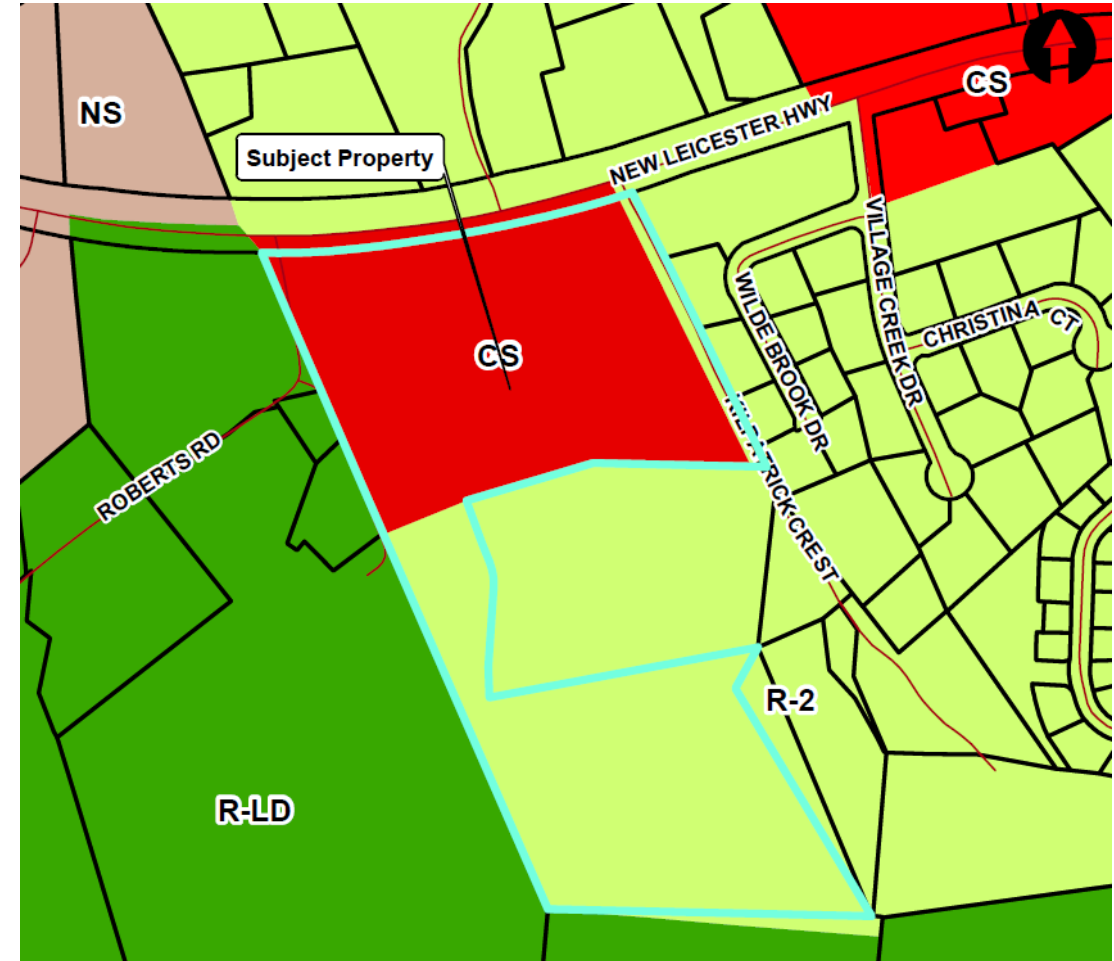


Rezoning Information

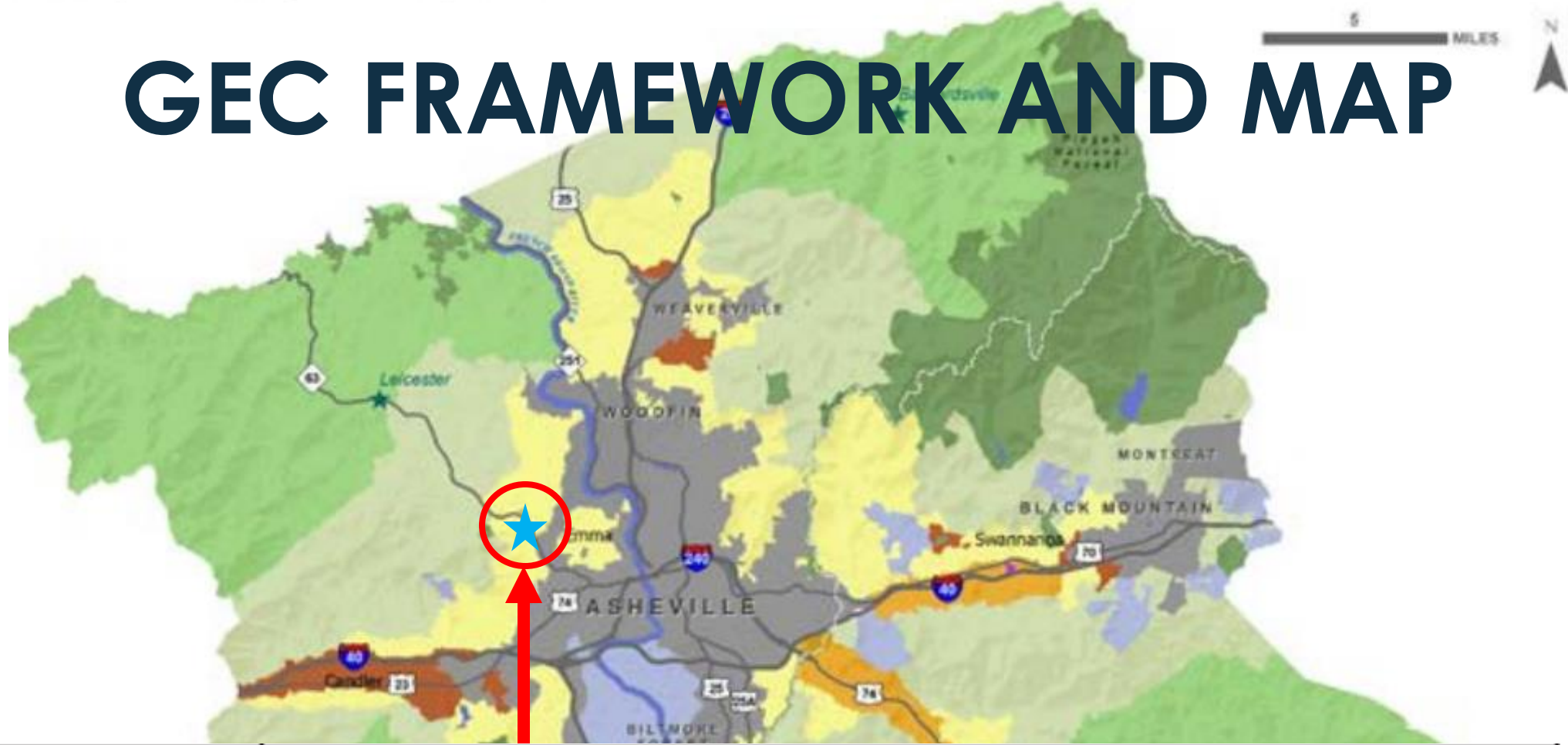
Current Zoning: R-2



Proposed Zoning: CS



GEC FRAMEWORK AND MAP



MIXED USE NEIGHBORHOOD

Existing residential neighborhoods and undeveloped areas for medium- to high density residential. Infill and redevelopment opportunities for additional housing. Increased density through renovations or new middle housing types. New high-density developments should be designed to be compatible with the surrounding neighborhood.

Bulk Standards

Allowable Density/Dimensional Standards	Existing District:	Proposed District:
	R-2 Residential	CS Commercial Service
Minimum Lot Size	30,000 SF No Public Sewer 10,000 SF Public Sewer/No Water 6,000 SF Public Water and Sewer	30,000 SF No Public Sewer 10,000 Public Sewer/No Water 5,000 SF Public Water/Sewer
Max dwelling units/acre	12	12
Setbacks (Front/Side/Rear)	10/7/15 w/sewer 20/10/20 no sewer	10/10/10
Max height	35 feet	50 feet



Surrounding Development Pattern in Immediate Area



Consistency Analysis

Consistent

- Wastewater & Potable water type
- Density – no change
- Proximity to Transportation Corridor
- Not in Steep Slope/High Elevation and Protected Ridge Overlay Districts
- Not in High/Moderate Hazard Stability Areas
- Proximity to other CS zoned areas

Inconsistent

- FLUM Category and description
- Primary and Secondary Land Uses
- Not in Regulated Flood Hazard Areas
- Proposed zoning district compatible with the existing uses in the area
- Proposed rezoning allows for a transition between higher density or intensity uses and lower density or intensity uses

STAFF RECOMMENDS: Approval



Action by Planning Board

- Public hearing held on December 16, 2024
- Voted unanimously to forward a recommendation of approval to the Board of Commissioners



QUESTIONS



Draft Board Motions

- A. The Board **approves** the rezoning of the subject property as it is consistent with the Buncombe County 2043 Comprehensive Plan.
- B. The Board **denies** the rezoning of the subject property as it is NOT consistent with the Buncombe County 2043 Comprehensive Plan.





Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: 1/21/2025

New Business

Department: Behavioral Health

Presenter(s): Victoria Reichard

Contact(s): Victoria Reichard, Behavioral Health Manager

Subject: NC Recovery Housing Program (RHP) Additional Fund Request

Brief Summary:

In August of 2024, Buncombe County accepted a \$1,000,000 award from NC Commerce through the CDBG Recovery Housing Program (RHP) to support Asheville Buncombe Community Christian Ministries (ABCCM) in expanding Transformation Village by constructing a 4 story, 64-unit building with 32-units dedicated to women and mothers with children in recovery from substance use. The total cost of the building is estimated to be \$5,000,000. ABCCM has been working to secure the additional funds needed to execute the project. Prior to Hurricane Helene there was a need for recovery housing with wrap-round support and now there is an even greater need to rebuild lost infrastructure. By requesting additional funds for this project from NC Commerce, our community will be equipped to increase the number of new beds available while at the same time focusing on utilizing available funds and resources to rebuild lost infrastructure. The additional request of funds would be in the amount of \$2,800,000.

Recommended Motion & Requested Action:

- 1) Hold a Public Hearing
- 2) Approve the Resolution to request additional funds from NC Commerce for the CDBG-RHP

County Manager's comments and Recommendation:

Hold a Public Hearing & Approve the resolution

RESOLUTION # 25-01-05

RESOLUTION FOR THE COUNTY OF BUNCOMBE TO REQUEST ADDITIONAL FUNDS FROM THE
CDBG - RECOVERY HOUSING PROGRAM

- WHEREAS, the Buncombe County Board of Commissioners has previously indicated its desire to assist in community development efforts for housing within the County; and,
- WHEREAS, the Board approved the submission of the application and accepted the award from NC Commerce through the CDBG - Recovery Housing Program to benefit individuals in recovery from substance use and who are low- or moderate-income persons by expanding Asheville Buncombe Community Christian Ministry's (ABCCM) Transformation Village program by constructing a 64-unit building with 32-units dedicated for women and mother's in recovery from substance use; and,
- WHEREAS, since September 27, 2024 the County of Buncombe has experienced the worst devastation to hit our region in more than a decade, leaving many without a home, lost infrastructure and the ripple effect this devastation has and will cause our community for years to come; and,
- WHEREAS, the current demand for resources to rebuild the lost infrastructure could impact the ability to fully fund this project and expand available beds as initially proposed in the application,

NOW, THEREFORE, BE IT RESOLVED by the Buncombe County Board of Commissioners that the County of Buncombe is as follows:

1. That the Chair and County Manager, or either of them, are hereby authorized, empowered and directed to execute and submit a letter to the North Carolina Department of Commerce requesting additional funds of \$2,800,000 to implement the Recovery Housing Program for the purposes set forth above and as committed to in the application, and to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to effect the transactions contemplated by this Resolution, except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of the specific provisions of this Resolution.
2. That all acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in

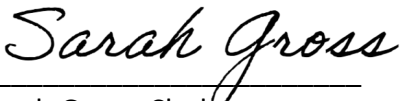
conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.

3. That this resolution shall be effective upon its adoption.

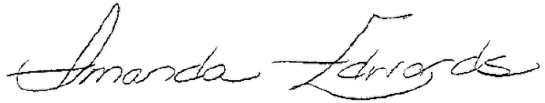
This the 21st day of January, 2025 in Buncombe County, North Carolina.

ATTEST:

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

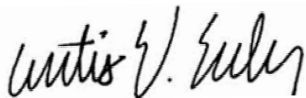


Sarah Gross, Clerk

By: 

Amanda Edwards, Chair

Approved as to form:



County Attorney



Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: January 21, 2025

New Business

Department: Finance

Presenter(s): Melissa Moore, Finance and Mauldin & Jenkins (external audit firm)

Contact(s): Melissa Moore and Mason Scott, Finance

Subject: Fiscal year 2024 audit contract amendment and audit presentation

Brief Summary:

Contract amendment

The audit has been completed for the fiscal year ending June 30, 2024. An amendment to the audit contract is required to increase the contract amount and reflect the audit completion date.

During the audit process, Mauldin & Jenkins identified additional grant programs requiring review based on Federal and State expenditure thresholds. Audit of the additional programs expanded contract scope and cost by \$23,000, for a final contract amount of \$215,000. Due to interruptions of business caused by Hurricane Helene, audit review was completed in January 2025. The contract amendment requests extension through January 31, 2025, to allow for any additional administrative processes needed to close the audit. This contract extension does not impact information presented in the Annual Comprehensive Financial Report (ACFR). The contract amendment was reviewed and approved by the Audit Committee at its January 21, 2025 meeting.

Audit presentation

Mauldin & Jenkins will present the audit results to the Board and answer any related questions.

Per North Carolina General Statutes, local governments must have an independent financial audit each year. As a recipient of significant Federal and State grant funding, Buncombe County must also be audited annually for compliance with certain grant guidelines and related regulations.

Recommended Motion & Requested Action:

Motion to approve the amended fiscal year 2024 external audit contract and accept the audit as presented.

County Manager's Comments & Recommendations:

County Manager recommends as presented.

Whereas	Primary Government Unit Buncombe County
and	Discretely Presented Component Unit (DPCU) (if applicable)
and	Auditor Mauldin & Jenkins, LLC

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending 06/30/24	and originally to be submitted to the LGC on	Date 10/31/24
-----	--------------------------------	---	------------------

hereby agree that it is now necessary that the contract be modified as follows.

☒ Modification to date submitted to LGC

Original date 10/31/24	Modified date 01/31/25
Original fee \$ 192,000.00	Modified fee \$ 215,000.00

☒ Modification to fee

Primary Other
(choose 1)(choose 0-2)

Reason(s) for Contract Amendment

- | | | |
|-----------------------|-------------------------------------|--|
| ☐ | ☒ | Change in scope |
| ☐ | ☐ | Issue with unit staff/turnover/workload |
| ☐ | ☐ | Issue with auditor staff/turnover/workload |
| ☐ | ☐ | Third-party financial statements not prepared by agreed-upon date |
| ☐ | ☐ | Unit did not have bank reconciliations complete for the audit period |
| ☐ | ☐ | Unit did not have reconciliations between subsidiary ledgers and general ledger complete |
| ☐ | ☐ | Unit did not post previous years adjusting journal entries resulting in incorrect beginning balances in the general ledger |
| ☐ | ☐ | Unit did not have information required for audit complete by the agreed-upon time |
| ☐ | ☐ | Delay in component unit reports |
| ☐ | ☐ | Software - implementation issue |
| ☐ | ☐ | Software - system failure |
| ☐ | ☐ | Software - ransomware/cyberattack |
| ☐ | ☐ | Natural or other disaster |
| ☐ | ☐ | Other (please explain) |

Plan to Prevent Future Late Submissions

If the amendment is submitted to modify the date the audit will be submitted to the LGC, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years. Audits are due to the LGC four months after fiscal year end. Indicate NA if this is an amendment due to a change in cost only.

Late audit submission due to significant impacts from Hurricane Helene.

Additional Information

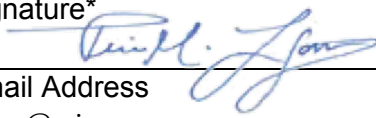
Please provide any additional explanation or details regarding the contract modification.

Fee modification due to number of programs required to be audited as major. The original engagement letter and fee contained provisions for up to five (5) major federal/state programs; the composition of the County's federal and state expenditures required eight (8) programs to be audited as major.

By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* Mauldin & Jenkins, LLC	
Authorized Firm Representative* (typed or printed) Timothy M. Lyons	Signature* 
Date* 01/09/25	Email Address tlyons@mjcpa.com

GOVERNMENTAL UNIT

Governmental Unit* Buncombe County	
Date Primary Government Unit Governing Board Approved Amended Audit Contract* (If required by governing board policy)	
Mayor/Chairperson* (typed or printed)	Signature*
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT*(Pre-audit certificate not required for hospitals)*

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer*	Signature*
Date of Pre-Audit Certificate*	Email Address*

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU	
Date DPCU Governing Board Approved Amended Audit Contract (If required by governing board policy)	
DPCU Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT
(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address



***Buncombe County,
North Carolina***



**Presentation of Audit Results
June 30, 2024**



Agenda

- Introduction to M&J and the County's Engagement Team
- Overview of:
 - Audit Opinion
 - Compliance Reports
- Required Communications
- General Fund Trends
- Accounting Recommendations and Related Matters
- Answer Questions



MAULDIN & JENKINS BY THE NUMBERS



CONSISTENTLY RANKED AS A TOP
ACCOUNTING FIRM IN THE U.S.

100+ year
HISTORY
OF QUALITY SERVICE

Serve 725+
GOVERNMENT CLIENTS

GOVERNMENTAL
PARTNERS &
DIRECTORS **25**



150+

TEAM MEMBERS DEDICATED
TO SERVING THE
GOVERNMENTAL INDUSTRY



VISION
*To be a trusted advisor, earning trust and building respect through our
consistent commitment to sustainable excellence, leadership, and integrity.*



220+

SINGLE AUDITS PERFORMED LAST
YEAR COVERING OVER \$6 BILLION
OF FEDERAL GRANTS



156,000+

HOURS ANNUALLY
PROVIDED TO
GOVERNMENTAL CLIENTS

175+

CURRENT CLIENTS AWARDED
THE GFOA CERTIFICATE OF
EXCELLENCE

6

STATES

14

OFFICES



Engagement Team Leaders

- Tim Lyons, Engagement Partner | Brian Nicholson, Quality Reviewer | Kayla O'Sullivan, Engagement Manager



Audit Opinion

- **Our Responsibility Under Auditing Standards Generally Accepted in the United States of America (GAAS) and *Government Auditing Standards* (GAS)**
 - We considered the internal control structure for the purpose of expressing our opinion on **Buncombe County, North Carolina's (the "County")** basic financial statements, but not for the purpose of expressing an opinion on the effectiveness of the County's internal controls over financial reporting.
 - Our audit was performed in accordance with GAAS and *Government Auditing Standards*.
 - Our objective is to provide reasonable—not absolute—assurance that the basic financial statements are free of material misstatement.
 - The basic financial statements are the responsibility of the County's management.
- **Report on Basic Financial Statements**
 - Unmodified ("clean") opinion on basic financial statements.
 - Presented fairly in accordance with accounting principles generally accepted in the United States of America.
 - Our responsibility does not extend beyond financial information contained in our report.



Compliance Report and Audit Scopes & Procedures

- ***Government Auditing Standards (“Yellow Book”) Report***

- The financial report package contains a report on our tests of the County’s internal controls and compliance with laws, regulations, etc. The report is not intended to provide an opinion on internal controls nor is it intended to provide a legal determination on the County’s compliance with applicable laws and regulations.
- This report and the procedures performed are required by *Government Auditing Standards*.
- Our report includes one item (Finding 2024-001) that we consider to be a material weakness in internal controls over financial reporting. The item relates to the following prior period adjustments below:
 - An error in recording the opioid settlement revenue in the Opioid Settlement fund that should have been recognized in the previous year in the amount of \$1,083,803. At the governmental activities, the Opioid Settlement fund should have recognized a receivable of \$27,152,900.
 - An error in the omission of two contracts which had both leases and SBITAs that should have been implemented in fiscal year 2023 in the amount of \$215,894. An additional lessor contract should have been reported in fiscal year 2022 which resulted in restatement of \$8,467.



Compliance Report and Audit Scopes & Procedures

- **Single Audit Reports**

- The financial report package also contains two (2) reports covering the Single Audit: a report in accordance with the Uniform Guidance (federal) and a report in accordance with the State Single Audit Implementation Act (state).
- Current year programs audited include:
 - Medicaid Cluster (Federal and State)
 - Coronavirus State and Local Fiscal Recovery Funds or “ARPA” (Federal)
 - Emergency Rental Assistance Program (Federal)
 - SNAP (Federal)
 - TANF (Federal)
 - Public School Building Capital Fund or “State Lottery” (State)
 - Opioid Settlement Funds (State)
 - Foster Care Benefits (State)
- We expressed unmodified or “clean” opinions on compliance and our reports did include one significant deficiency and one material weakness in internal control over compliance.



Required Communications

- **Significant Accounting Policies**

- Management is responsible for the selection and use of appropriate accounting policies.
- The significant accounting policies used by the County are described in Note 1 to the basic financial statements.
- During the current year, the County implemented Governmental Accounting Standards Board (GASB) Statement No. 100, *Accounting Changes and Error Corrections*.
- The policies used by the County are in accordance with generally accepted accounting principles.
- In considering the qualitative aspects of its policies, the County is not involved in any controversial or emerging issues for which guidance is not available.

- **Management Judgment/Accounting Estimates**

- Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events.
- The County uses various estimates as part of its financial reporting process – including actuarial assumptions, fair value of investments, useful lives of capital assets, etc.



Required Communications (Continued)

- **Relationship with Management**

- We received full cooperation from the County's management and staff.
- There were no disagreements with management on accounting issues or financial reporting matters.

- **Management Representation**

- We requested, and received, written representations from management relating to the accuracy of information included in the financial statements and the completeness and accuracy of various information requested by us.

- **Consultation with Other Accountants**

- To the best of our knowledge, management has not consulted with, or obtained opinions from, other independent accountants during the year, nor did we face any issues requiring outside consultation.

- **Significant Issues Discussed with Management**

- There were no significant issues discussed with management related to business conditions, plans, or strategies that may have affected the risk of material misstatement of the financial statements.



Required Communications (Continued)

- **Audit Adjustments**

- There were no unrecorded or passed audit adjustments.

- **Financial Statement Disclosures**

- The footnote disclosures to the financial statements are also an integral part of the financial statements and the process used by management to accumulate the information included in the disclosures was the same process used in accumulating the statements. The overall neutrality, consistency, and clarity of the disclosures was considered as part of our audit.

- **Information in Documents Containing Audited Financial Statements**

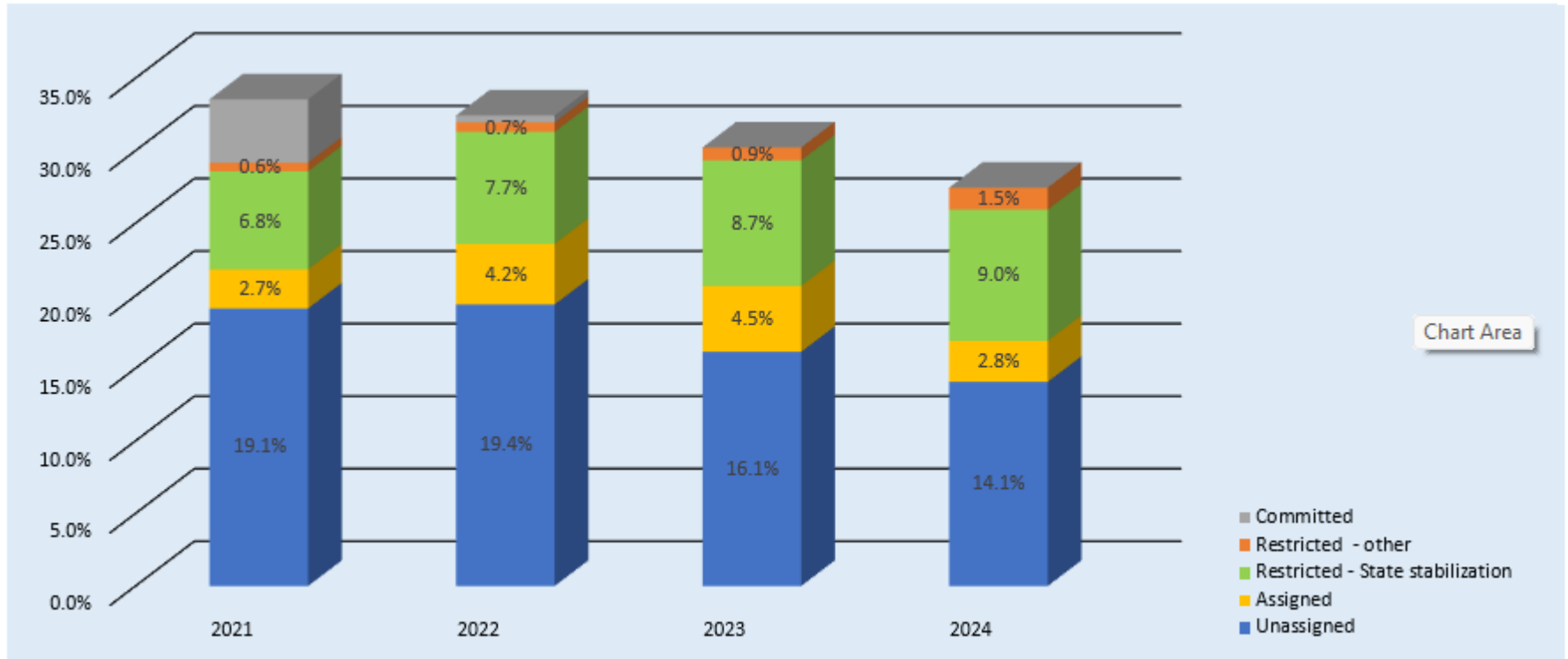
- Our responsibility for other information in documents containing the County's basic financial statements and our report thereon does not extend beyond the information identified in our report. If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, we must be provided with printers' proof for our review and approval before printing. You must also provide us with a copy of the final reproduced material for our approval before it is distributed.

- **Auditor Independence**

- In accordance with AICPA professional standards, M&J is independent with regard to the County and its respective financial reporting processes.

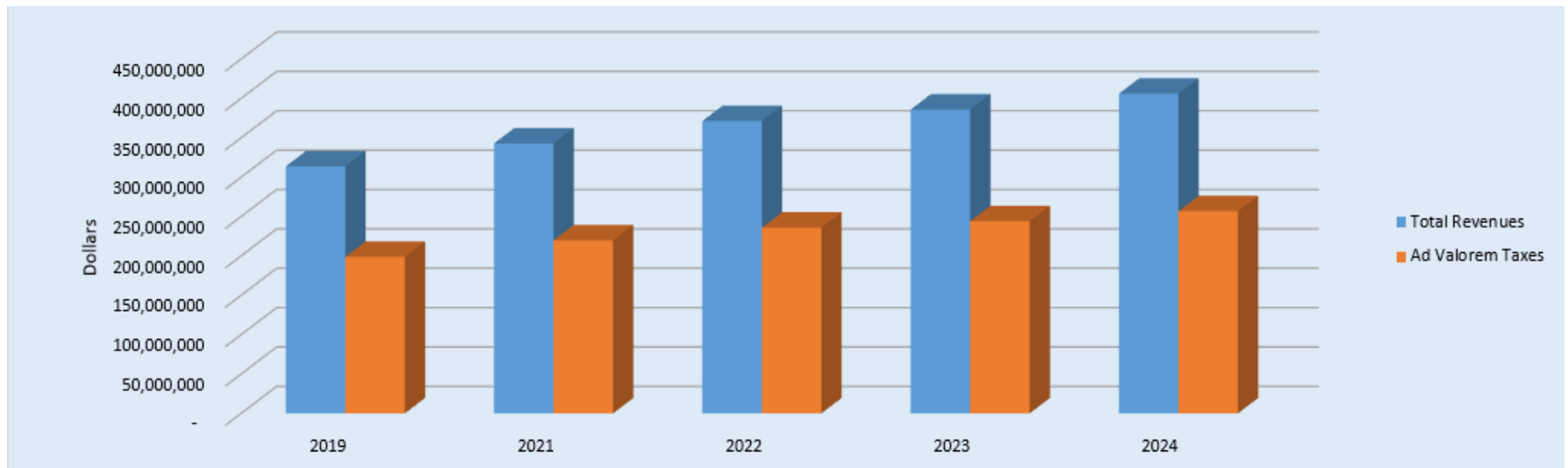


General Fund Financial Trends





General Fund Financial Trends





Accounting Recommendations and Related Matters

- **New GASB Pronouncements for Future Years**

- **Statement No. 101, *Compensated Absences*** was issued in June 2022 and is effective for fiscal years beginning after December 15, 2023, which means the County's fiscal year ended June 30, 2025.
- **Statement No. 103, *Financial Reporting Model Improvements*** was issued in 2023 and is effective for fiscal years beginning after June 15, 2025, which means the County's fiscal year ended June 30, 2026.

- **Current / Pending Major GASB Projects**

- **Revenue and Expense Recognition** is another long-term project where the GASB is working to develop a comprehensive application model for recognition of revenues and expenses from non-exchange, exchange, and exchange-like transactions. The final standard is expected in late 2026 / early 2027.
- **Going Concern Uncertainties and Severe Financial Stress** is major project where the goal is to address issues related to disclosures regarding going concern uncertainties and severe financial stress. This technical topic is being examined by the GASB due to a wide diversity in practice regarding required presentation on the face of the financial statements, disclosures, etc. An exposure draft on this topic is expected by mid-2025.
- **Infrastructure Assets** is another long-term project where the GASB is looking at disclosures and required supplementary information related to infrastructure assets; a preliminary views document was issued in 2024 and comments are due back to the GASB in January 2025.



Governmental Advisory Services

Core Offerings

Strategy

Develops and defines the future vision, goals, and objectives

- Innovation
- Long-Term Planning
- Organization Management
- Workforce of the Future Planning
- Internet of Things/Market Disruptors Assessment
- Artificial Intelligence/Robotics
- Service Delivery Model Planning
- Strategy Mapping
- Technology Consulting/ERP
- Technology Solution/Vendor Selection
- Operational Vision
- Business Case

Operational Efficiency and Effectiveness

Ensures business processes and service delivery are provided in a manner maximizing targeted goals

- Cost Containment
- Operations Improvement
- Program Delivery
- Revenue Enhancement
- Staffing Assessments
- Benchmarking
- Technology Utilization
- Governance
- Policy/Procedure Assessments
- Operations/Management Reviews

Transformation

Allows for the successful change from the current state to the desired environment or outcome

- Change Management and Organizational Transformation Strategies
- Customer Service Optimization
- Service Delivery Modeling
- Technology/Workflow Design
- Human Capital Management

Performance Measurement

Ensures outputs and outcomes are producing desired results

- Budget Forecasting & Design
- Cost Accounting
- Data Science
- Grant Strategy
- Risk Assessments
- Internal Controls & Compliance
- KPI Design
- Benchmarking
- Project Management
- Independent Verification & Validation
- Management/Dashboard Reporting



Govt. Clients – Free Quarterly Continuing Education

• Since March of 2009 – For Over 14 Years !!

- Accounting for Debt Issuances
- Achieving Excellence in Financial Reporting
- Best Budgeting Practices, Policies and Processes
- Budget Preparation
- ACFR Preparation (two (2) day hands-on course)
- Capital Asset Accounting Processes and Controls
- Collateralization of Deposits and Investments
- Component Units
- Cybersecurity Risk Management
- Evaluating Financial and Non-Financial Health of a Govt.
- Financial Report Card – Where Does Your Govt. Stand?
- Financial Reporting Model Improvements
- GASB Nos. 74 & 75, OPEB Standards
- GASB No. 77, Tax Abatement Disclosures
- GASB No. 84, Fiduciary Activities
- GASB Projects & Updates (ongoing & several sessions)
- Human Capital Management
- Grant Accounting Processes and Controls
- Internal Controls Over Accounts Payable, Payroll and Cash Disbursements
- Internal Controls Over Receivables & the Revenue Cycle
- IRS Issues, Primarily Payroll Matters
- Legal Considerations for Debt Issuances & Disclosures
- Policies and Procedures Manuals
- Segregation of Duties
- Single Audits for Auditees
- Special Purpose Local Option Sales Tax (SPLOST)
- Accounting, Reporting & Compliance
- Uniform Grant Reporting Requirements and the New Single Audit



Questions & Comments



Thank You for the Opportunity to Serve



Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: January 21, 2025

New Business

Department:

Budget

Presenter(s):

John Hudson, Budget Director

Contact(s):

Subject: Education Reduction

Brief Summary:

Given the effects of Helene, the County continues to restrict spending and reduce the budget where available. Per NCGS 159-13(b)(9), a reduction to the local current expense funds of our K-12 education partners can only take place where "prevailing economic conditions" cause a general reduction in county expenditures. Buncombe County has directed staff to reduce general fund expenses, targeting 4% overall. Therefore, this amendment seeks to reduce the local current expense appropriations for Asheville City Schools and Buncombe County Schools in the amounts of \$718,577 and \$3,971,874, respectively, for a total of \$4,690,451, or 4%. These dollars will shift to the General Government functional area, outside of any department's operational budgets. Should the federal or state government appropriate funds that can be used for this purpose, then another amendment may be brought forward to restore funding to the school systems.

Recommended Motion & Requested Action:

Approve budget amendment

County Manager's Comments & Recommendation:

County Manager recommends as presented



BUNCOMBE COUNTY, NORTH CAROLINA

General Fund

BOARD MEETING DATE: January 21, 2025

WHEREAS, the Budget Director recommends and the Board now desires to amend the FY2024-2025 General Fund as outlined below in Exhibit "A" to the budget,

NOW THEREFORE,

BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2024-2025 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

ADOPTED this 21st day of January, 2025

Requesting Department:	Budget
Budget Amendment Item:	Education Reduction

Description:

Given the effects of Helene, the County continues to restrict spending and reduce the budget where available. Per NCGS 159-13(b)(9), a reduction to the local current expense funds of our K-12 education partners can only take place where "prevailing economic conditions" cause a general reduction in county expenditures. Buncombe County has directed staff to reduce general fund expenses, targeting 4% overall. Therefore, this amendment seeks to reduce the local current expense appropriations for Asheville City Schools and Buncombe County Schools in the amounts of \$718,577 and \$3,971,874, respectively, for a total of \$4,690,451, or 4%. These dollars will shift to the General Government functional area, outside of any department's operational budgets. Should the federal or state government appropriate funds that can be used for this purpose, then another amendment may be brought forward to restore funding to the school systems.

Funding Source: Reduction in budgeted dollars.

Exhibit A: Account Description	Increase (Decrease)	
	Revenues	Expenditures
Asheville City Schools		\$ (718,577)
Buncombe County Schools		\$ (3,971,874)
General Government		\$ 4,690,451
TOTAL	\$ -	\$ -

ATTEST:

Sarah Gross

Clerk to the Board

**BOARD OF COMMISSIONERS FOR
THE COUNTY OF BUNCOMBE:**

By: *Amanda Edwards*

Chairman of the Board



FY25 Budget Reductions

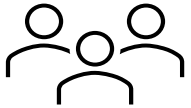
Presented by

John Hudson, Budget Director

January 21, 2025



Prevailing Economic Conditions



Unemployment is above 10,600 as of November



9,200 residential units damaged; new construction activity down significantly



Occupancy tax down \$5.9M vs. prior year as of November



Sales tax down \$1M vs. prior year as of October



FY25 Revenues

Category	FY2025		
	Amended	Projection Range	
Property Tax	278.0M	-6.5M	-4.8M
Sales Tax	46.6M	-7.5M	-3.5M
Intergovernmental	49.4M	-3.2M	-1.2M
Sales and Services	24.9M	-4.5M	-3.7M
Other Revenues	30.0M	-3.9M	-2.0M
Revenue	428.9M	-25.7M	-15.1M

\$15.7M of appropriated fund balance is budgeted to balance the FY25 budget



How Do We Achieve Reductions?

- Hiring Freeze - Currently 89 vacancies
- Programmatic reductions across Public Health, Social Work Services, Justice Services, Economic Development, and Economic Services
- Defer IT infrastructure and postpone software implementation
- Deferred Scheduled Maintenance of County facilities and planned Energy Efficient upgrades
- Reductions in Animal Shelter Capacity & Operations, Library & Recreation Programming, & Medical Supplies
- Delayed Purchase/Replacement of Non-Capital Equipment
- Reductions in Tax Reappraisal Funding, Future Conservation Easements, and Early Childhood Education funding



FY25 Expenditure Reduction Summary

Function	FY25 Amended Total Budget	FY25 Amended Remaining Budget	Reduction
Salaries & Benefits	\$197,803,861	\$94,323,045	\$4,166,542
Operating	\$60,550,820	\$17,722,409	\$5,078,174
Program Support	\$21,728,475	\$7,262,636	\$2,497,962
Capital Outlay	\$5,060,607	\$414,361	-
Transfers & Other Finan	\$10,845,574	\$1,587,103	\$1,000,000
Debt Service	\$21,656,974	\$18,278,520	-
Contingency	\$500,000	\$500,000	-

\$318.1M

\$140.1M

\$12.7M

(9% of remaining budget)

% of Available Fund Balance remaining 9-12%



State Statute

- GS 159-13(b)(9) "Appropriations...may not be reduced after the budget ordinance is adopted...unless a general reduction in county expenditures is required because of prevailing economic conditions."

Before that:

- a) Hold a public meeting at which the school board is given the opportunity to present information on the impact of the reduction.
- b) Take a public vote on the decision to reduce.



Timeline

- 12/17/2024 County Manager Contacted Superintendents
- 12/19/2024 Official Memo submitted to Superintendents that item will be on agenda of January 21st Commission Meeting
- 1/9/2025 Published Agenda for Joint Work Session
- 1/16/2025 Joint Work Session



BOCC Mid-Year Budget Tools



- Decrease Spending
- Decrease Contracted Services



- Cannot raise taxes mid-year (NCGS 159-15)
- Cannot change School Capital Fund Commission Funding (SL 2016-19)
- Cannot change Art. 40/42 School Capital Funding (NCGS 105)



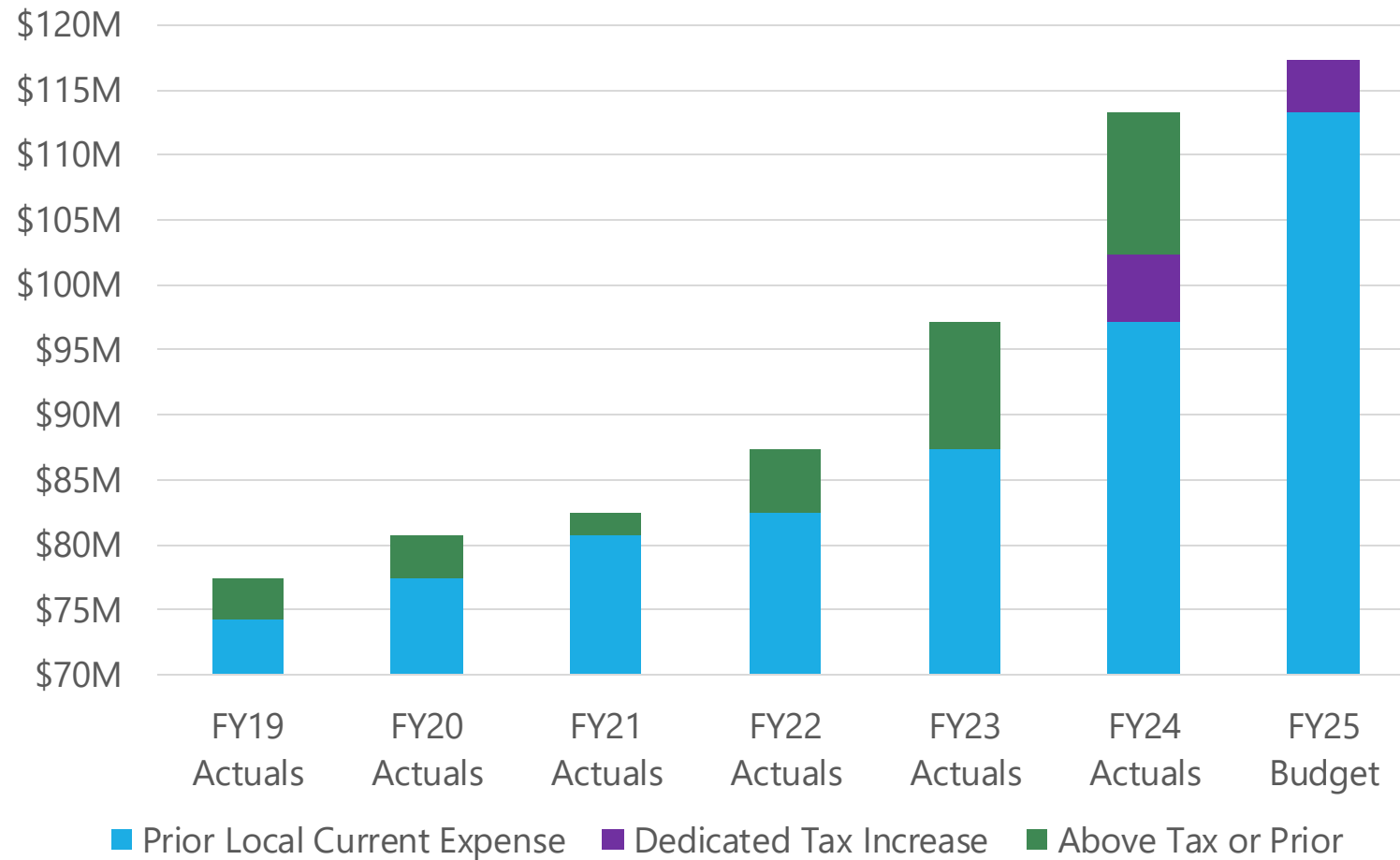
Fund Balance

	Available Fund Balance (\$)	Available Fund Balance (%)	
Ending FY23	\$86,069,168	21.46%*	
Ending FY24	\$70,332,274	16.38%	Actual Use of Fund Balance: \$11,108,384
Projected FY25	\$41M to \$57M	9.5%-13.5%	Based on the projection range of revenues plus the reduction request, equaling \$13.2M-\$28.7M in use of Fund Balance

*A contribution to capital was not made because it failed the two-point test of also being above 20% of Unassigned Fund Balance.



Historical K-12 Operational Funding



FY24 Use of Fund Balance

- Buncombe County used **\$11,108,384**
- Buncombe County Schools returned **\$8,475,796**
- Asheville City Schools returned **\$2,259,915**



FY25 Expenditure Reduction Summary

Function	FY25 Amended Total Budget	Reduction
Salaries & Benefits	\$197,803,861	\$4,166,542
Operating	\$60,550,820	\$5,078,174
Program Support	\$21,728,475	\$2,497,962
Capital Outlay	\$5,060,607	
Transfers & Other	\$10,845,574	\$1,000,000
Debt Service	\$21,656,974	
Contingency	\$500,000	
Education	\$126,475,477	\$4,815,450

\$444.6M

\$17.6M

**% of Available Fund Balance
remaining
10.5%-13.5%**



Request for Action

- Approve budget amendment to reduce local current expense





Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: January 21, 2025

New Business

Department:

Budget

Presenter(s):

John Hudson, Budget Director

Contact(s):

John Hudson, Budget Director

Subject:

Reduction in General Fund Transfers

Brief Summary:

As a result of prevailing economic conditions and the anticipated impact to recurring revenue, a request is being made to reduce General Fund transfers in the amount of \$999,916.

Reductions being made include the Reappraisal Fund (\$325,000) and Special Projects Ordinance for Future Conservation Easements (\$596,342) and Early Childhood Education (\$78,574). Amounts reduced have not been identified for specific allocations in the current fiscal year and the delay of the 2025 property reappraisal evaluation. This will result in reducing the budget for appropriation of fund balance.

Recommended Motion & Requested Action:

Approve budget amendment

County Manager's Comments & Recommendation:

County Manager recommends as presented



ORDINANCE # This proposed Budget Amendment was modified to remove Early Childhood Education.

BUNCOMBE COUNTY, NORTH CAROLINA
Special Projects Ordinance

BOARD MEETING DATE: January 21, 2025

WHEREAS, the Budget Director recommends and the Board now desires to amend the FY2024-2025 Special Projects outlined below in Exhibit "A" to the budget,

NOW THEREFORE,

BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2024-2025 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

ADOPTED this 21st day of January, 2025

Project Name: Future Conservation Easements, Early Childhood Education

Description: This ordinance reduces the Future Conservation Easements project by \$596,342 and the Early Childhood Education project by \$78,574 for a total reduction of \$674,916. These amounts are from FY25 General Fund transfers into the Special Projects Fund that have not been identified for specific allocation. **REVISED** 10:06 am, Jan 22, 2025. These amounts will be transferred back to the General Fund to reduce appropriation of fund balance due to prevailing economic conditions.

Funding Source: Reduction - No new funds required

Exhibit A: Account Description	Increase (Decrease)	
	Revenues	Expenditures
Future Conservation Easements	\$ (596,342)	\$ (596,342)
Early Childhood Education	\$ (78,574)	\$ (78,574)
TOTAL	\$ (674,916)	\$ (674,916)

ATTEST:

**BOARD OF COMMISSIONERS FOR
THE COUNTY OF BUNCOMBE:**

Clerk to the Board

By: _____

Chair of the Board



ORDINANCE # _____

BUNCOMBE COUNTY, NORTH CAROLINA
General Fund

BOARD MEETING DATE: January 21, 2025

WHEREAS, the Budget Director recommends and the Board now desires to amend the FY2024-2025 General Fund as outlined below in Exhibit "A" to the budget,

NOW THEREFORE,

BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2024-2025 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

ADOPTED this 21st day of January, 2025

Requesting Department: Internal Fund Transfers - General Fund
Budget Amendment Item:

Description: This ordinance reduces General Fund Transfers in the amount of \$999,916 as a result of prevailing economic conditions in the aftermath of Hurricane Helene. This amount consists of reductions made to the Reappraisal Fund (\$325,000), Future Conservation Easements (\$596,342) and Basic County Education (\$78,574).

REVISED

10:27 am, Jan 22, 2025

Funding Source: No new funds, reduction of budgeted revenue

Exhibit A: Account Description	Increase (Decrease)	
	Revenues	Expenditures
Appropriated Fund Balance	\$ (999,916)	
Interfund Transfer Expense		\$ (999,916)
TOTAL	\$ (999,916)	\$ (999,916)

ATTEST:

**BOARD OF COMMISSIONERS FOR
THE COUNTY OF BUNCOMBE:**

Clerk to the Board

By: _____
Chair of the Board



ORDINANCE # _____

BUNCOMBE COUNTY, NORTH CAROLINA
General Fund

BOARD MEETING DATE: January 21, 2025

WHEREAS, the Budget Director recommends and the Board now desires to amend the FY2024-2025 General Fund as outlined below in Exhibit "A" to the budget,

NOW THEREFORE,

BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2024-2025 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

ADOPTED this 21st day of January, 2025

Requesting Department: Internal Fund Transfers - General Fund
Budget Amendment Item:

Description: This ordinance reduces General Fund Transfers in the amount of \$921,342 as a result of prevailing economic conditions in the aftermath of Hurricane Helene. This amount consists of reductions made to the Reappraisal Fund (\$325,000) and Future Conservation Easements (\$596,342) .

REVISED

10:36 am, Jan 22, 2025

Funding Source: No new funds, reduction of budgeted revenue

Exhibit A: Account Description	Increase (Decrease)	
	Revenues	Expenditures
Appropriated Fund Balance	\$ (921,342)	
Interfund Transfer Expense		\$ (921,342)
TOTAL	\$ (921,342)	\$ (921,342)

ATTEST:

**BOARD OF COMMISSIONERS FOR
THE COUNTY OF BUNCOMBE:**

Clerk to the Board

By: _____

Chair of the Board



BUNCOMBE COUNTY, NORTH CAROLINA

Reappraisal Reserve Fund

BOARD MEETING DATE: January 21, 2025

WHEREAS, the Budget Director recommends and the Board now desires to amend the FY2024-2025 Reappraisal Reserve Fund as outlined below in Exhibit "A" to the budget,

NOW THEREFORE,

BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2024-2025 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

ADOPTED this 21st day of January, 2025

Requesting Department: Reappraisal Reserve Fund

Budget Amendment Item:

Description: A resolution delaying the 2025 reappraisal deadline was approved at the October 15, 2024 regular meeting. In response to prevailing economic conditions related to Hurricane Helene, this ordinance reduces the General Fund appropriation by \$325,000. Next year's transfer will be the final amount required to conduct the reappraisal before the cycle starts again.

Funding Source: Reduction of Appropriated General Fund Balance

Exhibit A: Account Description	Increase (Decrease)	
	Revenues	Expenditures
Reappraisal Reserve Fund	\$ (325,000)	\$ (325,000)
TOTAL	\$ (325,000)	\$ (325,000)

ATTEST:

Sarah Gross

Clerk to the Board

**BOARD OF COMMISSIONERS FOR
THE COUNTY OF BUNCOMBE:**

By: *Amanda L. Leno*

Chair of the Board



Buncombe County Board of Commissioners

Request for Board Action Meeting: January 21, 2025

New Business

Department: Health & Human Services

Presenter(s): John Hudson

Contact(s): David Sweat, HHS Director; Phillip Hardin, Community Resources Director; E.B. Odderstol, Economic Development Program Analyst

Subject: Helene Recovery Housing Assistance Grant – CDBG Funds

Brief Summary: The City of Asheville has allotted \$624,000 of CDBG funds from the Declared Disaster Recovery (DDRF) Grant to Buncombe County to provide rental assistance to residents of Asheville via the county's Helene Recovery Housing Assistance Grant program, of which \$62,400 can be used for administrative costs of the program.

Recommended Motion & Requested Action:

1. Authorize County Manager to execute Interlocal Agreement with City of Asheville for CDBG-DDRF Funds
2. Approve the Budget Amendment for CDBG-DDRF Funds

County Manager's comments and Recommendations:

The County Manager recommends as presented



BUNCOMBE COUNTY, NORTH CAROLINA

Grant Projects Ordinance

BOARD MEETING DATE: January 21, 2025

WHEREAS, the Budget Director recommends and the Board now desires to amend the FY2024-2025 Grants Projects outlined below in Exhibit "A" to the budget,

NOW THEREFORE,

BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2024-2025 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

ADOPTED this 21st day of January, 2025

Granting Agency:	City of Asheville
Grant Name:	Community Development Block Grant (CDBG) - Declared Disaster Recovery Fund (DDRF) Grant

Description:

The City of Asheville has received supplemental funding from the CDBG Declared Disaster Recovery Fund (DDRF) to provide rental assistance to the residents of Asheville. An interlocal agreement between the City of Asheville and Buncombe County has been initiated to distribute \$624,000 of these funds via the county's Helene Recovery Housing Assistance Grant program. Additionally, ten percent (\$62,400) of this grant will be used for the administration of the program.

Funding Source:	U.S. Department of Housing and Urban Development (HUD)
Award ID:	B-24-MC-37-2001
CFDA Listing:	14.218

Exhibit A: Account Description	Increase (Decrease)	
	Revenues	Expenditures
Grant Revenue	\$ 624,000	
Grant Expenditures		\$ 624,000
TOTAL	\$ 624,000	\$ 624,000

ATTEST:

**BOARD OF COMMISSIONERS FOR
THE COUNTY OF BUNCOMBE:**

Sarah Gross

Clerk to the Board

By: *Amarda Edwards*

Chair of the Board

Household Assistance Helene Relief Program: City of Asheville CDBG Funds Request

Regular Meeting
January 21st, 2025



BUNCOMBE COUNTY



Background and Requested Action

Background

- On November 1st, the Board of Commissioners approved the reallocation of \$1.597M in ARPA funds for Helene Relief Household Assistance Programs
 - \$300K to Grace Covenant, serving 122 households
 - \$1.297M to Buncombe County Economic Services
- BC Economic Services announced an application for Household Assistance grants between 12/5 – 12/18, receiving 5,826 applications
- The City of Asheville requested that Buncombe County accept and manage \$624K in CDBG-DDRF funds

Requested Action

- Authorize County Manager to execute Interlocal Agreement with City of Asheville for CDBG-DDRF Funds
- Approve Budget Amendment for CDBG-DDRF Funds



Interlocal Agreement Details

- CDBG-DDRF = Community Development Block Grant – Declared Disaster Recovery Fund
 - Supplemental Fund available to the City of Asheville as an entitlement community
- Buncombe County and City of Asheville Staff worked on an Interlocal Agreement:
 - If accepted, the CDBG funds would go toward rental assistance for City of Asheville households with incomes at 80% AMI or less
 - Anticipated \$4,500 average award and estimated 124 households served
 - These households will also be eligible for utilities assistance through Buncombe programs
 - Administrative Fee: 10%
 - Grant payment structure: cash advance
 - Reporting: as the participating entitlement community, City of Asheville is responsible for reporting to Department of Housing and Urban Development (HUD)
- Asheville City Council voted on January 14th, 2025, to authorize the City Manager to enter into an interlocal agreement with Buncombe County



Next Steps and Timeline

Next Steps

- If approved and the Agreement is executed, Buncombe County staff will manage City of Asheville CDBG-DDRF funds and provide rental assistance to an estimated 124 households in the City of Asheville

Timeline

- Household Assistance Application Review is underway
- January 22nd, make first request for payment to the City of Asheville
- By February 5th, disburse payments for first round of applications on a rolling basis
 - During this time period, Economic Services staff will continue to process applications and prepare for second request



Requested Action

- Authorize County Manager to execute Interlocal Agreement with City of Asheville for CDBG-DDRF Funds
- Approve Budget Amendment for CDBG-DDRF Funds



Questions?





Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: January 21, 2025

New Business

Department:
Recreation Services

Presenter(s):
John Hudson, Budget Director

Contact(s): Allison Dains, Recreation Services Director
Thomas Gull, Recreation Services Principal Planner
Joseph Guseman, Recreation Services Project Manager

Subject: PARTF Accessible Playground Grant

Brief Summary:

This action is to accept \$500,000 that the NC Department of Natural and Cultural Resources has awarded Buncombe County in NC Parks and Recreation Trust Fund Accessible Parks grant dollars. Awarded funds will be used to replace the existing playground at the Buncombe County Sports Park with a ADA accessible playground while also improving drainage conditions at the site as well. Matching funds have already been budgeted within the Enka Recreation Destination - Phase II project. No additional County funding required.

Recommended Motion & Requested Action:

- 1) Approve budget amendment
- 2) Accept grant award

County Manager's Comments & Recommendation:

County Manager recommends as presented



BUNCOMBE COUNTY, NORTH CAROLINA

Grant Projects Ordinance

BOARD MEETING DATE: January 21, 2025

WHEREAS, the Budget Director recommends and the Board now desires to amend the FY2024-2025 Grants Projects outlined below in Exhibit "A" to the budget,

NOW THEREFORE,

BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That the FY2024-2025 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

ADOPTED this 21st day of January, 2025

Granting Agency:	North Carolina Department of Natural and Cultural Resources
Grant Name:	PARTF Accessible Playground Grant

Description:

This amendment accepts \$500,000 that the NC Department of Natural and Cultural Resources has awarded Buncombe County in NC Parks and Recreation Trust Fund Accessible Parks grant dollars. Awarded funds will be used to replace the existing playground at the Buncombe County Sports Park with a ADA accessible playground while also improving drainage conditions at the site as well. Matching funds have already been budgeted within the Enka Recreation Destination - Phase II project. No additional County funding required.

Funding Source: North Carolina Parks and Recreation Trust Fund (PARTF)
Award ID: 2024-1111

Exhibit A: Account Description	Increase (Decrease)	
	Revenues	Expenditures
PARTF Accessible Playground Grant	\$ 500,000	\$ 500,000
TOTAL	\$ 500,000	\$ 500,000

ATTEST:

Sarah Gross

Clerk to the Board

**BOARD OF COMMISSIONERS FOR
THE COUNTY OF BUNCOMBE:**

By:

Amanda L. Driggs
Chairman of the Board

Enka Recreation Destination Overview & Accessible Parks Grant

January 28, 2025



BUNCOMBE COUNTY



Agenda

- Overview of Enka Recreation Destination Project
 - Components
 - Accomplishments
 - Current Project status
 - Enka Heritage Trail
 - Phase II
- Accessible Parks Grant Award
 - Acceptance of \$500,000 award
 - Approval of budget amendment for award



Enka Recreation Destination

Project Overview

- Focus: “Buncombe County Sports Park, A Premier Sports Park and Family Destination”
- Multi-phased project funded by grants from the State, TDA, and Buncombe County Commissioners

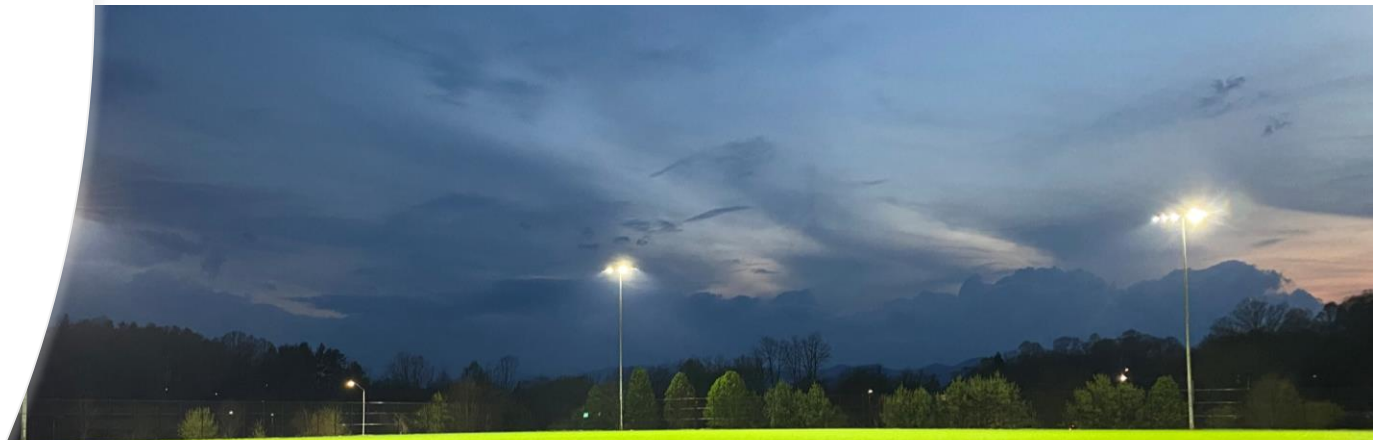
Project Focus

- Site Safety, Ease of Use and Navigation
- Flexibility and Optimum Use of Space
- Sports Engineering; Grading, Drainage & Field Performance
- Plan for Attendees Who are not Players or Spectators



Accomplishments

- Phase I – TDA awarded \$6,750,000
 - 3 turfed and lighted fields
 - 2 new restroom facilities, dog park, community garden, disc golf course, and new pavement
- Phase II – TDA Awarded \$4,054,415
 - RFQ for Planning and Design of turf & lighting in Winter 2024
 - Civil Design Concepts (CDC)



Current Projects

Enka Heritage Trail (EHT)

- **Overview:** 1.5 miles of paved multi-use path
 - Greenway funded through NCDOT (\$4.8 million)
- **Project Status:**
 - NCDOT has suspended all locally administered Division 13 greenway projects.
 - Consultant team has reached 25% design
 - Ready to submit plans for review to NCDOT
 - September 2024 met with representative from Enka Partners to approve proposed alignment through ballpark
 - New condition for easement is to pave parking areas
 - Enka Partners applied for TDA funding – status unknown

Turf & Lighted Fields – Phase II

- **Overview:**
 - Turfing on Fields 3, 4, 5, & 9
 - Lighting on Fields 3, 4, & 5
 - Accessible Walking Path
- **Project Status:** In planning and design
- **Timeline**
 - Design – in progress
 - Spring 2025 completion
 - RFP for construction – Late Spring
 - Review and award
 - Construction – 12-to-18-month process
 - Expected Completion: Spring 2026



Accessible Parks Grant

- Accessible Parks Grant Awarded through the Division of Parks and Recreation and the NC Parks and Recreation Trust Fund
- **Scope of work:** Provide Buncombe County Parks & Recreation's first accessible park playground with a universal design.
 - Accessible playground surface
 - Elements for various abilities
 - Improved drainage
- **Grant Award:** \$500,000
 - Required match is 1:5
 - \$1 local funds per \$5 grant funds
 - Matching funds of \$200,000 currently budgeted in FY25
 - Funds serve as match for TPDF Phase II



Request for Board Action

- Motion to Accept the Accessible Parks Grant award of \$500,000 to build a fully accessible playground at the BCSP
- Motion to approve budget amendment for the \$500,000 grant award





The image is an aerial photograph of a large, undeveloped plot of land, overlaid with a colorful architectural rendering of a proposed sports and recreational facility. The rendering shows a central area with a large green soccer field, surrounded by parking lots and landscaped greenery. To the left, there are two more soccer fields and a colorful, abstract structure. To the right, there is another soccer field and a building. In the bottom left corner, there is a red building with the letters 'HH' and a blue rectangular pool. The entire site is bordered by a road on the left and a residential area on the right. The word 'QUESTIONS?' is written in large, white, bold letters across the center of the image.

QUESTIONS?