

# Board of Commissioners' Agenda

November 15, 2022

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.

\*\*\*The meeting will broadcast via Facebook Live @Buncombegov.\*\*\*

## Call To Order

[▲top](#)

## Discussion / Adjustment / Approval To Follow Agenda

[▲top](#)

## Consent Agenda [▲top](#)

- [Approval of November 1, 2022 Briefing Meeting Minutes](#)
- [Approval of November 1, 2022 Regular Meeting Minutes](#)
- [Resolution Approving Pyrotechnic Experts for Firework Display](#)
  - [Resolution](#)
- [Resolution Approving Addition to State Highway System](#)
  - [Resolution](#)
  - [More Information](#)
- [Memorandum of Understanding between County of Buncombe & The Board of Trustees of A-B Tech for Demolition of Enka Tower Using ¼ Cent Sales Tax Revenues](#)
  - [Memorandum of Understanding](#)
- [Approval of Technical Correction to Drug-Free Workplace Policy](#)
  - [Drug-Free Workplace Policy](#)
- [Approval of Updated Juvenile Crime Prevention Council \(JCPC\) FY 2022-2023 County Funding Plan](#)
  - [Funding Plan](#)
- [Budget Amendment for NC Community Development Block Grant-Coronavirus \(CDBG-CV\) Program Grant Budget Revision](#)

- [Ordinance](#)
- [Budget Amendment for School Health Liaison - Agreement Addendum 361](#)
- [Ordinance](#)

---

Public Comment

▲top

---

Good News

▲top

---

Presentations ▲top

- [Adoption Awareness Month Proclamation](#)
  - [Proclamation](#)
- [Native American Heritage Month Proclamation](#)
  - [Proclamation](#)

---

Public Hearings

▲top

---

County Manager's Report ▲top

- [Asheville Community Reparations Commission Update](#)

---

Old Business

▲top

---

New Business ▲top

- [Budget Amendment to Establish Three New Conservation Easement Projects](#)
  - [Ordinance](#)
  - [Maps](#)
- [Approval of Cross Functional Line - Item Transfers Memo](#)
  - [Memo](#)

- [Budget Amendment for Affordable Housing Services Program Budget Consolidation](#)
    - [Ordinance](#)
- 

**Board Appointments** ▲top

- Homeless Initiative Advisory Committee
    - Jaime Benshoff
  
  - Juvenile Crime Prevention Council
    - Miranda Poe
  
    - Jorge Redmond
  
    - Jeremy Bricker
  
    - Tim Henderson
- 

**Announcements** ▲top

- December 5 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.
  
  - December 5 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.
- 

**Closed Session / Open Session** ▲top

---

**Adjournment** ▲top

**MINUTES OF BUNCOMBE COUNTY BOARD OF COMMISSIONERS'  
REGULAR MEETING OF NOVEMBER 15, 2022 AT 5 P.M.**

---

**BE IT REMEMBERED:** That the Board of Commissioners met in regular session on November 15, 2022, in the Commission Chambers, 200 College Street, Room 326 in downtown Asheville, North Carolina at 5 p.m. where and when the following business was transacted:

The Chairman called the meeting to order with the following members present:

Brownie Newman, Chairman  
Amanda Edwards, Vice Chair  
Robert Pressley, Commissioner  
Parker Sloan, Commissioner  
Terri Wells, Commissioner  
Al Whitesides, Commissioner

Jasmine Beach-Ferrara, Commissioner, was absent from the meeting.

Staff present: Avril Pinder, County Manager; Dakisha Wesley, Assistant County Manager; John Hudson, Budget Director; Jennifer Pike, Tax Collector; Stoney Blevins, Health & Human Services Director; Tim Love, Intergovernmental Relations; Lamar Joyner, Clerk to the Board; Michael Frue, Senior Staff Attorney; Brandon Freeman, Staff Attorney

## **PLEDGE OF ALLEGIANCE**

## **CONSENT AGENDA**

Vice Chair Edwards motioned to approve the Consent Agenda, add a **Proclamation Honoring Commissioner Pressley** before **Public Comment** and the remainder of the agenda. Commissioner Sloan seconded and the motion passed 6-0.

- Approval of November 1, 2022 Briefing Meeting Minutes
- Approval of November 1, 2022 Regular Meeting Minutes
- Resolution Approving Pyrotechnic Experts for Firework Display
  - Resolution
- Resolution Approving Addition to State Highway System
  - Resolution
  - More Information
- Memorandum of Understanding between County of Buncombe & The Board of Trustees of A-B Tech for Demolition of Enka Tower Using ¼ Cent Sales Tax Revenues
  - Memorandum of Understanding
- Approval of Technical Correction to Drug-Free Workplace Policy
  - Drug-Free Workplace Policy
- Approval of Updated Juvenile Crime Prevention Council (JCPC) FY 2022-2023 County Funding Plan
  - Funding Plan
- Budget Amendment for NC Community Development Block Grant-Coronavirus (CDBG-CV) Program Grant Budget Revision
  - Ordinance
- Budget Amendment for School Health Liaison - Agreement Addendum 361
  - Ordinance

### **• Commissioner Robert Pressley Proclamation**

Commissioner Wells read and presented the proclamation. Commissioner Pressley accepted the proclamation and reflected on his service as a commissioner.

## **PUBLIC COMMENT**

Scott Kuhlman, Andy Flavelle, and Lee Barwick expressed their concerns and disapproval for the Pinners Cove (rezoning) new construction project by KLP Pinners EAT, LLC.

Laurie Fisher issued a message on behalf of the sovereign people.

Pat Bryant thanked the Board for the partnership with the Buncombe County School Board.

## **PRESENTATIONS**

### **• Adoption Awareness Month Proclamation**

Vice Chair Edwards read and presented the proclamation. Heather Sellers, Health & Human Services, accepted the proclamation and thanked the Board for the support.

### **• Native American Heritage Month Proclamation**

Commissioner Sloan read and presented the proclamation. Sonja Saunooke, Justice Services, accepted the proclamation and thanked the Board on behalf of the Eastern Band of the Cherokee.

## COUNTY MANAGER'S REPORT

- **Asheville Community Reparations Commission Update**

DK Wesley, Assistant County Manager, and Christine Edwards, Civility Localized, provided a quarterly update on the progress of the Reparations Commission that is a partnership with the City of Asheville and Buncombe County. Project management, project process, timeline, and commission appointments were discussed.

## NEW BUSINESS

- **Budget Amendment to Establish Three New Conservation Easement Projects**

John Hudson, Budget Director, explained the budget amendment.

Commissioner Wells moved to approve the budget amendment as presented. Commissioner Pressley seconded and the motion passed 6-0.

- **Approval of Cross Functional Line - Item Transfers Memo**

John Hudson, Budget Director, explained the transfer memo and no action was needed.

- **Budget Amendment for Affordable Housing Services Program Budget Consolidation**

John Hudson, Budget Director, explained the budget amendment.

Commissioner Wells moved to approve the budget amendment as presented. Vice Chair Edwards seconded and the motion passed 6-0.

## BOARD APPOINTMENTS

Chairman Newman moved to appoint **Jaime Benshoff** to the **Homeless Initiative Advisory Committee**. Vice Chair Edwards seconded and the motion passed 6-0.

Chairman Newman moved to appoint **Miranda Poe**, **Jorge Redmond**, reappoint **Jeremy Bricker** and **Tim Henderson** to the **Juvenile Crime Prevention Council**. Commissioner Whitesides seconded and the motion passed 6-0.

Chairman Newman moved to appoint, by general consensus of receiving the most votes, **Elizabeth Putnam** to the **Tourism Development Authority**.

## ANNOUNCEMENTS

The Chairman made the following announcements:

- *December 5 @ 3 p.m. - Commissioners' Briefing at 200 College Street, Room 326 in downtown Asheville.*
- *December 5 @ 5 p.m. - Commissioners' Regular Meeting at 200 College Street, Room 326 in downtown Asheville.*

Commissioner Whitesides moved to adjourn the meeting. Commissioner Pressley seconded and the motion passed 6-0. The meeting was adjourned at 6:20 p.m.

  
LAMAR JOYNER, CLERK  
BOARD OF COMMISSIONERS

  
BROWNIE NEWMAN, CHAIRMAN  
BOARD OF COMMISSIONERS



## **Buncombe County Board of Commissioners**

### **Request for Board Action**

**Meeting Date: 11/15/2022**

#### **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 Gosnell's Pyrotechnics LLC and Dustin Gosnell to conduct a fireworks display on 12/31/2022 for Biltmore Forest Country Club, 31 Stuyvesant Road, Asheville NC 28803.
- Request from Pyrotecnico and Caleb Webb to conduct a fireworks display on 12/31/2022 at The Inn on Biltmore, 1 Antler Hill Road, Asheville NC 28803.

**Recommended Motion & Requested Action:** Approve resolution.

**County Manager's comments and Recommendation:** County Manager recommends approval.

RESOLUTION #: 22-11-04

**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 Gosnell's Pyrotechnics LLC and Pyrotecnico Fireworks Inc. 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>       |
|-------------|-------------------------------|-------------------|
| Gosnell's   | 31 Stuyvesant Road, Asheville | December 31, 2022 |
| Pyrotecnico | 1 Antler Hill Road, Asheville | December 31, 2022 |

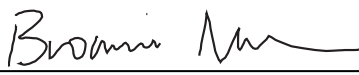
2. The County Fire Marshal has reviewed these requests and found that those listed above are qualified pyrotechnic experts.
3. That pursuant to N.C.G.S. 14-410 and 14-413 the Board has found that the above named individual/company is a qualified pyrotechnic expert for the purpose of conducting fireworks displays.

ADOPTED this the 15<sup>th</sup> day of November, 2022.

**ATTEST**

  
\_\_\_\_\_  
LAMAR JOYNER, CLERK

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

  
\_\_\_\_\_  
BROWNIE NEWMAN, CHAIRMAN

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
COUNTY ATTORNEY



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 11/15/2022**

**Consent Agenda**

**Department:** Legal & Risk

**Presenter(s):** Michael Frue

**Contact(s):** Michael Frue

**Subject:** Resolution Approving Addition to the State Highway System - East Frederick Law  
Olmsted Way

**Brief Summary:** NC Department of Transportation ("DOT") issued a letter to the Buncombe County Board of Commissioners indicating that it had recently received a petition from Biltmore Farms to add East Frederick Law Olmsted Way to the State Highway system. East Frederick Law Olmsted Way serves as the industrial access to Biltmore Park West and currently consists of 0.83 miles of a newly constructed bridge and roadway.

**Recommended Motion & Requested Action:** Approve the resolution.

**County Manager's comments and Recommendation:** Approve as presented.

RESOLUTION #22-11-05

RESOLUTION APPROVING ADDITION TO STATE HIGHWAY SYSTEM

-----

WHEREAS, East Frederick Law Olmsted Way serves as the industrial access to Biltmore Park West and currently consists of 0.83 miles of a newly constructed bridge and roadway;

WHEREAS, this Board has received a letter from the NC Department of Transportation ("DOT") indicating that it had recently received a petition from Biltmore Farms to add this roadway to the State Highway system; and

WHEREAS, this Board supports this request.

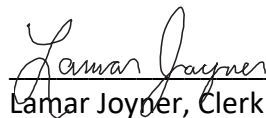
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That this Board hereby approves the request to add this 0.83 mile stretch of East Frederick Law Olmsted Way to the State Highway system.
2. That this resolution shall be effective upon its adoption.

This the 15<sup>th</sup> of November, 2022.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

  
Lamar Joyner, Clerk

By:   
Brownie Newman, Chairman

APPROVED AS TO FORM

  
County Attorney



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

November 7, 2022

Avril Pinder  
Buncombe County Manager  
200 College Street, Suite 300  
Asheville, NC 28801

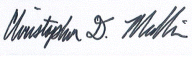
Dear Avril:

East Fredrick Law Olmsted Way serves as the industrial access to Pratt & Whitney in Biltmore Park West in Buncombe County. Biltmore Farms has petitioned to add 0.83 miles of roadway, consisting of a newly constructed bridge and roadway from NC-191 (Brevard Rd.) to the entrance of the Pratt & Whitney site.

Please obtain a resolution for the addition of 0.83 miles of East Fredrick Law Olmstead Way in Buncombe County, if the County Commissioners concur. Please find attached the SR1 Petition for Road Addition Form, plat, and As-Built plans for the road addition. Please email the resolution to me at [cdmedlin@ncdot.gov](mailto:cdmedlin@ncdot.gov).

If I can provide additional information, please contact me at 828-250-3200.

Sincerely,

DocuSigned by:  
  
6D92D71E27C94A3...

Christopher D. Medlin, P.E.  
District Engineer

CDM  
attachments

Date Petition Received by NCDOT: \_\_\_\_\_

**North Carolina Department of Transportation  
Division of Highways  
Petition for Road Addition**

**ROADWAY INFORMATION:** (Please Print/Type)

County: Buncombe Road Name: East Fredrick Law Olmsted Way  
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Biltmore Park West Length (miles): 0.83

Number of occupied homes having street frontage: N/A Located (miles): 0.1

miles N ☐ S ☐ E ☒ W ☐ of the intersection of Route NC191 and Route EFLOW.  
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Biltmore Park West in  
Buncombe County, do hereby request the Division of Highways to add the above described road.

**CONTACT PERSON:** Name and Address of First Petitioner. (Please Print/Type)

Name and Signature: Keith Levi *Keith Levi* Phone Number: 828-550-4420

Street Address: \_\_\_\_\_

Mailing Address: PO Box 5355 Asheville, NC 28813

**PROPERTY OWNERS**

Printed Name and Signature

Mailing Address

Telephone

Biltmore Farms

PO Box 5355

Asheville, NC 28813

828-209-2000

*Keith Levi* Keith Levi

10.28.22

**INSTRUCTIONS FOR COMPLETING PETITION:**

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach two (2) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

**FOR NCDOT USE ONLY:**

Date Petition Received by NCDOT: \_\_\_\_\_

Please check the appropriate block:

☐ Rural Road    ☐ Subdivision platted prior to October 1, 1975    ☐ Subdivision platted after September 30, 1975

**REQUIREMENTS FOR ADDITION**

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

| <u>ROAD NAME</u> | <u>HOMES</u> | <u>LENGTH</u> | <u>ROAD NAME</u> | <u>HOMES</u> | <u>LENGTH</u> |
|------------------|--------------|---------------|------------------|--------------|---------------|
|                  |              |               |                  |              |               |
|                  |              |               |                  |              |               |
|                  |              |               |                  |              |               |
|                  |              |               |                  |              |               |
|                  |              |               |                  |              |               |
|                  |              |               |                  |              |               |
|                  |              |               |                  |              |               |
|                  |              |               |                  |              |               |
|                  |              |               |                  |              |               |

SEE SHEET 3 FOR NOTES

STORMWATER MANAGEMENT RESTRICTIONS AND REQUIREMENTS

1. THIS DEVELOPMENT IS BOUND BY AN APPROVED STORMWATER MANAGEMENT PLAN ON FILE WITH THE BUNCOMBE COUNTY STORMWATER MANAGEMENT PROGRAM. STORMWATER PERMIT #W2021-00002, AND A RECORDED OPERATIONS AND MAINTENANCE AGREEMENT. ANY CHANGES TO LAND COVER, ADDITIONAL DEVELOPMENT OR REDEVELOPMENT THAT WOULD INCREASE STORMWATER RUNOFF WILL REQUIRE SUBMITTAL OF AN AMENDED STORMWATER MANAGEMENT PLAN.

2. THE DEVELOPER ASSUMES SOLE RESPONSIBILITY FOR THE OPERATION AND MAINTENANCE OF STORMWATER MANAGEMENT CONTROL MEASURES ASSOCIATED WITH THIS DEVELOPMENT UNTIL ACCEPTED BY A PROPERTY OWNER'S ASSOCIATION OR LOT OWNER (COLLECTIVELY "OWNER"). BEFORE IMPROVEMENTS ARE ACCEPTED FOR MAINTENANCE BY THE OWNER, THE DEVELOPER SHALL OBTAIN WRITTEN CONSENT FROM THE OWNER THAT ALL COMPONENTS OF THE APPROVED STORMWATER MANAGEMENT PLAN ARE COMPLETE AND FUNCTIONING AS DESIGNED. SUBSEQUENT TO ACCEPTANCE BY THE OWNER, OPERATION AND MAINTENANCE SHALL BE TRANSFERRED WITH TITLE AS EACH PROPERTY IS CONVEYED, UNLESS OTHERWISE PROVIDED FOR AS SET FORTH IN THE DECLARATION (SEE 3).

3. THE MAINTENANCE, REPAIR, AND REPLACEMENT OF THE STORMWATER MANAGEMENT SYSTEM(S) AND THE SHARING OF COSTS THEREOF SHALL BE AS SET FORTH IN THAT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BILTMORE PARK WEST RECORDED IN DEED BOOK 6056, PAGE 1479, BUNCOMBE COUNTY REGISTRY, AND THAT CERTAIN SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BILTMORE PARK WEST (TRACT 1), RECORDED IN DEED BOOK 6057, PAGE 1724, BUNCOMBE COUNTY REGISTRY AS FURTHER AMENDED FROM TIME TO TIME. RAYTHEON TECHNOLOGIES CORPORATION SHALL BEAR NO MAINTENANCE RESPONSIBILITY FOR THE STORM SYSTEM DISCHARGE PIPE UPON THE RAYTHEON PROPERTY AS SHOWN HEREON. MAINTENANCE RELATED TO SAID DISCHARGE AND THE PIPE THEREUPON SHALL BE PERFORMED BY THE DEVELOPER, DECLARANT, OR PROPERTY OWNER'S ASSOCIATION AS SET FORTH IN SAID DECLARATION.

4. ALL DRAINAGE AND STORMWATER EASEMENTS SHOWN ON THIS PLAN ARE CONVEYED AND DEDICATED ON A NON-EXCLUSIVE BASIS TO THE PROPERTY OWNER'S ASSOCIATION AND BUNCOMBE COUNTY FOR ACCESS, MAINTENANCE, AND INSPECTION OF THE STORMWATER MANAGEMENT SYSTEM.

ACCEPTED BY: Lee E. Thompson II September 19, 2022  
OWNER (FOR BILTMORE FARMS, LLC) DATE

ACCEPTED BY: Seema Anita Stone September 19, 2022  
OWNER (FOR RAYTHEON TECHNOLOGIES CORPORATION, A DELAWARE CORPORATION, ACTING BY AND THROUGH ITS PRATT & WHITNEY DIVISION, BY SEEMA ANITA STONE, VICE PRESIDENT & COUNSEL, OPERATIONS) DATE

ACCEPTED BY: Victoria Hayland September 23, 2022  
BUNCOMBE COUNTY STORMWATER ADMINISTRATOR DATE

COUNTY OF BUNCOMBE

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

DATE: September 23, 2022  
REVIEW OFFICER: Courtney Savannah Gibson

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, AND DEDICATE ALL ROAD RIGHTS-OF-WAY (EXCEPT THOSE DESIGNATED AS A PRIVATE ROAD HEREON) AND OTHER SITES AND EASEMENTS TO PUBLIC USE AS NOTED IN THE DISCLOSURE OF PRIVATE ROADWAYS, WHERE APPLICABLE.

September 19, 2022 Lee E. Thompson II  
DATE OWNER(S) BILTMORE FARMS, LLC

CERTIFICATION OF PUBLIC ROADS

I HEREBY CERTIFY THAT I AM THE DEVELOPER AND/OR FINANCIALLY RESPONSIBLE PARTY OF THIS PROPERTY SHOWN AND DESCRIBED HEREON, AND SHALL MAINTAIN THE ROADS WITHIN THIS DEVELOPMENT, AND REPAIR ANY DETERIORATION, DEFECTS OR DEFAULTS, INCLUDING BUT NOT LIMITED TO SUBGRADE, BASE COURSE, OR ASPHALT, UNTIL SAID ROADS ARE DEDICATED TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR ANOTHER RESPONSIBLE PARTY.

September 19, 2022 Lee E. Thompson II  
DATE DEVELOPER/FINANCIALLY RESPONSIBLE PARTY

DEDICATION CERTIFICATE:

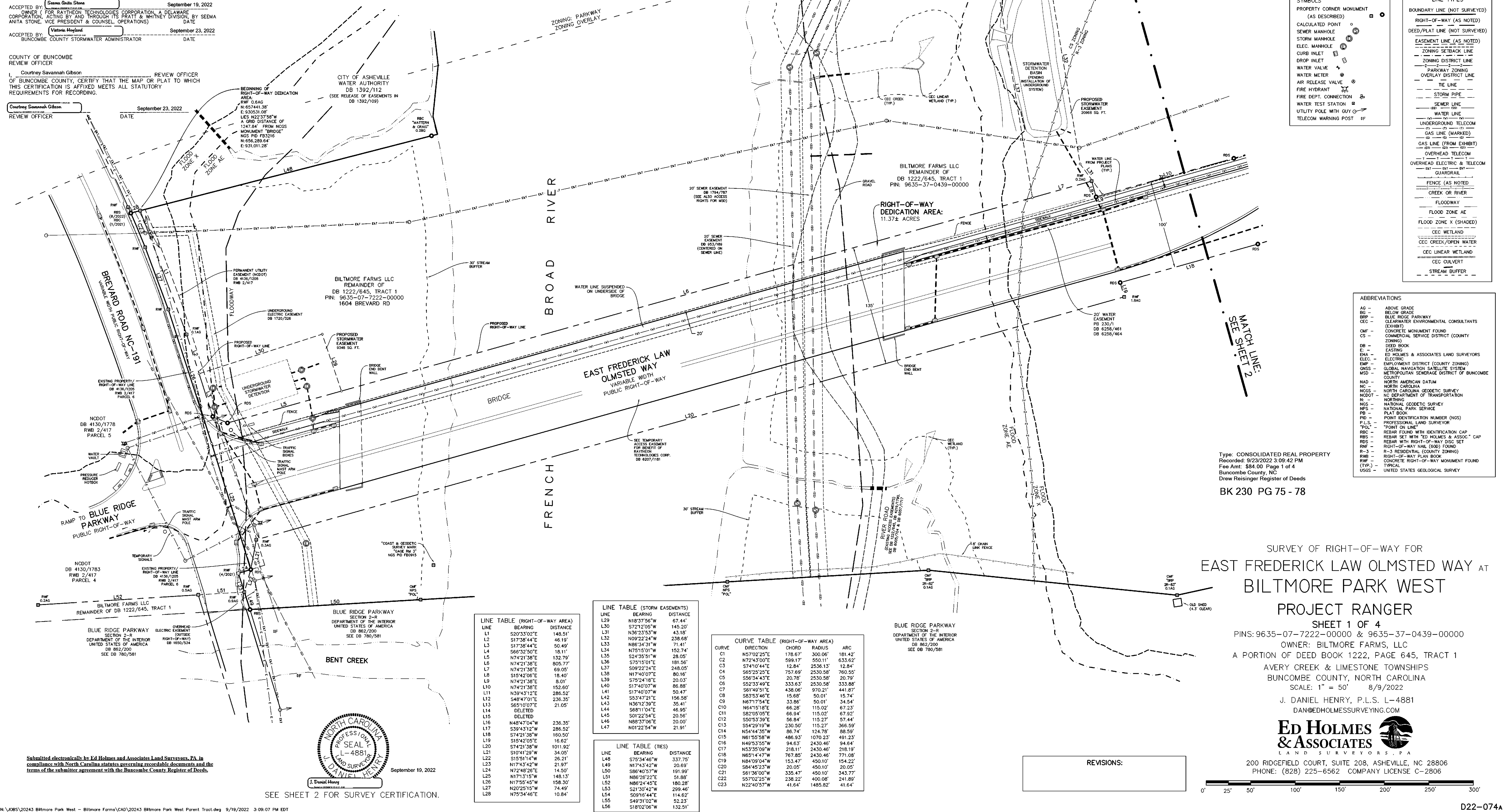
IF THIS ROAD MEETS THE REQUIREMENTS NECESSARY FOR ADDITION, WE AGREE TO GRANT THE DEPARTMENT OF TRANSPORTATION A RIGHT-OF-WAY OF THE NECESSARY WIDTH TO CONSTRUCT THE ROAD TO THE MINIMUM CONSTRUCTION STANDARDS OF THE NCDOT. THIS RIGHT-OF-WAY WILL EXTEND THE ENTIRE LENGTH OF THE ROAD THAT IS REQUESTED TO BE ADDED TO THE STATE MAINTAINED SYSTEM AND WILL INCLUDE THE NECESSARY AREAS OUTSIDE OF THE RIGHT-OF-WAY FOR CUT AND FILL SLOPES AND DRAINAGE. ALSO, WE AGREE TO DEDICATE ADDITIONAL RIGHT-OF-WAY AT INTERSECTIONS FOR SIGHT DISTANCE AND DESIGN PURPOSES AND TO EXECUTE SAID RIGHT-OF-WAY AGREEMENT FORMS THAT WILL BE SUBMITTED TO US BY REPRESENTATIVES OF THE NCDOT. THE RIGHT-OF-WAY SHALL BE CLEARED AT NO EXPENSE TO THE NDOT, WHICH INCLUDES THE REMOVAL OF UTILITIES, FENCES, OTHER OBSTRUCTIONS, ETC.

September 19, 2022 Lee E. Thompson II  
OWNER DATE  
PINS: 9635-07-7222-00000 & 9635-37-0439-00000  
(BILTMORE FARMS, LLC)

COUNTY OF BUNCOMBE

EXEMPT FROM THE BUNCOMBE COUNTY LAND DEVELOPMENT AND SUBDIVISION ORDINANCE  
Planner: Courtney Savannah Gibson September 23, 2022  
DATE

NORTH CAROLINA DEPT. OF TRANSPORTATION:  
(DIVISION OF HIGHWAYS)  
PROPOSED SUBDIVISION ROADS CONSTRUCTION STANDARDS CERTIFICATION:  
APPROVED: Christopher D. Mullin, PE DATE: September 20, 2022  
DISTRICT 2 ENGINEER



**SYMBOLS**

PROPERTY CORNER MONUMENT (AS DESCRIBED)

CALCULATED POINT

SEWER MANHOLE

STORM MANHOLE

ELEC. MANHOLE

CURB INLET

DROP INLET

WATER VALVE

WATER METER

AIR RELEASE VALVE

FIRE HYDRANT

FIRE DEPT. CONNECTION

WATER TEST STATION

UTILITY POLE WITH GUY

TELECOM WARNING POST

**LINE TYPES**

BOUNDARY LINE (NOT SURVEYED)

RIGHT-OF-WAY (AS NOTED)

DEED/PLAT LINE (NOT SURVEYED)

EASEMENT LINE (AS NOTED)

ZONING SETBACK LINE

ZONING DISTRICT LINE

PARKWAY ZONING OVERLAY DISTRICT LINE

TIE LINE

STORM PIPE

SEWER LINE

WATER LINE

UNDERGROUND TELECOM

GAS LINE (MARKED)

GAS LINE (FROM EXHIBIT)

OVERHEAD TELECOM

OVERHEAD ELECTRIC & TELECOM

GUARDRAIL

FENCE (AS NOTED)

CEC HOLEMS & ASSOCIATES LAND SURVEYORS

CREEK OR RIVER

FLOODWAY

FLOOD ZONE AE

FLOOD ZONE X (SHADED)

CEC WETLAND

CEC CREEK/OVEN WATER

CEC LINEAR WETLAND

CEC OULVERT

STREAM BUFFER

**ABBREVIATIONS**

AG - ABOVE GRADE

BRP - BLUE RIDGE PARKWAY

CEC - CLEARWATER ENVIRONMENTAL CONSULTANTS (EXHIBIT)

CMF - CONCRETE MONUMENT FOUND

CS - COUNTY SERVICE DISTRICT (COUNTY ZONING)

DR - DEED BOOK

E - EASTING

EA - ERIE HOLMES & ASSOCIATES LAND SURVEYORS

ELEC. - ELECTRIC

EMP - EMPLOYMENT DISTRICT (COUNTY ZONING)

GNSS - GLOBAL NAVIGATION SATELLITE SYSTEM

MSD - METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY

NAD - NORTH AMERICAN DATUM

NC - NORTH CAROLINA

NGCS - NORTH CAROLINA GEODETIC SURVEY

NDOT - NC DEPARTMENT OF TRANSPORTATION

N - NORTH

NOS - NATIONAL GEODETIC SURVEY

NPS - NATIONAL PARK SERVICE

PB - PLAT BOOK

PID - POINT IDENTIFICATION NUMBER (NOS)

P.L.S. - PROFESSIONAL LAND SURVEYOR

POL - POINT ON LINE

RBC - REBAR FOUND WITH IDENTIFICATION CAP

RBS - REBAR SET WITH "D" HOLES & ASSOC. CAP

RDS - REBAR WITH RIGHT-OF-WAY DISC SET

RWF - RIGHT-OF-WAY HAIL (500) FOUNG

R-3 - R-3 RESIDENTIAL (COUNTY ZONING)

RWB - RIGHT-OF-WAY PLAN BOOK

RWF - CONCRETE RIGHT-OF-WAY MONUMENT FOUND (TYP.)

USGS - UNITED STATES GEOLOGICAL SURVEY

Type: CONSOLIDATED REAL PROPERTY  
Recorded: 9/23/2022 3:09:42 PM  
Fee Amt: \$84.00 Page 1 of 4  
Buncombe County, NC  
Drew Register of Deeds  
BK 230 PG 75 - 78

SURVEY OF RIGHT-OF-WAY FOR  
EAST FREDERICK LAW OLMSTED WAY AT  
BILTMORE PARK WEST  
PROJECT RANGER

SHEET 1 OF 4  
PINS: 9635-07-7222-00000 & 9635-37-0439-00000  
OWNER: BILTMORE FARMS, LLC  
A PORTION OF DEED BOOK 1222, PAGE 645, TRACT 1  
AVERY CREEK & LIMESTONE TOWNSHIPS  
BUNCOMBE COUNTY, NORTH CAROLINA  
SCALE: 1" = 50' 8/9/2022  
J. DANIEL HENRY, P.L.S. L-4881  
DAN@EDHOLMESSURVEYING.COM

**Ed Holmes & Associates**  
LAND SURVEYORS, P.A.

200 RIDGEFIELD COURT, SUITE 208, ASHEVILLE, NC 28806  
PHONE: (828) 225-6562 COMPANY LICENSE C-2806

REVISIONS:

**LINE TABLE (RIGHT-OF-WAY AREA)**

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S20°33'02"E | 148.51'  |
| L2   | S17°38'44"E | 46.19'   |
| L3   | S17°38'44"E | 50.49'   |
| L4   | S66°32'50"E | 18.11'   |
| L5   | N74°21'38"E | 132.79'  |
| L6   | N74°21'38"E | 805.77'  |
| L7   | N74°21'38"E | 69.05'   |
| L8   | S15°42'08"E | 18.40'   |
| L9   | N74°21'38"E | 8.01'    |
| L10  | N74°21'38"E | 152.60'  |
| L11  | N39°43'12"E | 286.52'  |
| L12  | S48°47'01"E | 236.35'  |
| L13  | S65°10'07"E | 21.05'   |
| L14  | DELETED     |          |
| L15  | DELETED     |          |
| L16  | N48°47'04"W | 236.35'  |
| L17  | S39°43'12"E | 286.52'  |
| L18  | S74°21'38"W | 160.50'  |
| L19  | S15°42'05"E | 16.62'   |
| L20  | S74°21'38"W | 101.92'  |
| L21  | S10°41'29"W | 34.05'   |
| L22  | S15°51'14"W | 26.21'   |
| L23  | N17°43'42"W | 21.97'   |
| L24  | N72°48'26"E | 14.50'   |
| L25  | N17°13'15"W | 148.13'  |
| L26  | N17°55'45"W | 158.30'  |
| L27  | N20°29'15"W | 74.49'   |
| L28  | N75°34'46"E | 10.84'   |

**LINE TABLE (STORM EASEMENTS)**

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L29  | N18°37'56"W | 67.44'   |
| L30  | S72°12'05"W | 145.20'  |
| L31  | N36°23'53"W | 43.18'   |
| L32  | N09°22'24"W | 238.68'  |
| L33  | N86°34'31"W | 71.41'   |
| L34  | N75°15'01"W | 152.74'  |
| L35  | S24°35'51"W | 28.05'   |
| L36  | S75°15'01"E | 181.56'  |
| L37  | S09°22'24"E | 248.05'  |
| L38  | N17°40'07"E | 80.16'   |
| L39  | S75°24'18"E | 20.03'   |
| L40  | S17°40'07"W | 86.88'   |
| L41  | S17°40'07"W | 50.47'   |
| L42  | S53°47'21"E | 156.38'  |
| L43  | N36°12'30"E | 35.41'   |
| L44  | S68°11'04"E | 46.95'   |
| L45  | S01°22'54"E | 20.56'   |
| L46  | N85°37'06"E | 20.00'   |
| L47  | N01°22'54"W | 21.91'   |

**CURVE TABLE (RIGHT-OF-WAY AREA)**

| CURVE | DIRECTION   | CHORD   | RADIUS   | ARC     |
|-------|-------------|---------|----------|---------|
| C1    | N57°02'25"E | 176.67' | 300.00'  | 181.42' |
| C2    | N72°43'00"E | 599.17' | 550.11'  | 633.62' |
| C3    | S74°10'44"E | 12.84'  | 2536.13' | 12.84'  |
| C4    | S65°25'25"E | 757.69' | 2530.58' | 760.55' |
| C5    | S56°34'43"E | 20.78'  | 2530.58' | 20.79'  |
| C6    | S52°33'49"E | 333.63' | 2530.58' | 333.88' |
| C7    | S61°49'51"E | 438.06' | 970.21'  | 441.87' |
| C8    | S65°33'46"E | 15.68'  | 50.01'   | 15.74'  |
| C9    | N67°17'54"E | 33.86'  | 50.01'   | 34.54'  |
| C10   | N64°15'18"E | 66.28'  | 115.02'  | 67.23'  |
| C11   | S82°05'05"E | 66.94'  | 115.02'  | 67.32'  |
| C12   | S50°53'39"E | 56.84'  | 115.27'  | 57.44'  |
| C13   | S54°29'19"W | 230.50' | 115.27'  | 368.59' |
| C14   | N54°44'35"W | 86.74'  | 124.78'  | 88.59'  |
| C15   | N61°55'58"W | 486.83' | 1070.23' | 491.23' |
| C16   | N49°53'55"W | 94.63'  | 2430.46' | 94.64'  |
| C17   | N53°35'09"W | 218.11' | 2430.46' | 218.19' |
| C18   | N65°14'47"W | 767.85' | 2430.46' | 771.08' |
| C19   | N84°09'04"W | 153.47' | 450.10'  | 154.22' |
| C20   | S84°45'23"W | 20.05'  | 450.10'  | 20.05'  |
| C21   | S61°36'00"W | 335.47' | 450.10'  | 343.77' |
| C22   | S57°02'25"E | 238.22' | 400.06'  | 241.89' |
| C23   | N22°40'57"W | 41.64'  | 1485.82' | 41.64'  |

**LINE TABLE (TIES)**

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L48  | S75°34'46"W | 337.75'  |
| L49  | N17°43'42"W | 20.69'   |
| L50  | S86°40'57"W | 191.99'  |
| L51  | N86°26'22"E | 51.88'   |
| L52  | N86°24'45"E | 180.28'  |
| L53  | S21°30'42"W | 299.46'  |
| L54  | S08°16'44"E | 114.62'  |
| L55  | S49°31'02"W | 52.23'   |
| L56  | S18°02'06"W | 132.51'  |

SEE SHEET 2 FOR SURVEY CERTIFICATION.



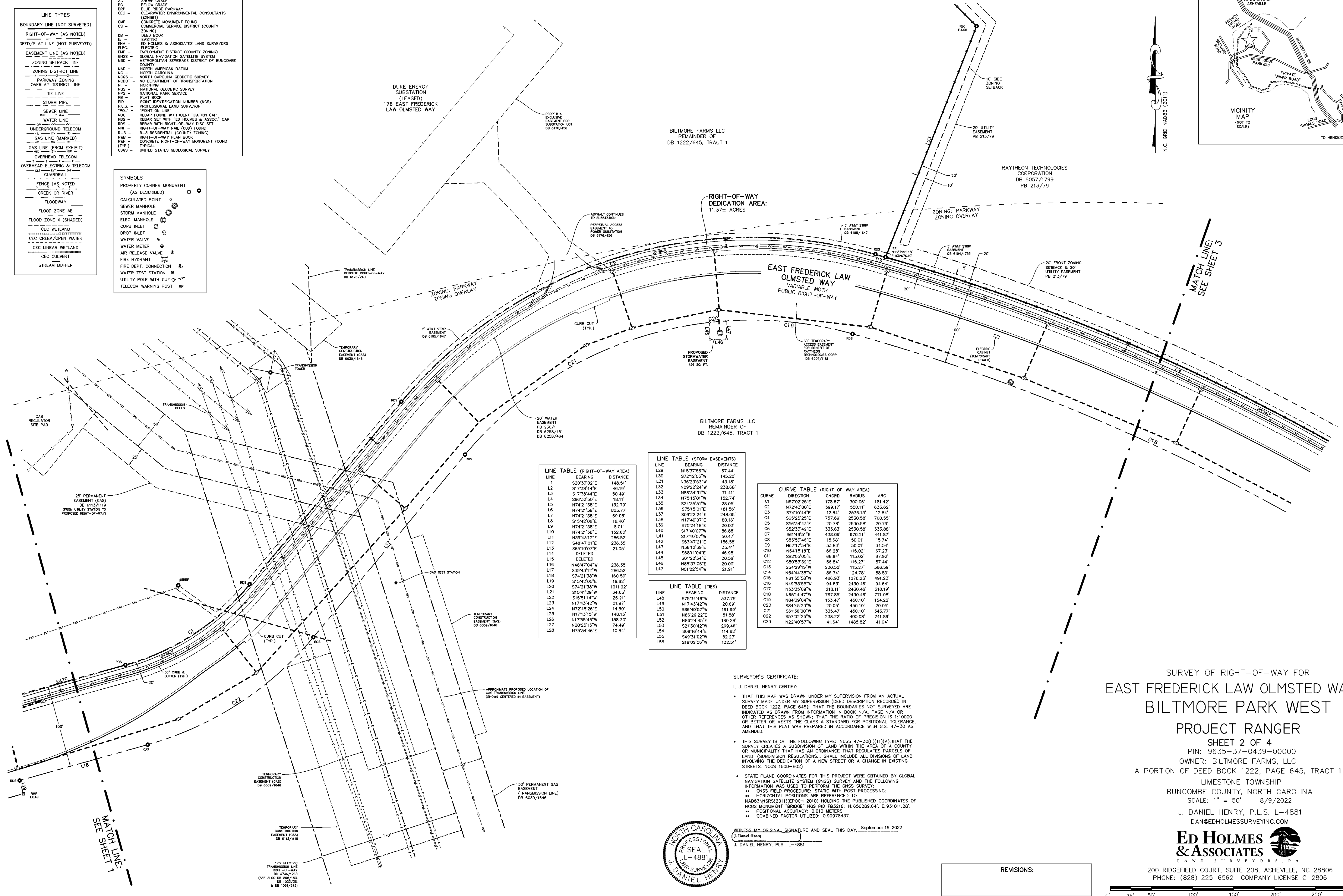
Submitted electronically by Ed Holmes and Associates Land Surveyors, P.A. in compliance with North Carolina statutes governing recording documents and the terms of the submitter agreement with the Buncombe County Register of Deeds.

SEE SHEET 3 FOR NOTES

- LINE TYPES
- BOUNDARY LINE (NOT SURVEYED)
- RIGHT-OF-WAY (AS NOTED)
- DEED/PLAT LINE (NOT SURVEYED)
- EASEMENT LINE (AS NOTED)
- ZONING SETBACK LINE
- ZONING DISTRICT LINE
- PARKWAY ZONING OVERLAY DISTRICT LINE
- TIE LINE
- STORM PIPE
- SEWER LINE
- WATER LINE
- UNDERGROUND TELECOM
- GAS LINE (MARKED)
- GAS LINE (FROM EXHIBIT)
- OVERHEAD TELECOM
- OVERHEAD ELECTRIC & TELECOM
- GUARDRAIL
- FENCE (AS NOTED)
- CREEK OR RIVER
- FLOODWAY
- FLOOD ZONE AE
- FLOOD ZONE X (SHADED)
- CEC WETLAND
- CEC CREEK/OPEN WATER
- CEC LINEAR WETLAND
- CEC OULVERT
- STREAM BUFFER

- ABBREVIATIONS
- AG - ABOVE GRADE
- BBP - BLUE RIDGE PARKWAY
- CEC - CLEARWATER ENVIRONMENTAL CONSULTANTS (CIVIL/ET)
- CMF - CONCRETE MONUMENT FOUND
- CS - COMMERCIAL SERVICE DISTRICT (COUNTY ZONING)
- DB - DEED BOOK
- E - EASTING
- EHA - ED HOLMES & ASSOCIATES LAND SURVEYORS
- ELEC - ELECTRIC
- EMP - EMPLOYMENT DISTRICT (COUNTY ZONING)
- GNSS - GLOBAL NAVIGATION SATELLITE SYSTEM
- MSD - METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY
- NAD - NORTH AMERICAN DATUM
- NC - NORTH CAROLINA
- NCDS - NORTH CAROLINA GEODETIC SURVEY
- NCDDOT - NC DEPARTMENT OF TRANSPORTATION
- N - NORTHING
- NOS - NATIONAL GEODETIC SURVEY
- NPS - NATIONAL PARK SERVICE
- PB - PLAT BOOK
- PID - POINT IDENTIFICATION NUMBER (NOS)
- P.L.S. - PROFESSIONAL LAND SURVEYOR
- P.O.L. - POINT ON LINE
- RBC - REBAR FOUND WITH IDENTIFICATION CAP
- RBS - REBAR SET WITH "ED HOLMES & ASSOC." CAP
- RDS - REBAR WITH RIGHT-OF-WAY DISC SET
- RNF - RIGHT-OF-WAY NAL (600) FOUND
- R-3 - RESIDENTIAL (COUNTY ZONING)
- RWB - RIGHT-OF-WAY PLAN BOOK
- RWF - CONCRETE RIGHT-OF-WAY MONUMENT FOUND (TYP.)
- USGS - UNITED STATES GEOLOGICAL SURVEY

- SYMBOLS
- PROPERTY CORNER MONUMENT (AS DESCRIBED)
- CALCULATED POINT
- SEWER MANHOLE
- STORM MANHOLE
- ELEC. MANHOLE
- CURB INLET
- DROP INLET
- WATER VALVE
- WATER METER
- AIR RELEASE VALVE
- FIRE HYDRANT
- FIRE DEPT. CONNECTION
- WATER TEST STATION
- UTILITY POLE WITH CURB
- TELECOM WARNING POST



LINE TABLE (RIGHT-OF-WAY AREA)

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S20°33'02"E | 148.51'  |
| L2   | S17°38'44"E | 46.19'   |
| L3   | S17°38'44"E | 50.49'   |
| L4   | S68°32'50"E | 18.11'   |
| L5   | N74°21'38"E | 132.79'  |
| L6   | N74°21'38"E | 805.77'  |
| L7   | N74°21'38"E | 69.05'   |
| L8   | S15°42'06"E | 18.40'   |
| L9   | N74°21'38"E | 8.01'    |
| L10  | N74°21'38"E | 152.60'  |
| L11  | N39°43'12"E | 286.52'  |
| L12  | S48°47'01"E | 236.35'  |
| L13  | S65°10'07"E | 21.05'   |
| L14  | DELETED     |          |
| L15  | DELETED     |          |
| L16  | N48°47'04"W | 236.35'  |
| L17  | S30°43'12"W | 286.52'  |
| L18  | S74°21'38"W | 160.50'  |
| L19  | S15°42'05"E | 16.62'   |
| L20  | S74°21'38"W | 1011.92' |
| L21  | S10°41'29"W | 34.05'   |
| L22  | S15°51'14"W | 26.21'   |
| L23  | N17°43'42"W | 21.97'   |
| L24  | N72°48'26"E | 14.50'   |
| L25  | N17°13'15"W | 148.13'  |
| L26  | N17°55'45"W | 158.30'  |
| L27  | N20°25'15"W | 74.49'   |
| L28  | N75°34'46"E | 10.84'   |

LINE TABLE (STORM EASEMENTS)

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L29  | N18°37'56"W | 67.44'   |
| L30  | S72°12'05"W | 145.20'  |
| L31  | N36°23'53"W | 43.18'   |
| L32  | N09°22'24"W | 238.68'  |
| L33  | N86°34'31"W | 71.41'   |
| L34  | N75°15'01"W | 152.74'  |
| L35  | S24°35'51"W | 28.05'   |
| L36  | S75°15'01"E | 181.56'  |
| L37  | S09°22'24"E | 248.05'  |
| L38  | N17°40'07"E | 80.16'   |
| L39  | S75°24'18"E | 20.03'   |
| L40  | S17°40'07"W | 86.88'   |
| L41  | S17°40'07"W | 50.47'   |
| L42  | S53°47'21"E | 156.58'  |
| L43  | N39°12'39"E | 35.41'   |
| L44  | S68°11'04"E | 46.95'   |
| L45  | S01°22'54"E | 20.58'   |
| L46  | N85°37'06"E | 20.00'   |
| L47  | N01°22'54"W | 21.91'   |

LINE TABLE (TIES)

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L48  | S75°34'46"W | 337.75'  |
| L49  | N17°43'42"W | 20.69'   |
| L50  | S86°40'57"W | 191.99'  |
| L51  | N86°26'22"E | 51.88'   |
| L52  | N86°24'45"E | 180.28'  |
| L53  | S21°30'42"W | 299.46'  |
| L54  | S09°16'44"E | 114.62'  |
| L55  | S49°31'02"W | 52.23'   |
| L56  | S18°02'06"W | 132.51'  |

CURVE TABLE (RIGHT-OF-WAY AREA)

| CURVE | DIRECTION   | CHORD   | RADIUS   | ARC     |
|-------|-------------|---------|----------|---------|
| C1    | N67°02'25"E | 178.67' | 300.06'  | 181.42' |
| C2    | N72°43'00"E | 599.17' | 550.11'  | 633.62' |
| C3    | S74°10'44"E | 12.84'  | 2536.13' | 12.84'  |
| C4    | S65°23'25"E | 757.69' | 2530.58' | 760.55' |
| C5    | S86°34'43"E | 20.78'  | 2530.58' | 20.79'  |
| C6    | S52°33'49"E | 333.63' | 2530.58' | 333.88' |
| C7    | S61°49'51"E | 438.06' | 970.21'  | 441.87' |
| C8    | S83°33'46"E | 15.68'  | 50.01'   | 15.74'  |
| C9    | N67°17'54"E | 33.86'  | 50.01'   | 34.54'  |
| C10   | N64°10'18"E | 68.28'  | 115.02'  | 67.23'  |
| C11   | S82°05'05"E | 66.94'  | 115.02'  | 67.92'  |
| C12   | S50°53'30"E | 56.84'  | 115.27'  | 57.44'  |
| C13   | S54°29'19"W | 230.50' | 115.27'  | 366.59' |
| C14   | N54°44'35"W | 86.74'  | 124.78'  | 88.59'  |
| C15   | N61°55'58"W | 486.93' | 1070.23' | 491.23' |
| C16   | N49°53'55"W | 94.63'  | 2430.46' | 94.64'  |
| C17   | N53°38'09"W | 218.11' | 2430.46' | 218.19' |
| C18   | N65°14'49"W | 767.85' | 2430.46' | 771.08' |
| C19   | N84°09'04"W | 153.47' | 450.10'  | 154.22' |
| C20   | S84°45'23"W | 20.05'  | 450.10'  | 20.05'  |
| C21   | S61°36'00"W | 335.47' | 450.10'  | 343.77' |
| C22   | S57°02'20"W | 238.22' | 400.08'  | 241.89' |
| C23   | N22°40'57"W | 41.64'  | 1485.82' | 41.64'  |

SURVEYOR'S CERTIFICATE:

I, J. DANIEL HENRY CERTIFY:

- THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 1222, PAGE 645); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK N/A, PAGE N/A OR OTHER REFERENCES AS SHOWN; THAT THE RATIO OF PRECISION IS 1:10000 OR BETTER OR MEETS THE CLASS A STANDARD FOR POSITIONAL TOLERANCE, AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
- THIS SURVEY IS OF THE FOLLOWING TYPE: NCDS 47-30(f)(11)(A) THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND. (SUBDIVISION REGULATIONS... SHALL INCLUDE ALL DIVISIONS OF LAND INVOLVING THE DEDICATION OF A NEW STREET OR A CHANGE IN EXISTING STREETS. NCDS 1600-802)
- STATE PLANE COORDINATES FOR THIS PROJECT WERE OBTAINED BY GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) SURVEY AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GNSS SURVEY:
  - GNSS FIELD PROCEDURE: STATIC WITH POST PROCESSING;
  - HORIZONTAL POSITIONS ARE REFERENCED TO NAD83 WGS82 (2011 EPOCH 2010) HOLDING THE PUBLISHED COORDINATES OF NCDS MONUMENT "BRIDGE" NGS PID FB3216: N: 656289.64', E: 931011.28'.
  - POSITIONAL ACCURACY: 0.010 METERS
  - COMBINED FACTOR UTILIZED: 0.99978437.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS DAY, September 19, 2022

J. Daniel Henry

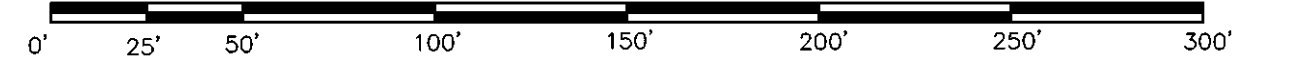
J. DANIEL HENRY, PLS L-4881

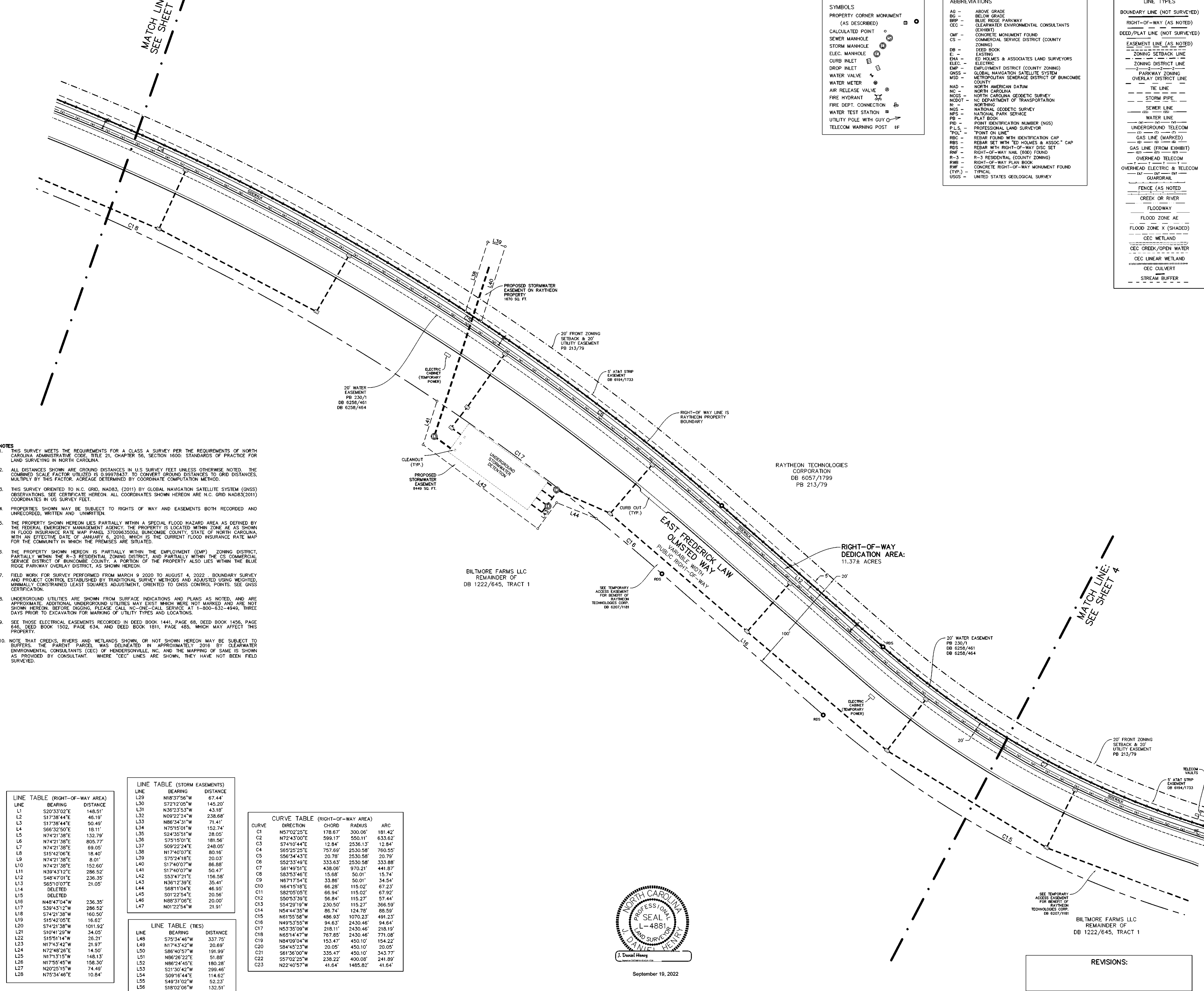


SURVEY OF RIGHT-OF-WAY FOR  
EAST FREDERICK LAW OLNSTED WAY AT  
BILTMORE PARK WEST  
PROJECT RANGER  
SHEET 2 OF 4  
PIN: 9635-37-0439-00000  
OWNER: BILTMORE FARMS, LLC  
A PORTION OF DEED BOOK 1222, PAGE 645, TRACT 1  
LIMESTONE TOWNSHIP  
BUNCOMBE COUNTY, NORTH CAROLINA  
SCALE: 1" = 50' 8/9/2022  
J. DANIEL HENRY, P.L.S. L-4881  
DAN@EDHOLMESSURVEYING.COM  
Ed Holmes & Associates  
LAND SURVEYORS, P.A.  
200 RIDGEFIELD COURT, SUITE 208, ASHEVILLE, NC 28806  
PHONE: (828) 225-6562 COMPANY LICENSE C-2806

REVISIONS:

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
|-----|-------------|------|





**NOTES**

1. THIS SURVEY MEETS THE REQUIREMENTS FOR A CLASS A SURVEY PER THE REQUIREMENTS OF NORTH CAROLINA ADMINISTRATIVE CODE, TITLE 21, CHAPTER 56, SECTION 1600: STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA.

2. ALL DISTANCES SHOWN ARE GROUND DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED. THE COMBINED SCALE FACTOR UTILIZED IS 0.99978437 TO CONVERT GROUND DISTANCES TO GRID DISTANCES, MULTIPLY BY THIS FACTOR. ACREAGE DETERMINED BY COORDINATE COMPUTATION METHOD.

3. THIS SURVEY ORIENTED TO N.C. GRID, NAD83, (2011) BY GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) OBSERVATIONS. SEE CERTIFICATE HEREON. ALL COORDINATES SHOWN HEREON ARE N.C. GRID NAD83(2011) COORDINATES IN US SURVEY FEET.

4. PROPERTIES SHOWN MAY BE SUBJECT TO RIGHTS OF WAY AND EASEMENTS BOTH RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN.

5. THE PROPERTY SHOWN HEREON LIES PARTIALLY WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE PROPERTY IS LOCATED WITHIN ZONE AE AS SHOWN IN FLOOD INSURANCE RATE MAP PANEL 370209635000, BUNCOMBE COUNTY, STATE OF NORTH CAROLINA, WITH AN EFFECTIVE DATE OF JANUARY 6, 2010, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH THE PREMISES ARE SITUATED.

6. THE PROPERTY SHOWN HEREON IS PARTIALLY WITHIN THE EMPLOYMENT (EMP) ZONING DISTRICT, PARTIALLY WITHIN THE R-3 RESIDENTIAL ZONING DISTRICT, AND PARTIALLY WITHIN THE CS COMMERCIAL SERVICE DISTRICT OF BUNCOMBE COUNTY. A PORTION OF THE PROPERTY ALSO LIES WITHIN THE BLUE RIDGE PARKWAY OVERLAY DISTRICT, AS SHOWN HEREON.

7. FIELD WORK FOR SURVEY PERFORMED FROM MARCH 9, 2020 TO AUGUST 4, 2022. BOUNDARY SURVEY AND PROJECT CONTROL ESTABLISHED BY TRADITIONAL SURVEY METHODS AND ADJUSTED USING WEIGHTED MINIMALLY CONSTRAINED LEAST SQUARES ADJUSTMENT, ORIENTED TO GNSS CONTROL POINTS. SEE GNSS CERTIFICATION.

8. UNDERGROUND UTILITIES ARE SHOWN FROM SURFACE INDICATIONS AND PLANS AS NOTED, AND ARE APPROXIMATE. ADDITIONAL UNDERGROUND UTILITIES MAY EXIST WHICH WERE NOT MARKED AND ARE NOT SHOWN HEREON. BEFORE DIGGING, PLEASE CALL NC ONE-CALL SERVICE AT 1-800-632-4949, THREE DAYS PRIOR TO EXCAVATION FOR MARKING OF UTILITY TYPES AND LOCATIONS.

9. SEE THOSE ELECTRICAL EASEMENTS RECORDED IN DEED BOOK 1441, PAGE 68, DEED BOOK 1456, PAGE 648, DEED BOOK 1502, PAGE 634, AND DEED BOOK 1811, PAGE 485, WHICH MAY AFFECT THIS PROPERTY.

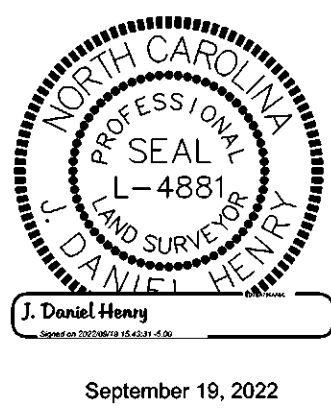
10. NOTE THAT CREEKS, RIVERS AND WETLANDS SHOWN, OR NOT SHOWN HEREON MAY BE SUBJECT TO BUFFERS. THE PARENT PARCEL WAS DELINEATED IN APPROXIMATELY 2016 BY CLEARWATER ENVIRONMENTAL CONSULTANTS (CEC) OF HENDERSONVILLE, NC, AND THE MAPPING OF SAME IS SHOWN AS PROVIDED BY CONSULTANT. WHERE "CEC" LINES ARE SHOWN, THEY HAVE NOT BEEN FIELD SURVEYED.

| LINE TABLE (RIGHT-OF-WAY AREA) |             |          |
|--------------------------------|-------------|----------|
| LINE                           | BEARING     | DISTANCE |
| L1                             | S20°32'02"E | 148.51'  |
| L2                             | S17°38'44"E | 46.15'   |
| L3                             | S17°38'44"E | 50.49'   |
| L4                             | S66°32'50"E | 18.11'   |
| L5                             | N74°21'38"E | 132.79'  |
| L6                             | N74°21'38"E | 805.77'  |
| L7                             | N74°21'38"E | 69.05'   |
| L8                             | S15°42'08"E | 18.40'   |
| L9                             | N74°21'38"E | 8.01'    |
| L10                            | N74°21'38"E | 152.60'  |
| L11                            | N39°43'12"E | 286.52'  |
| L12                            | S48°47'01"E | 236.35'  |
| L13                            | S65°10'07"E | 21.05'   |
| L14                            | DELETED     |          |
| L15                            | DELETED     |          |
| L16                            | N48°47'04"W | 236.35'  |
| L17                            | S39°43'12"W | 286.52'  |
| L18                            | S74°21'38"W | 160.50'  |
| L19                            | S15°42'08"W | 16.60'   |
| L20                            | S74°21'38"W | 1011.92' |
| L21                            | S10°41'29"W | 34.05'   |
| L22                            | S15°51'14"W | 25.21'   |
| L23                            | N17°43'42"W | 21.97'   |
| L24                            | N72°48'26"E | 14.50'   |
| L25                            | N17°13'15"W | 148.13'  |
| L26                            | N17°50'45"W | 156.30'  |
| L27                            | N20°25'15"W | 74.49'   |
| L28                            | N75°34'46"E | 10.84'   |

| LINE TABLE (STORM EASEMENTS) |             |          |
|------------------------------|-------------|----------|
| LINE                         | BEARING     | DISTANCE |
| L29                          | N18°37'56"W | 67.44'   |
| L30                          | S72°12'05"W | 145.20'  |
| L31                          | N38°23'53"W | 43.18'   |
| L32                          | N09°22'24"W | 238.68'  |
| L33                          | N86°34'31"W | 71.41'   |
| L34                          | N75°15'01"W | 152.74'  |
| L35                          | S24°35'51"W | 28.05'   |
| L36                          | S75°15'01"E | 181.56'  |
| L37                          | S09°22'24"E | 248.05'  |
| L38                          | N17°40'07"E | 80.16'   |
| L39                          | S75°24'18"E | 20.03'   |
| L40                          | S17°40'07"W | 86.88'   |
| L41                          | S17°40'07"W | 50.47'   |
| L42                          | S53°47'21"E | 156.58'  |
| L43                          | N36°12'39"E | 35.41'   |
| L44                          | S68°11'04"E | 46.95'   |
| L45                          | S01°22'54"E | 20.56'   |
| L46                          | N88°37'08"E | 20.00'   |
| L47                          | N01°22'54"W | 21.91'   |

| CURVE TABLE (RIGHT-OF-WAY AREA) |             |         |          |         |
|---------------------------------|-------------|---------|----------|---------|
| CURVE                           | DIRECTION   | CHORD   | RADIUS   | ARC     |
| C1                              | N57°02'25"E | 178.67' | 300.06'  | 181.42' |
| C2                              | N72°43'00"E | 599.17' | 550.11'  | 633.62' |
| C3                              | S74°10'44"E | 12.84'  | 2536.13' | 12.84'  |
| C4                              | S65°25'25"E | 757.69' | 2530.58' | 760.55' |
| C5                              | S56°34'43"E | 20.78'  | 2530.58' | 20.79'  |
| C6                              | S52°33'49"E | 333.63' | 2530.58' | 333.88' |
| C7                              | S61°49'51"E | 438.06' | 970.21'  | 441.93' |
| C8                              | S83°53'46"E | 15.68'  | 50.01'   | 15.74'  |
| C9                              | N67°17'54"E | 33.88'  | 50.01'   | 34.54'  |
| C10                             | N64°15'16"E | 66.28'  | 115.02'  | 67.23'  |
| C11                             | S82°05'05"E | 66.94'  | 115.02'  | 67.92'  |
| C12                             | S50°53'39"E | 56.84'  | 115.27'  | 57.44'  |
| C13                             | S54°29'19"W | 230.50' | 115.27'  | 366.59' |
| C14                             | N54°44'35"W | 86.74'  | 124.78'  | 88.59'  |
| C15                             | N61°55'58"W | 486.93' | 1070.23' | 491.23' |
| C16                             | N49°53'55"W | 94.63'  | 2430.46' | 94.64'  |
| C17                             | N53°35'09"W | 218.11' | 2430.46' | 218.19' |
| C18                             | N65°14'47"W | 767.85' | 2430.46' | 771.08' |
| C19                             | N84°09'04"W | 153.47' | 450.10'  | 154.22' |
| C20                             | S84°45'33"W | 20.05'  | 450.10'  | 20.05'  |
| C21                             | N61°36'00"W | 335.47' | 450.10'  | 343.77' |
| C22                             | S57°02'25"W | 238.22' | 400.08'  | 241.89' |
| C23                             | N22°40'57"W | 41.64'  | 1485.82' | 41.64'  |

| LINE TABLE (TIES) |             |          |
|-------------------|-------------|----------|
| LINE              | BEARING     | DISTANCE |
| L48               | S75°34'46"W | 337.75'  |
| L49               | N17°43'42"W | 20.69'   |
| L50               | S86°40'57"W | 191.99'  |
| L51               | N86°26'22"E | 51.88'   |
| L52               | N86°26'45"E | 180.28'  |
| L53               | S21°30'42"W | 299.46'  |
| L54               | S09°16'44"E | 114.62'  |
| L55               | S49°31'02"W | 52.23'   |
| L56               | S18°02'06"W | 132.51'  |



SURVEY OF RIGHT-OF-WAY FOR  
EAST FREDERICK LAW OLMSTED WAY AT  
BILTMORE PARK WEST

PROJECT RANGER  
SHEET 3 OF 4  
PIN: 9635-37-0439-00000  
OWNER: BILTMORE FARMS, LLC  
A PORTION OF DEED BOOK 1222, PAGE 645, TRACT 1  
PIN: 9635-38-4624-00000  
OWNER (STORM EASEMENT): RAYTHEON TECHNOLOGIES CORPORATION  
DEED BOOK 6057, PAGE 1799  
PLAT BOOK 213, PAGE 79  
LIMESTONE TOWNSHIP  
BUNCOMBE COUNTY, NORTH CAROLINA  
SCALE: 1" = 50' 8/9/2022  
J. DANIEL HENRY, P.L.S. L-4881  
DAN@EDHOLMESSURVEYING.COM

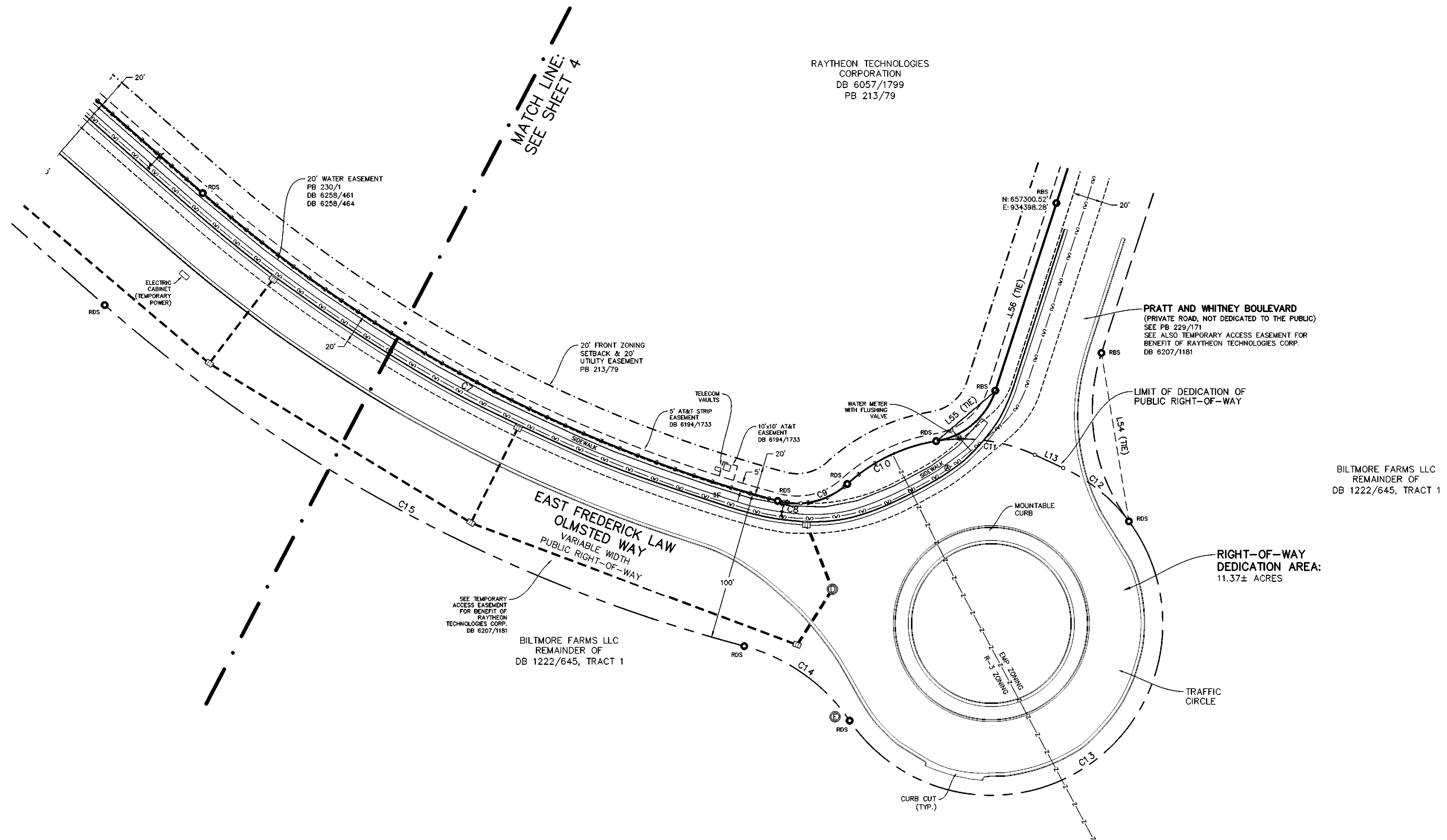
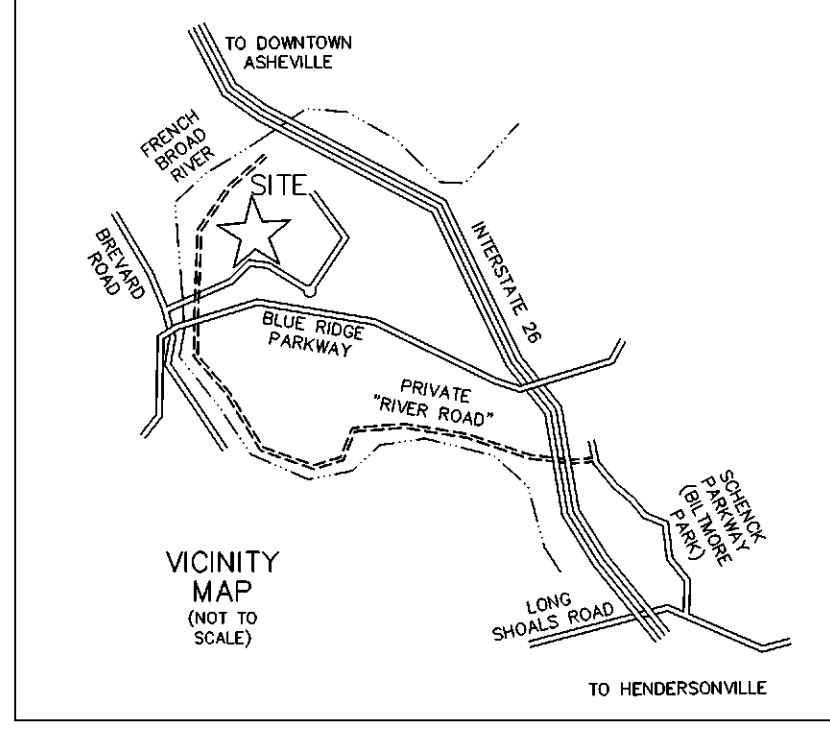
**Ed HOLMES & Associates**  
LAND SURVEYORS, P.A.  
200 RIDGEFIELD COURT, SUITE 208, ASHEVILLE, NC 28806  
PHONE: (828) 225-6562 COMPANY LICENSE C-2806

SEE SHEET 3 FOR NOTES

| LINE TYPES                    |  |  |
|-------------------------------|--|--|
| BOUNDARY LINE (NOT SURVEYED)  |  |  |
| RIGHT-OF-WAY (AS NOTED)       |  |  |
| DEED/PLAT LINE (NOT SURVEYED) |  |  |
| EASEMENT LINE (AS NOTED)      |  |  |
| ZONING SETBACK LINE           |  |  |
| ZONING DISTRICT LINE          |  |  |
| PARKWAY ZONING                |  |  |
| OVERLAY DISTRICT LINE         |  |  |
| TIE LINE                      |  |  |
| STORM PIPE                    |  |  |
| SEWER PIPE                    |  |  |
| WATER LINE                    |  |  |
| UNDERGROUND TELECOM           |  |  |
| GAS LINE (MARKED)             |  |  |
| GAS LINE (FROM EXHIBIT)       |  |  |
| OVERHEAD TELECOM              |  |  |
| OVERHEAD ELECTRIC & TELECOM   |  |  |
| GUARDRAIL                     |  |  |
| FENCE (AS NOTED)              |  |  |
| CREEK OR RIVER                |  |  |
| FLOODWAY                      |  |  |
| FLOOD ZONE AE                 |  |  |
| FLOOD ZONE X (SHADED)         |  |  |
| CEC WETLAND                   |  |  |
| CEC CREEK/OPEN WATER          |  |  |
| CEC LINEAR WETLAND            |  |  |
| CEC CULVERT                   |  |  |
| STREAM BUFFER                 |  |  |

| ABBREVIATIONS |                                                   |
|---------------|---------------------------------------------------|
| AG            | ABOVE GRADE                                       |
| BC            | BELOW GRADE                                       |
| BP            | BLUE RIDGE PARKWAY                                |
| CEC           | CLEARWATER ENVIRONMENTAL CONSULTANTS              |
| CMF           | CONCRETE MONUMENT FOUND                           |
| CS            | COMMERCIAL SERVICE DISTRICT (COUNTY ZONING)       |
| DB            | DEED BOOK                                         |
| E             | EASTING                                           |
| EHA           | ED HOLMES & ASSOCIATES LAND SURVEYORS             |
| ELEC.         | ELECTRIC                                          |
| EMP           | EMPLOYMENT DISTRICT (COUNTY ZONING)               |
| GNSS          | GLOBAL NAVIGATION SATELLITE SYSTEM                |
| MSD           | METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY |
| NAD           | NORTH AMERICAN DATUM                              |
| NC            | NORTH CAROLINA                                    |
| NDS           | NORTH CAROLINA GEODETIC SURVEY                    |
| NDDOT         | NC DEPARTMENT OF TRANSPORTATION                   |
| N             | NORTHING                                          |
| NDS           | NATIONAL GEODETIC SURVEY                          |
| NPS           | NATIONAL PARK SERVICE                             |
| PL            | PLAT BOOK                                         |
| PID           | POINT IDENTIFICATION NUMBER (NCS)                 |
| P.L.S.        | PROFESSIONAL LAND SURVEYOR                        |
| "POL"         | "POINT ON LINE"                                   |
| RBC           | REBAR FOUND WITH IDENTIFICATION CAP               |
| RBS           | REBAR SET WITH "ED HOLMES & ASSOC." CAP           |
| RFS           | REBAR WITH RIGHT-OF-WAY DISC SET                  |
| RNF           | RIGHT-OF-WAY NAIL (600) FOUND                     |
| R-3           | R-3 RESIDENTIAL (COUNTY ZONING)                   |
| RMB           | RIGHT-OF-WAY PLAT BOOK                            |
| RWE           | CONCRETE RIGHT-OF-WAY MONUMENT FOUND (TYP.)       |
| USGS          | UNITED STATES GEOLOGICAL SURVEY                   |

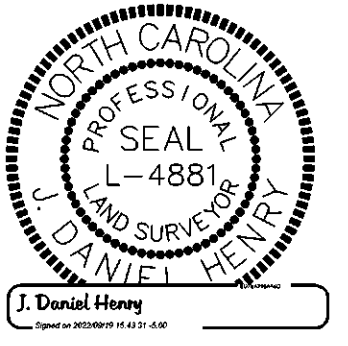
| SYMBOLS                                 |                       |
|-----------------------------------------|-----------------------|
| PROPERTY CORNER MONUMENT (AS DESCRIBED) |                       |
| ○                                       | CALCULATED POINT      |
| ⊗                                       | SEWER MANHOLE         |
| ⊕                                       | STORM MANHOLE         |
| ⊖                                       | ELEC. MANHOLE         |
| ⊙                                       | CURB INLET            |
| ⊘                                       | DROP INLET            |
| ⊚                                       | WATER VALVE           |
| ⊛                                       | WATER METER           |
| ⊜                                       | AIR RELEASE VALVE     |
| ⊝                                       | FIRE HYDRANT          |
| ⊞                                       | FIRE DEPT. CONNECTION |
| ⊟                                       | WATER TEST STATION    |
| ⊠                                       | UTILITY POLE WITH GUY |
| ⊡                                       | TELECOM WARNING POST  |



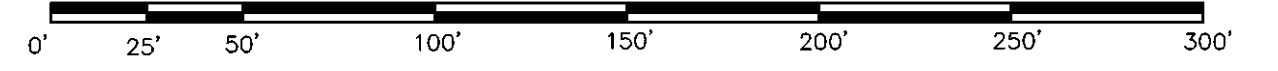
| LINE TABLE (RIGHT-OF-WAY AREA) |             |          |
|--------------------------------|-------------|----------|
| LINE                           | BEARING     | DISTANCE |
| L1                             | S20°33'02"E | 148.51'  |
| L2                             | S17°38'44"E | 46.19'   |
| L3                             | S17°38'44"E | 50.49'   |
| L4                             | S66°32'50"E | 18.11'   |
| L5                             | N74°21'38"E | 132.79'  |
| L6                             | N74°21'38"E | 805.77'  |
| L7                             | N74°21'38"E | 69.05'   |
| L8                             | S15°42'06"E | 18.40'   |
| L9                             | N74°21'38"E | 8.01'    |
| L10                            | N74°21'38"E | 152.80'  |
| L11                            | N39°43'12"E | 286.52'  |
| L12                            | S48°47'01"E | 236.35'  |
| L13                            | S65°10'07"E | 21.05'   |
| L14                            | DELETED     |          |
| L15                            | DELETED     |          |
| L16                            | N48°47'04"W | 236.35'  |
| L17                            | S39°43'12"W | 286.52'  |
| L18                            | S74°21'38"W | 160.50'  |
| L19                            | S15°42'06"W | 16.82'   |
| L20                            | S74°21'38"W | 1011.92' |
| L21                            | S10°41'29"W | 34.05'   |
| L22                            | S15°51'14"W | 26.21'   |
| L23                            | N17°43'42"W | 21.97'   |
| L24                            | N72°48'02"E | 14.50'   |
| L25                            | N17°13'15"W | 148.13'  |
| L26                            | N17°55'45"W | 158.30'  |
| L27                            | N20°25'10"W | 74.49'   |
| L28                            | N75°34'46"E | 10.84'   |

| LINE TABLE (STORM EASEMENTS) |             |          |
|------------------------------|-------------|----------|
| LINE                         | BEARING     | DISTANCE |
| L29                          | N18°37'56"W | 67.44'   |
| L30                          | S72°12'05"W | 145.20'  |
| L31                          | N30°23'53"W | 43.16'   |
| L32                          | N02°22'24"W | 238.68'  |
| L33                          | N86°34'31"W | 71.41'   |
| L34                          | N75°15'01"W | 152.74'  |
| L35                          | S24°35'51"W | 28.05'   |
| L36                          | S75°15'01"E | 181.56'  |
| L37                          | S09°22'24"E | 248.05'  |
| L38                          | N17°40'07"E | 80.16'   |
| L39                          | S75°24'18"E | 20.03'   |
| L40                          | S17°40'07"W | 86.88'   |
| L41                          | S17°40'07"W | 50.47'   |
| L42                          | S53°47'21"E | 156.58'  |
| L43                          | N36°12'39"E | 35.41'   |
| L44                          | S68°11'04"E | 46.95'   |
| L45                          | S01°22'54"E | 20.56'   |
| L46                          | N88°37'05"E | 20.00'   |
| L47                          | N01°22'54"W | 21.91'   |

| CURVE TABLE (RIGHT-OF-WAY AREA) |             |         |          |         |
|---------------------------------|-------------|---------|----------|---------|
| CURVE                           | DIRECTION   | CHORD   | RADIUS   | ARC     |
| C1                              | N57°02'25"E | 176.67' | 300.06'  | 181.42' |
| C2                              | N72°43'00"E | 599.17' | 550.11'  | 633.62' |
| C3                              | S74°10'44"E | 12.84'  | 2536.13' | 12.84'  |
| C4                              | S65°25'26"E | 757.69' | 2530.58' | 760.65' |
| C5                              | S56°34'43"E | 20.78'  | 2530.58' | 20.79'  |
| C6                              | S52°33'49"E | 333.63' | 2530.58' | 333.88' |
| C7                              | S81°49'51"E | 438.06' | 970.21'  | 441.87' |
| C8                              | S83°53'46"E | 15.66'  | 50.01'   | 15.74'  |
| C9                              | N67°17'54"E | 33.86'  | 50.01'   | 34.54'  |
| C10                             | N64°15'18"E | 66.28'  | 115.02'  | 67.23'  |
| C11                             | S92°05'05"E | 66.84'  | 115.02'  | 67.92'  |
| C12                             | S50°53'39"E | 56.84'  | 115.27'  | 57.44'  |
| C13                             | S54°29'19"W | 230.50' | 115.27'  | 366.59' |
| C14                             | N54°44'35"W | 86.74'  | 124.78'  | 88.59'  |
| C15                             | N61°55'58"W | 486.93' | 1070.23' | 491.23' |
| C16                             | N49°53'55"W | 94.63'  | 2430.46' | 94.64'  |
| C17                             | N53°35'09"W | 218.11' | 2430.46' | 218.19' |
| C18                             | N65°14'47"W | 767.85' | 2430.46' | 771.08' |
| C19                             | N84°09'04"W | 153.47' | 450.10'  | 154.22' |
| C20                             | S84°45'23"W | 20.05'  | 450.10'  | 20.05'  |
| C21                             | S61°36'00"W | 335.47' | 450.10'  | 343.77' |
| C22                             | S57°02'25"W | 238.22' | 400.08'  | 241.89' |
| C23                             | N22°40'57"W | 41.64'  | 1485.82' | 41.64'  |



SURVEY OF RIGHT-OF-WAY FOR  
EAST FREDERICK LAW OLMSTED WAY AT  
BILTMORE PARK WEST  
PROJECT RANGER  
SHEET 4 OF 4  
PIN: 9635-37-0439-00000  
OWNER: BILTMORE FARMS, LLC  
A PORTION OF DEED BOOK 1222, PAGE 645, TRACT 1  
LIMESTONE TOWNSHIP  
BUNCOMBE COUNTY, NORTH CAROLINA  
SCALE: 1" = 50' 8/9/2022  
J. DANIEL HENRY, P.L.S. L-4881  
DAN@EDHOLMESSURVEYING.COM  
**Ed Holmes & Associates**  
LAND SURVEYORS, P.A.  
200 RIDGEFIELD COURT, SUITE 208, ASHEVILLE, NC 28806  
PHONE: (828) 225-6562 COMPANY LICENSE C-2806



Biltmore Park  
West  
Project Ranger

Limestone Township  
Buncombe County  
North Carolina



| REVISIONS |                   |
|-----------|-------------------|
| DATE      | DESCRIPTION       |
| 10/25/22  | AS-BUILT DRAWINGS |
|           |                   |
|           |                   |
|           |                   |
|           |                   |
|           |                   |

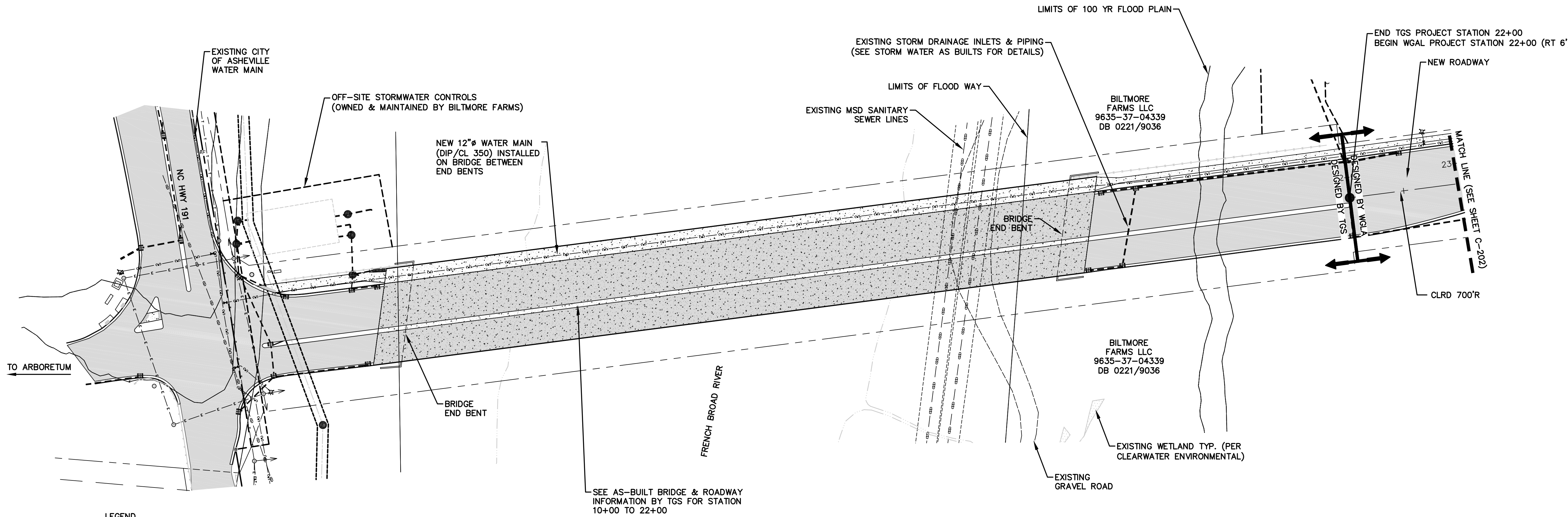


PROJECT NUMBER: 19172  
DATE: 9/19  
DRAWN BY: KHC  
CHECKED BY: WRB

Proposed  
Road Plan & Profile  
Station 10+00 to 23+00

C-201

SCALE: AS NOTED ON SHEET

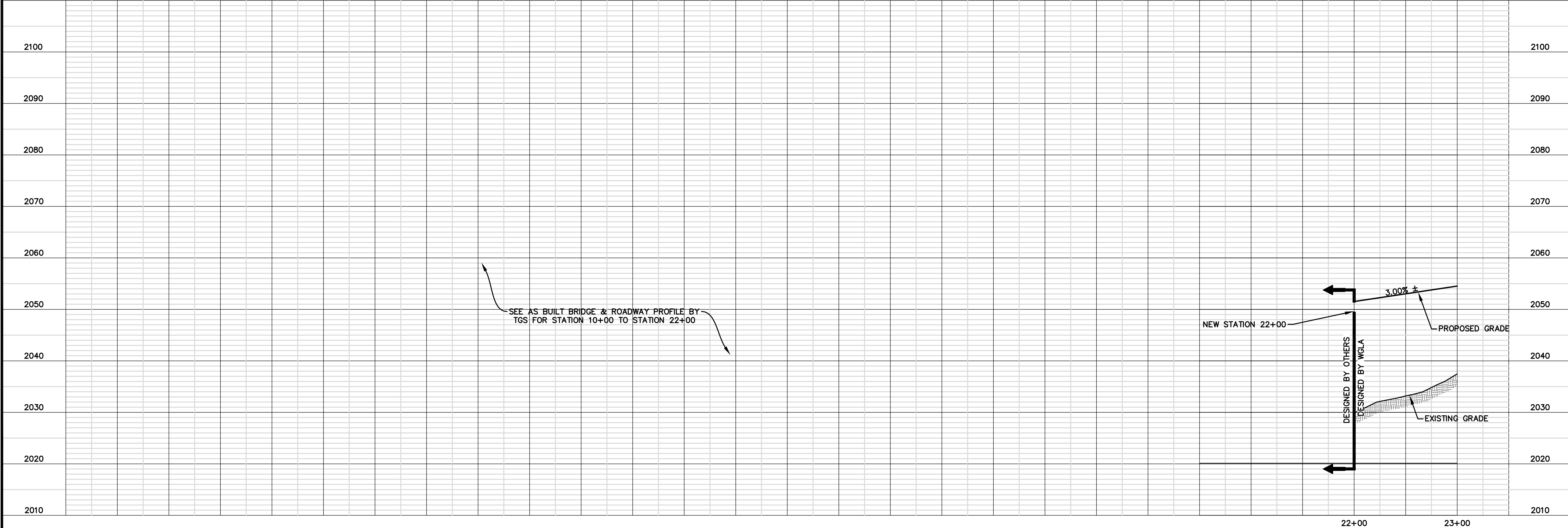


- LEGEND
- EXISTING SANITARY SEWER LINE
  - EXISTING WATER LINE
  - EXISTING UNDERGROUND GASE LINE
  - EXISTING OVERHEAD ELECTRIC
  - EXISTING OVERHEAD TELECOMMUNICATIONS
  - EXISTING STORM DRAIN PIPE
  - EXISTING OVERHEAD ELECTRIC & TELEPHONE
  - EXISTING GSI ZONING
  - EXISTING RIGHT-OF-WAY

Plan View  
SCALE: 1"=50'

NOTE:  
ALL AS-BUILT SURVEY INFORMATION PROVIDED BY:  
ED HOLMES AND ASSOCIATES LAND SURVEYORS, PA  
200 RIDGEFIELD COURT, SUITE 215  
ASHEVILLE, NC 28806

AS BUILT  
9/28/22



Profile View  
HORIZONTAL SCALE: 1"=50' VERTICAL SCALE: 1"=10'

Biltmore Park  
West  
Project Ranger

Limestone Township  
Buncombe County  
North Carolina

Preliminary  
Not For  
Construction

| REVISIONS |                   |
|-----------|-------------------|
| DATE      | DESCRIPTION       |
| 10/25/22  | AS-BUILT DRAWINGS |
|           |                   |
|           |                   |
|           |                   |
|           |                   |
|           |                   |
|           |                   |



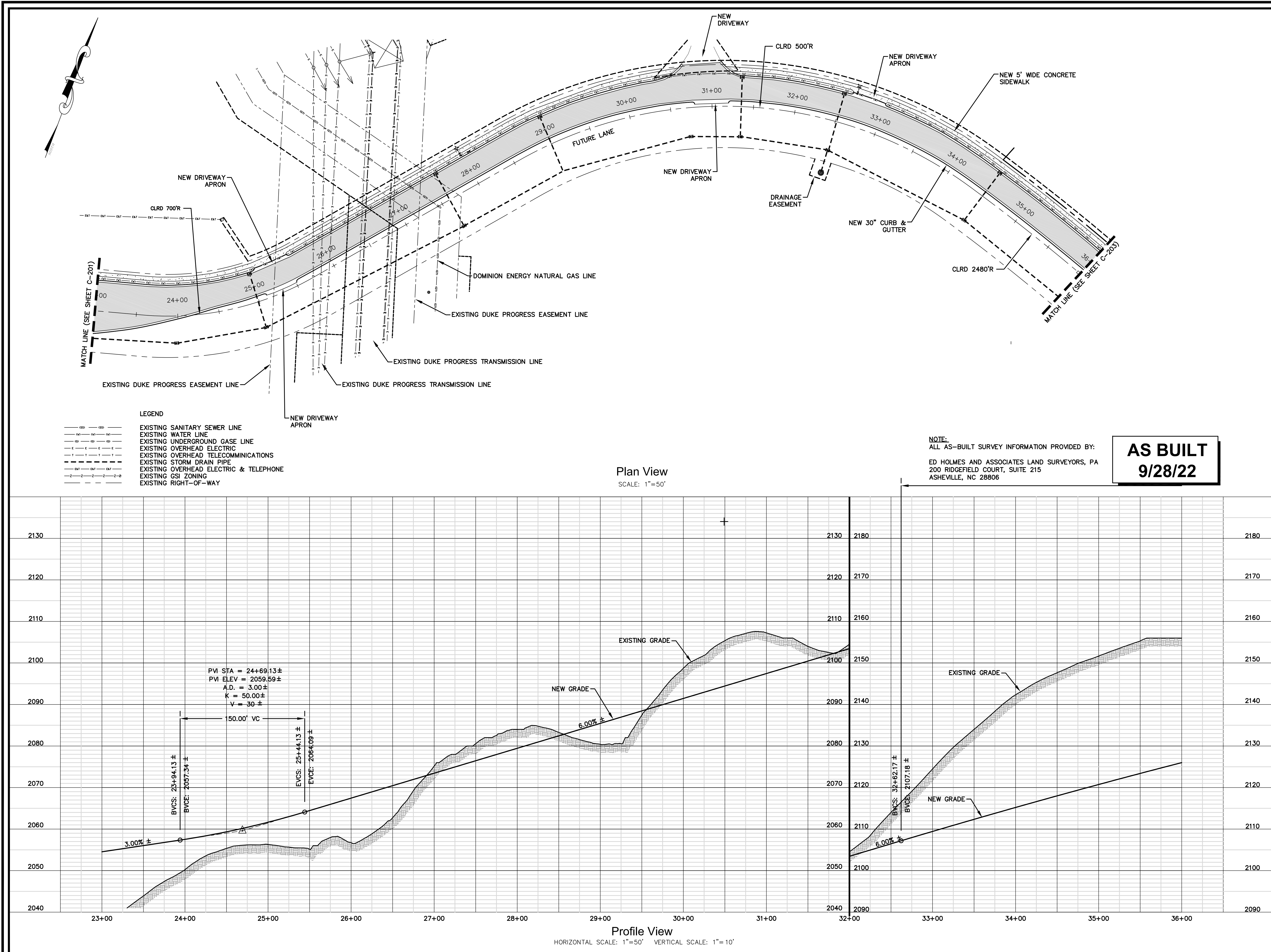
Know what's below.  
Call before you dig.

PROJECT NUMBER: 19172  
DATE: 9/19  
DRAWN BY: KHC  
CHECKED BY: WRB

Proposed  
Road Plan & Profile  
Station 23+00 to 36+00

C-202

SCALE: AS NOTED ON SHEET



Biltmore Park  
West  
Project Ranger

Limestone Township  
Buncombe County  
North Carolina

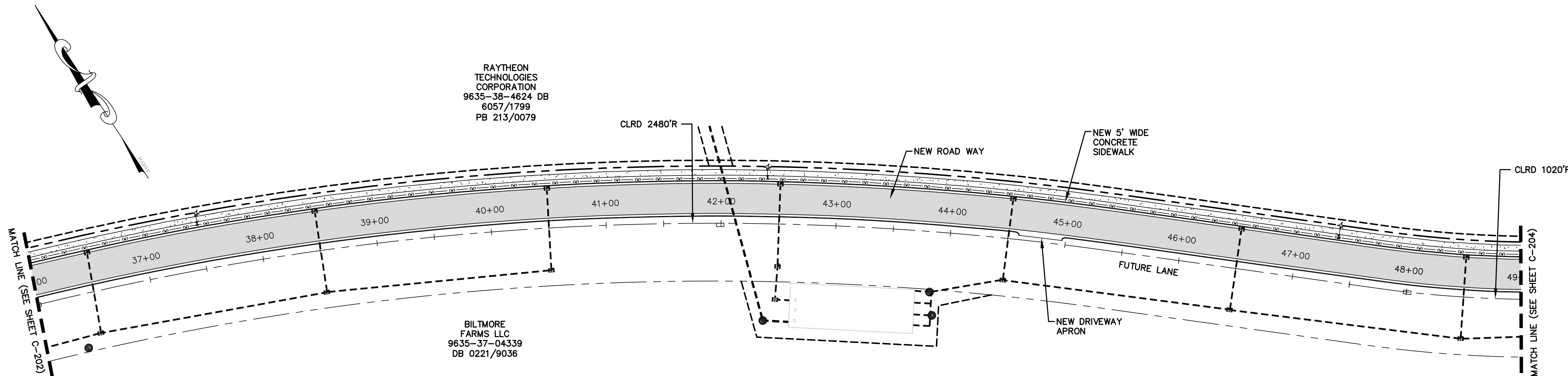


PROJECT NUMBER: 19172  
DATE: 9/19  
DRAWN BY: KHC  
CHECKED BY: WRB

Proposed  
Road Plan & Profile  
Station 36+00 to 49+00

C-203

SCALE: AS NOTED ON SHEET

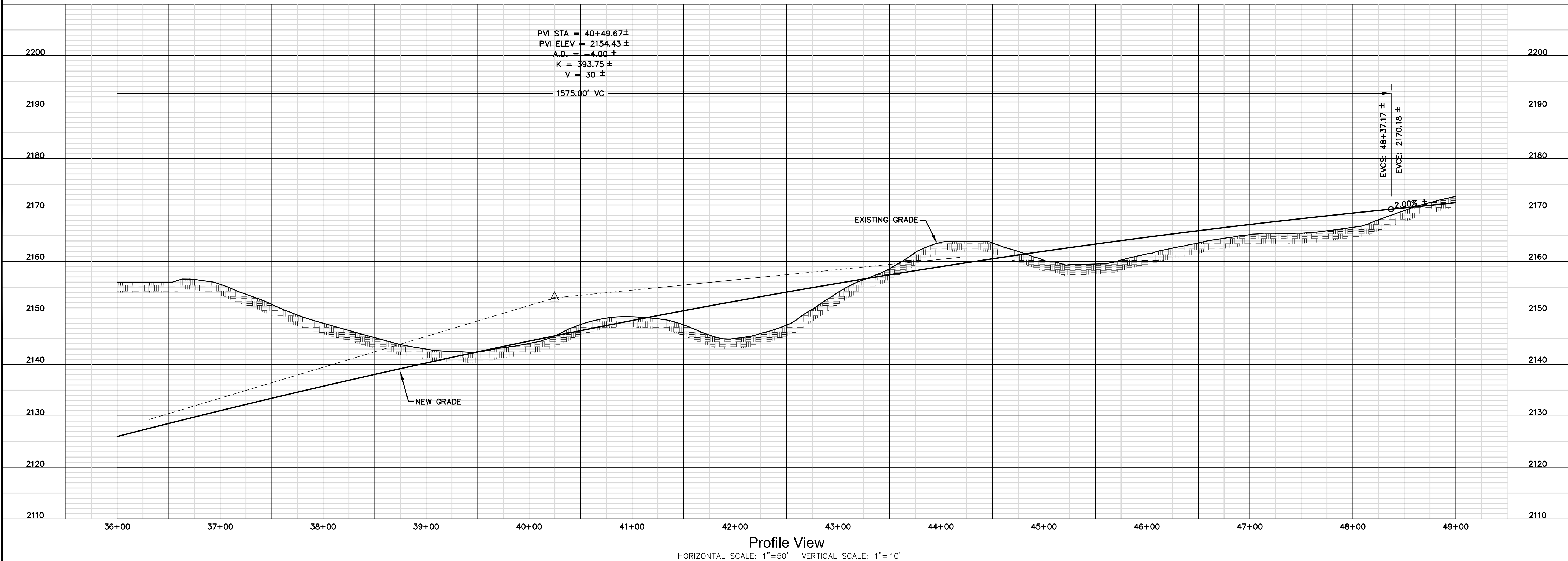


- LEGEND
- EXISTING SANITARY SEWER LINE
  - EXISTING WATER LINE
  - EXISTING UNDERGROUND GASE LINE
  - EXISTING OVERHEAD ELECTRIC
  - EXISTING OVERHEAD TELECOMMUNICATIONS
  - EXISTING STORM DRAIN PIPE
  - EXISTING OVERHEAD ELECTRIC & TELEPHONE
  - EXISTING GSI ZONING
  - EXISTING RIGHT-OF-WAY

Plan View  
SCALE: 1"=50'

NOTE:  
ALL AS-BUILT SURVEY INFORMATION PROVIDED BY:  
ED HOLMES AND ASSOCIATES LAND SURVEYORS, PA  
200 RIDGEFIELD COURT, SUITE 215  
ASHEVILLE, NC 28806

AS BUILT  
9/28/22



Profile View

HORIZONTAL SCALE: 1"=50' VERTICAL SCALE: 1"=10'

# WGLA

## Engineering

WGLA ENGINEERING, PLLC  
724 5th AVENUE WEST  
HENDERSONVILLE, NC 28739  
(828) 687-7177  
WGLA.COM  
NC LICENSE P-1342

### Biltmore Park West Project Ranger

Limestone Township  
Buncombe County  
North Carolina



| REVISIONS |                   |
|-----------|-------------------|
| DATE      | DESCRIPTION       |
| 10/25/22  | AS-BUILT DRAWINGS |
|           |                   |
|           |                   |
|           |                   |
|           |                   |
|           |                   |
|           |                   |

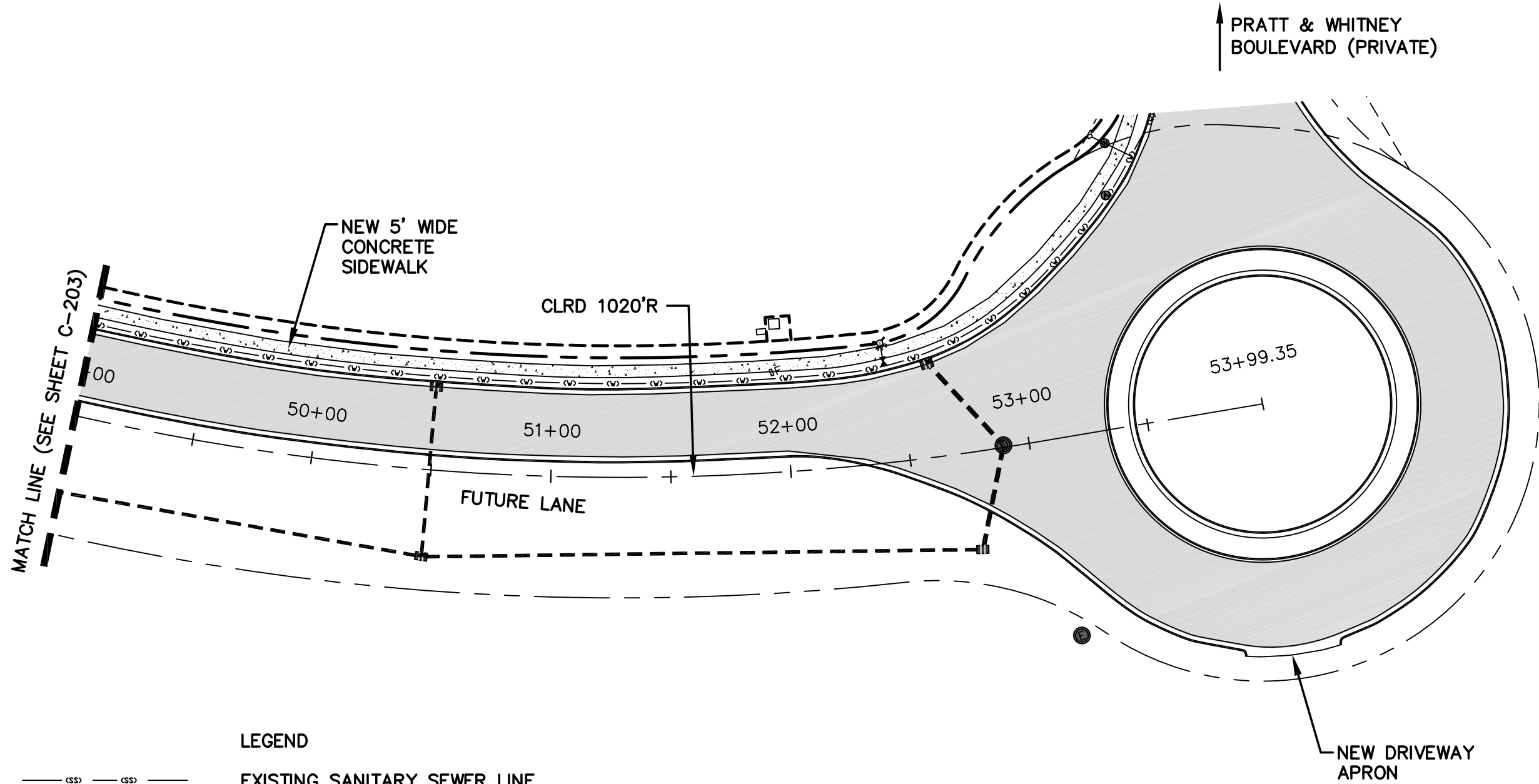
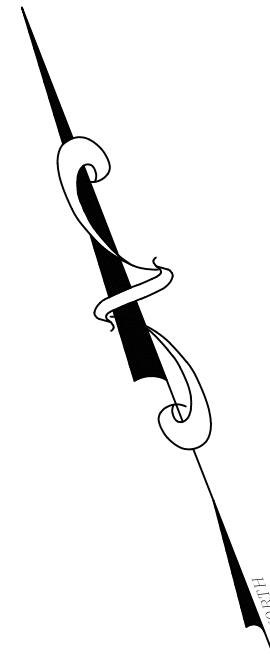


PROJECT NUMBER: 19172  
DATE: 9/19  
DRAWN BY: KHC  
CHECKED BY: WRB

Proposed  
Road Plan & Profile  
Station 49+00 to 53+40

## C-204

SCALE: AS NOTED ON SHEET

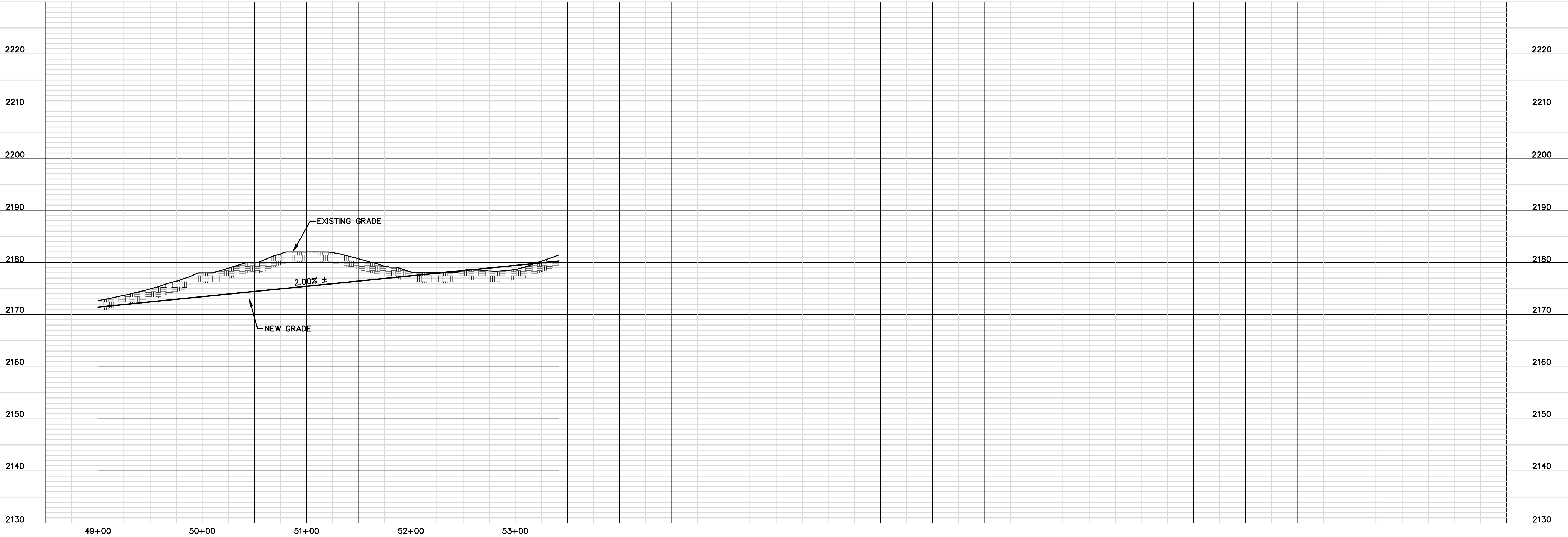


- LEGEND
- EXISTING SANITARY SEWER LINE
  - EXISTING WATER LINE
  - EXISTING UNDERGROUND GASE LINE
  - EXISTING OVERHEAD ELECTRIC
  - EXISTING OVERHEAD TELECOMMUNICATIONS
  - EXISTING STORM DRAIN PIPE
  - EXISTING OVERHEAD ELECTRIC & TELEPHONE
  - EXISTING GSI ZONING
  - EXISTING RIGHT-OF-WAY

Plan View  
SCALE: 1"=50'

NOTE:  
ALL AS-BUILT SURVEY INFORMATION PROVIDED BY:  
ED HOLMES AND ASSOCIATES LAND SURVEYORS, PA  
200 RIDGEFIELD COURT, SUITE 215  
ASHEVILLE, NC 28806

AS BUILT  
9/28/22



Profile View  
HORIZONTAL SCALE: 1"=50' VERTICAL SCALE: 1"=10'

# WGLA Engineering

WGLA ENGINEERING, PLLC  
724 5th AVENUE WEST  
HENDERSONVILLE, NC 28739  
(828) 687-7177  
WGLA.COM  
NC LICENSE P-1342

## Biltmore Park West Project Ranger Primary Roadway

Limestone Township  
Buncombe County  
North Carolina



### REVISIONS

| DATE     | DESCRIPTION         |
|----------|---------------------|
| 2/24/21  | BC COMMENTS         |
| 4/01/21  | BC COMMENTS         |
| 5/26/21  | STORMWATER REVISION |
| 6/28/21  | BC COMMENTS         |
| 10/25/22 | RECORD DRAWING      |



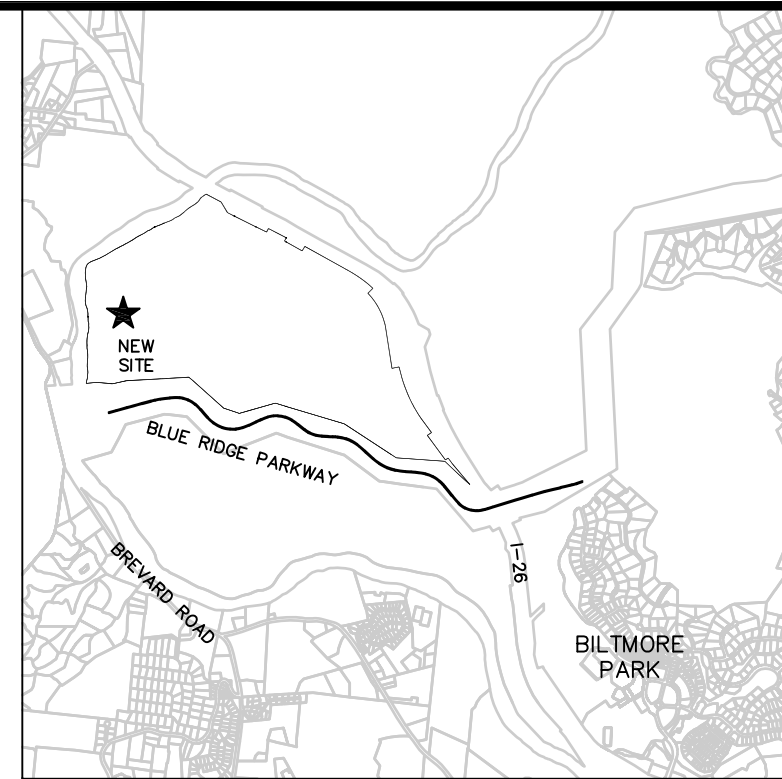
PROJECT NUMBER: 19172  
DATE: 12/30/20  
DRAWN BY: KHC  
CHECKED BY: WRB

## Primary Roadway Storm Water Plan

# C-300

SCALE: 1"=200'

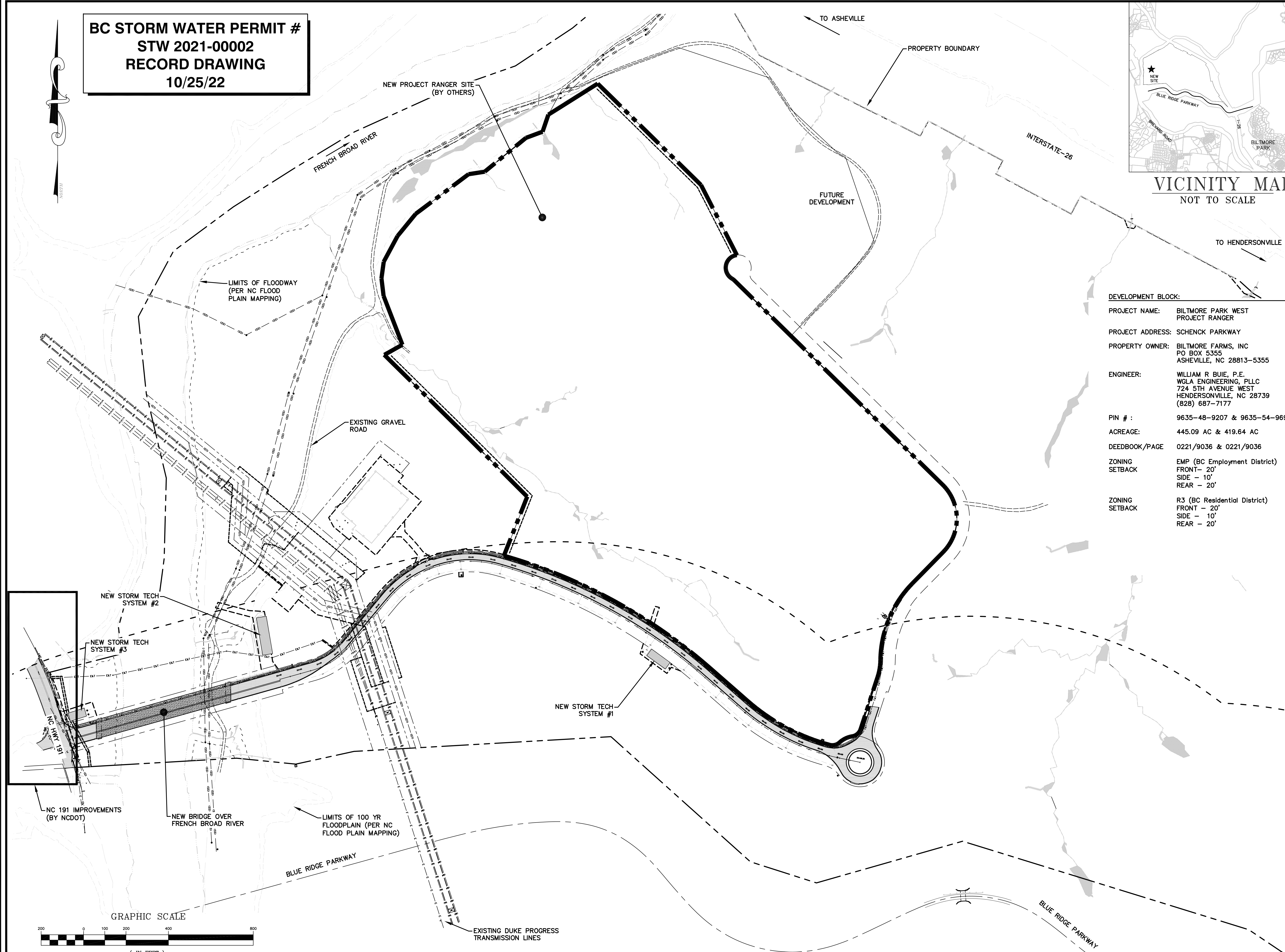
BC STORM WATER PERMIT #  
STW 2021-00002  
RECORD DRAWING  
10/25/22



VICINITY MAP  
NOT TO SCALE

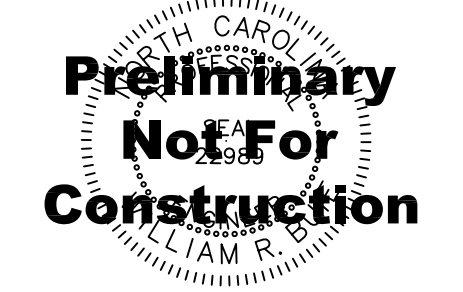
### DEVELOPMENT BLOCK:

PROJECT NAME: BILTMORE PARK WEST  
PROJECT RANGER  
PROJECT ADDRESS: SCHENCK PARKWAY  
PROPERTY OWNER: BILTMORE FARMS, INC  
PO BOX 5355  
ASHEVILLE, NC 28813-5355  
ENGINEER: WILLIAM R BUIE, P.E.  
WGLA ENGINEERING, PLLC  
724 5TH AVENUE WEST  
HENDERSONVILLE, NC 28739  
(828) 687-7177  
PIN # : 9635-48-9207 & 9635-54-9699  
ACREAGE: 445.09 AC & 419.64 AC  
DEEDBOOK/PAGE 0221/9036 & 0221/9036  
ZONING SETBACK EMP (BC Employment District)  
FRONT- 20'  
SIDE - 10'  
REAR - 20'  
ZONING SETBACK R3 (BC Residential District)  
FRONT - 20'  
SIDE - 10'  
REAR - 20'



Biltmore Park West  
Project Ranger  
NEW  
Primary Roadway

Limestone Township  
Buncombe County  
North Carolina



| REVISIONS |                     |
|-----------|---------------------|
| DATE      | DESCRIPTION         |
| 2/24/21   | BC COMMENTS         |
| 4/01/21   | BC COMMENTS         |
| 5/26/21   | STORMWATER REVISION |
| 6/28/21   | BC COMMENTS         |
| 10/25/22  | RECORD DRAWING      |
|           |                     |
|           |                     |
|           |                     |
|           |                     |



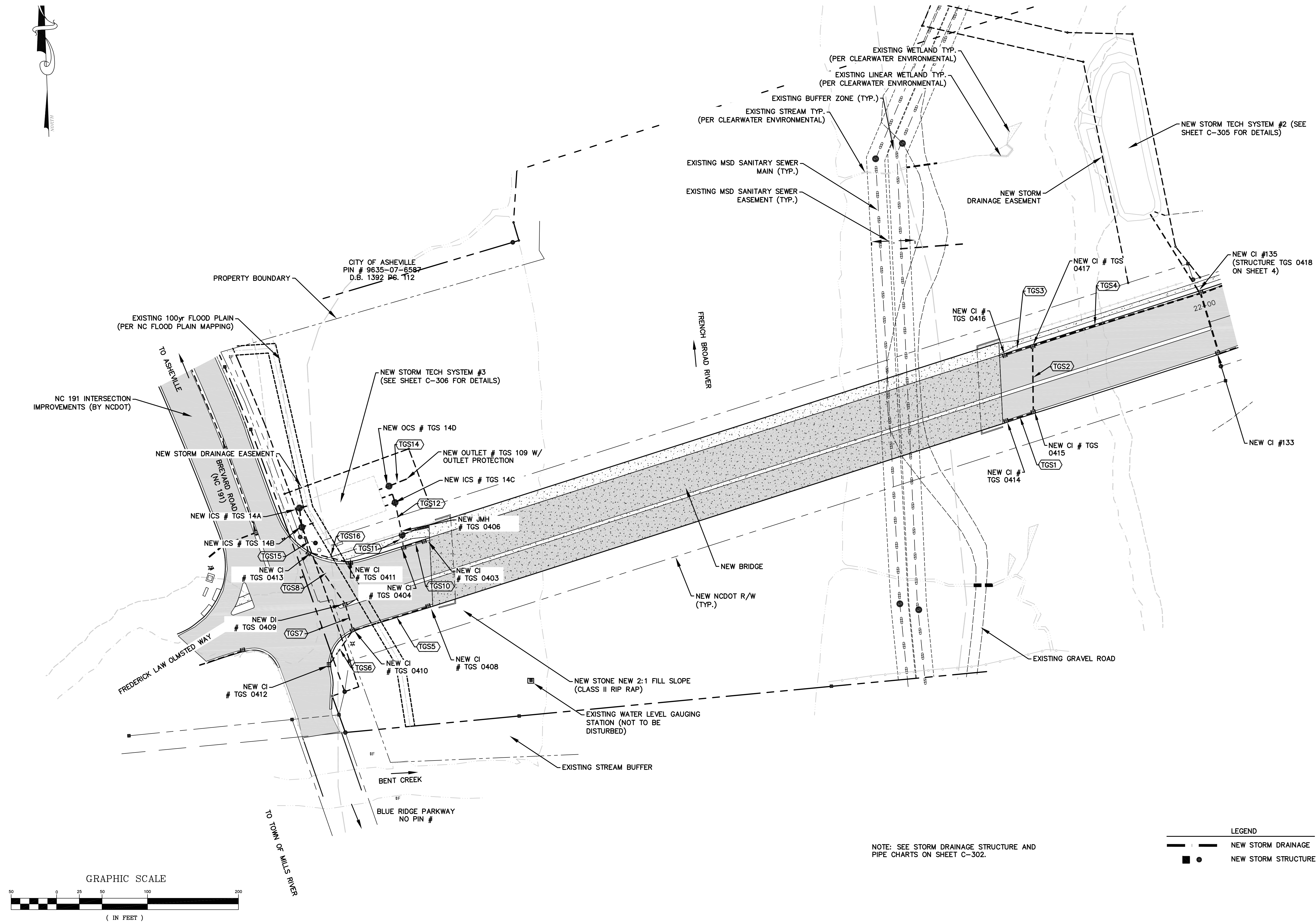
Know what's **below**.  
**Call** before you dig.

|                 |          |
|-----------------|----------|
| PROJECT NUMBER: | 19172    |
| DATE:           | 12/30/20 |
| DRAWN BY:       | KHC      |
| CHECKED BY:     | WRB      |

# Roadway Stormwater Plan

C-301

SCALE: 1"=50'



Biltmore Park West  
Project Ranger  
NEW  
Primary Roadway

Limestone Township  
Buncombe County  
North Carolina

PRELIMINARY  
Not For  
Construction

REVISIONS

| DATE     | DESCRIPTION         |
|----------|---------------------|
| 2/24/21  | BC COMMENTS         |
| 4/01/21  | BC COMMENTS         |
| 5/26/21  | STORMWATER REVISION |
| 6/28/21  | BC COMMENTS         |
| 10/25/22 | RECORD DRAWING      |



Know what's below.  
Call before you dig.

PROJECT NUMBER: 19172  
DATE: 12/30/20  
DRAWN BY: KHC  
CHECKED BY: WRB

Roadway  
Storm Water Plan

C-302

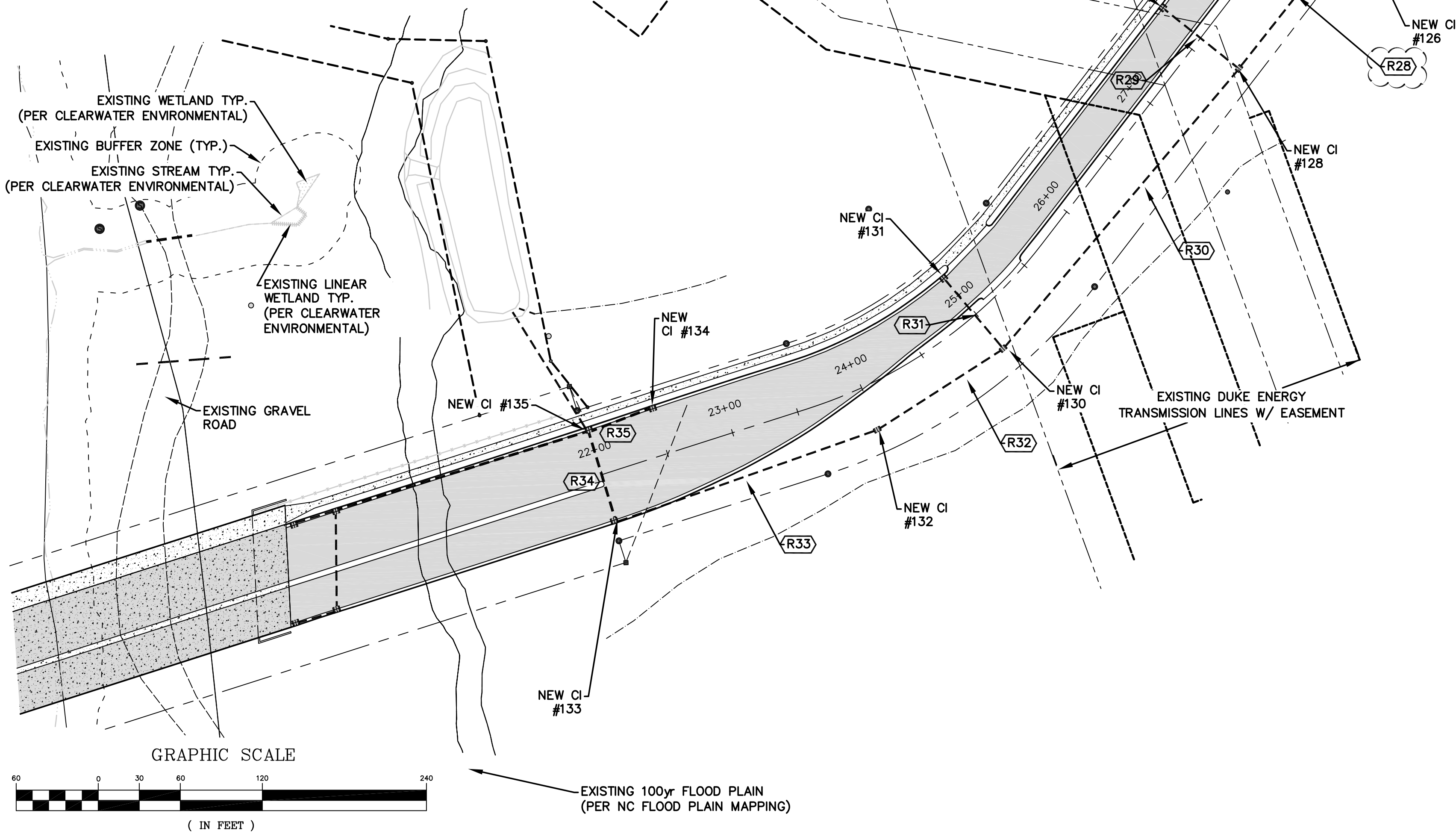
SCALE: 1"=60'

| STRUCTURE CHART |           |            |        |                |            |
|-----------------|-----------|------------|--------|----------------|------------|
| STRUCTURE       | TOP ELEV. | INV. ELEV. | DEPTH  | STRUCTURE TYPE | GRATE TYPE |
| 100             | 2178.37'  | 2173.15'   | 5.22'  | CI             | F          |
| 101             | 2179.35'  | 2172.44'   | 6.91'  | JB             | —          |
| 102             | 2178.32'  | 2172.07'   | 6.25'  | CI             | G          |
| 103             | 2171.88'  | 2167.69'   | 4.19'  | CI             | G          |
| 104             | 2173.48'  | 2168.68'   | 4.80'  | CI             | F          |
| 105             | 2169.07'  | 2163.84'   | 5.23'  | CI             | G          |
| 106             | 2169.35'  | 2174.35'   | -5.00' | CI             | F          |
| 107             | 2164.70'  | 2159.30'   | 5.40'  | CI             | G          |
| 108             | 2165.07'  | 2160.61'   | 4.46'  | CI             | F          |
| 109             | 2159.30'  | 2154.02'   | 5.28'  | CI             | G          |
| 110             | 2159.59'  | 2155.26'   | 4.33'  | CI             | F          |
| 111             | 2152.85'  | 2147.84'   | 5.01'  | CI             | G          |
| 112             | 2153.19'  | 2148.52'   | 4.67'  | CI             | F          |
| 114             | 2155.02'  | 2150.31'   | 4.71'  | CI             | F          |
| 115             | 2145.69'  | 2140.27'   | 5.42'  | CI             | G          |
| 116             | 2136.55'  | 2131.20'   | 5.35'  | CI             | G          |
| 117             | 2137.10'  | 2132.39'   | 4.71'  | CI             | F          |
| 118             | 2127.23'  | 2121.88'   | 5.35'  | CI             | G          |
| 119             | 2127.55'  | 2123.12'   | 4.43'  | CI             | F          |
| 120             | 2116.86'  | 2111.43'   | 5.43'  | CI             | G          |
| 121             | 2116.99'  | 2112.60'   | 4.39'  | CI             | F          |
| 121A            | 2107.52'  | 2100.03'   | 7.49'  | OTCB           | N/A        |
| 122             | 2105.24'  | 2099.72'   | 5.52'  | CI             | G          |
| 123             | 2105.47'  | 2100.92'   | 4.55'  | CI             | F          |
| 124A            | 2098.16'  | 2092.78'   | 5.38'  | CI             | G          |
| 124B            | 2098.60'  | 2093.69'   | 4.91'  | CI             | F          |
| 125             | 2093.86'  | 2089.14'   | 4.72'  | CI             | G          |
| 126             | 2084.03'  | 2078.86'   | 5.17'  | CI             | G          |
| 127             | 2084.55'  | 2079.73'   | 4.82'  | CI             | F          |
| 128             | 2075.17'  | 2070.28'   | 4.89'  | CI             | G          |
| 129             | 2076.08'  | 2071.19'   | 4.89'  | CI             | F          |
| 130             | 2060.18'  | 2054.76'   | 5.42'  | CI             | G          |
| 131             | 2060.57'  | 2055.76'   | 4.81'  | CI             | F          |
| 132             | 2055.95'  | 2050.79'   | 5.16'  | CI             | G          |
| 133             | 2050.99'  | 2042.58'   | 8.41'  | CI             | G          |
| 134             | 2052.14'  | 2042.43'   | 9.71'  | CI             | F          |
| 135             | 2050.69'  | 2038.64'   | 12.05' | CI             | F          |
| 137A            | 2157.71'  | 2146.13'   | 11.58' | (NOT SUMP) ICS | N/A        |
| 137B            | 2161.91'  | 2146.40'   | 15.51' | (NOT SUMP) ICS | N/A        |
| 137C            | 2162.81'  | 2146.03'   | 16.78' | (NOT SUMP) ICS | N/A        |
| 137D            | 2157.87'  | 2145.13'   | 12.74' | OCS            | N/A        |
| TGS 0403        | 2023.76'  | 2020.49'   | 3.27'  | CI             |            |
| TGS 0404        | 2023.47'  | 2020.20'   | 3.27'  | CI             |            |
| TGS 0406        | 2023.84'  | 2019.58'   | 4.26'  | JMH            |            |
| TGS 0408        | 2023.51'  | 2020.24'   | 3.27'  | CI             |            |
| TGS 0409        | 2020.78'  | 2012.42'   | 8.36'  | DI             |            |
| TGS 0410        | 2018.77'  | 2012.53'   | 6.24'  | CI             |            |
| TGS 0411        | 2023.08'  | 2019.75'   | 3.33'  | CI             |            |
| TGS 0412        | 2016.06'  | 2012.95'   | 3.11'  | CI             |            |
| TGS 0413        | 2024.51'  | 2012.02'   | 12.49' | CI             |            |
| TGS 0414        | 2043.25'  | 2040.06'   | 3.19'  | CI             |            |
| TGS 0415        | 2044.36'  | 2039.77'   | 4.59'  | CI             |            |
| TGS 0416        | 2043.63'  | 2040.28'   | 3.35'  | CI             |            |
| TGS 0417        | 2044.64'  | 2039.38'   | 5.26'  | CI             |            |
| TGS 14A         | 2019.18'  | 2004.94'   | 14.24' | (NOT SUMP) ICS | WT LID     |
| TGS 14B         | 2020.84'  | 2005.11'   | 15.73' | (NOT SUMP) ICS | WT LID     |
| TGS 14C         | 2013.91'  | 2004.93'   | 8.98'  | (NOT SUMP) ICS | WT LID     |
| TGS 14D         | 2013.02'  | 2004.36'   | 8.66'  | OCS            | WT LID     |

| PIPING CHART |          |            |             |          |           |             |
|--------------|----------|------------|-------------|----------|-----------|-------------|
| SEGMENT      | FROM     | TO         | LENGTH (LF) | SIZE (Ø) | SLOPE (%) | NOTES       |
| R1           | 100      | 101        | 47.22       | 18"      | 1.50      |             |
| R2           | 101      | 102        | 43.88       | 18"      | 0.84      |             |
| R3           | 102      | 103        | 231.73      | 18"      | 1.89      |             |
| R4           | 104      | 103        | 71.80       | 18"      | 1.38      |             |
| R5           | 103      | 105        | 203.03      | 18"      | 1.90      |             |
| R6           | 106      | 105        | 70.21       | 18"      | 14.97     |             |
| R7           | 105      | 107        | 200.06      | 18"      | 2.27      |             |
| R8           | 108      | 107        | 70.90       | 18"      | 1.85      |             |
| R9           | 107      | 109        | 196.91      | 18"      | 2.68      |             |
| R10          | 110      | 109        | 70.51       | 18"      | 1.76      |             |
| R11          | 109      | 137B       | 61.85       | 18"      | 12.32     |             |
| R12          | 112      | 111        | 70.65       | 18"      | 0.96      |             |
| R13          | 111      | 137A       | 26.75       | 18"      | 6.39      |             |
| R15          | 114      | 115        | 71.27       | 18"      | 14.09     |             |
| R16          | 115      | 116        | 194.16      | 18"      | 4.67      |             |
| R17          | 117      | 116        | 70.99       | 18"      | 1.68      |             |
| R18          | 116      | 118        | 198.20      | 18"      | 4.70      |             |
| R19          | 119      | 118        | 71.21       | 18"      | 1.74      |             |
| R20          | 118      | 120        | 194.23      | 18"      | 5.38      |             |
| R20A         | 121A     | 122        | 25.44       | 18"      | 1.61      |             |
| R21          | 121      | 120        | 71.19       | 18"      | 1.64      |             |
| R22          | 120      | 122        | 182.54      | 18"      | 6.42      |             |
| R23          | 123      | 122        | 70.52       | 18"      | 1.70      |             |
| R24A         | 122      | 124A       | 104.47      | 18"      | 6.64      |             |
| R24B         | 124A     | 125        | 57.42       | 18"      | 6.34      |             |
| R25          | 124B     | 124A       | 71.55       | 18"      | 1.27      |             |
| R26          | 125      | 126        | 156.80      | 18"      | 6.56      |             |
| R27          | 127      | 126        | 70.24       | 18"      | 1.24      |             |
| R28          | 126      | 128        | 133.60      | 18"      | 6.42      |             |
| R29          | 129      | 128        | 70.68       | 18"      | 1.29      |             |
| R30          | 128      | 130        | 265.19      | 24"      | 5.85      |             |
| R31          | 131      | 130        | 66.69       | 18"      | 1.50      |             |
| R32          | 130      | 132        | 106.63      | 24"      | 3.72      |             |
| R33          | 132      | 133        | 201.19      | 24"      | 4.08      |             |
| R34          | 133      | 135        | 68.78       | 24"      | 6.31      |             |
| R35          | 134      | 135        | 45.68       | 18"      | 9.17      |             |
| TGS 1        | TGS 0414 | TGS 0415   | 28.54       | 15"      | 1.02      |             |
| TGS 2        | TGS 0415 | TGS 0417   | 72.21       | 15"      | 0.54      |             |
| TGS 3        | TGS 0416 | TGS 0417   | 29.77       | 15"      | 3.02      |             |
| TGS 4        | TGS 0417 | 135        | 192.69      | 15"      | 0.59      |             |
| TGS 5        | TGS 0408 | TGS 0410   | 84.34       | 15"      | 9.26      |             |
| TGS 6        | TGS 0412 | TGS 0410   | 42.25       | 15"      | 0.99      |             |
| TGS 7        | TGS 0410 | TGS 0409   | 28.33       | 15"      | 0.39      |             |
| TGS 8        | TGS 0409 | TGS 0413   | 68.47       | 15"      | 0.58      |             |
| TGS 10       | TGS 0403 | TGS 0404   | 20.70       | 15"      | 1.40      |             |
| TGS 11       | TGS 0404 | TGS 0406   | 10.29       | 15"      | 6.03      |             |
| TGS 12       | TGS 0406 | TGS 14C    | 31.35       | 15"      | 46.73     |             |
| TGS 14       | TGS 14D  | OUTLET#109 | 18.49       | 24"      | 2.06      | WTJ (KEYED) |
| TGS 15       | TGS 0413 | TGS 14B    | 25.39       | 15"      | 27.22     | WTJ         |
| TGS 16       | TGS 0411 | TGS 0413   | 44.71       | 15"      | 4.85      |             |

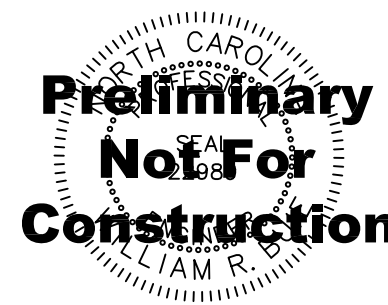
| OUTLET CHART |            |                         |
|--------------|------------|-------------------------|
| OUTLET       | INV. ELEV. | END TREATMENT           |
| 103          | 2127.82'   | FES & OUTLET PROTECTION |
| TGS 109      | 2003.98'   | FES & OUTLET PROTECTION |

NOTE:  
1.) INVERT IN FROM TGS 0413 INTO TGS 14B AND  
FROM TGS 0406 INTO TGS 14C = 2010.00'



Biltmore Park West  
Project Ranger  
NEW  
Primary Roadway

Limestone Township  
Buncombe County  
North Carolina



REVISIONS

| DATE     | DESCRIPTION         |
|----------|---------------------|
| 2/24/21  | BC COMMENTS         |
| 4/01/21  | BC COMMENTS         |
| 5/26/21  | STORMWATER REVISION |
| 6/28/21  | BC COMMENTS         |
| 10/25/22 | RECORD DRAWING      |
|          |                     |
|          |                     |
|          |                     |

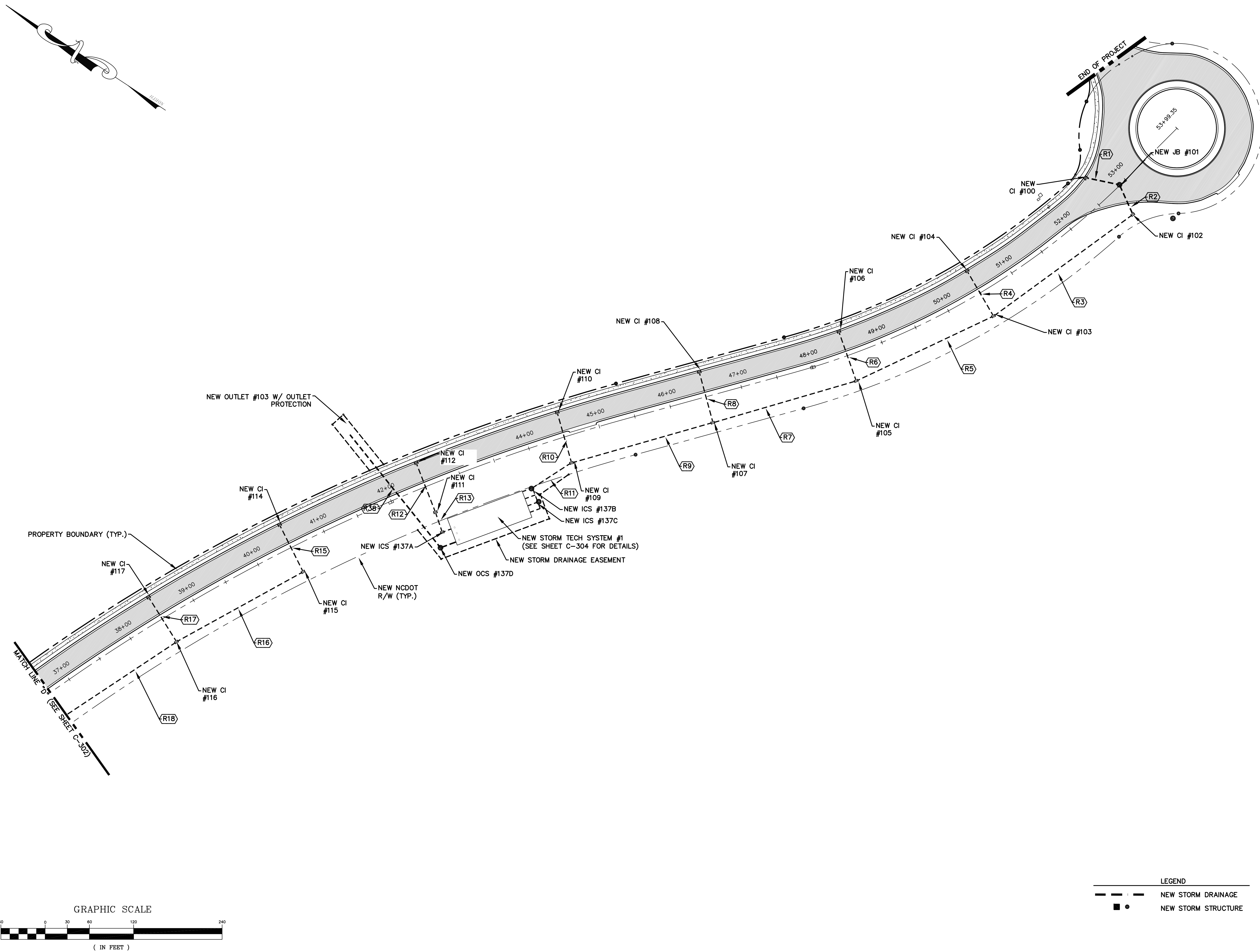


PROJECT NUMBER: 19172  
DATE: 12/30/20  
DRAWN BY: KHC  
CHECKED BY: WRB

Roadway  
Storm Water Plan

C-303

SCALE: 1"=60'





**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 11/15/2022**

**Consent Agenda**

**Department:** Legal & Risk

**Presenter(s):** Michael Frue

**Contact(s):** Michael Frue

**Subject:** Memorandum of Understanding between County of Buncombe and The Board of Trustees of Asheville-Buncombe Technical Community College for Demolition of Enka Tower Using ¼ Cent Sales Tax Revenues

**Brief Summary:** Staff for the County and the College have determined that it is appropriate to demolish the Enka tower because it is more cost effective on a cost per square foot basis to demolish rather than renovate. The Enka tower has been vacant since 2015, there is no certificate of occupancy, and the buildings are in a state of disrepair. If this Memorandum is approved the County will manage the demolition project using 1/4 Cent Sales Tax revenues.

**Recommended Motion & Requested Action:** Approve the Memorandum of Understanding between County of Buncombe and The Board of Trustees of Asheville-Buncombe Technical Community College for Demolition of Enka Tower using ¼ Cent Sales Tax Revenues.

**County Manager's comments and Recommendation:** Approve as presented.

**MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF BUNCOMBE  
AND THE BOARD OF TRUSTEES OF ASHEVILLE-BUNCOMBE TECHNICAL  
COMMUNITY COLLEGE REGARDING DEMOLITION OF BUILDINGS ON THE  
COLLEGE'S CAMPUS**

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this \_\_\_\_ day of November, 2022 by and between the County of Buncombe, North Carolina, a body politic and corporate of the State of North Carolina (the "County") and The Board of Trustees of Asheville-Buncombe Technical Community College, a body corporate which has general control and supervision of all matters pertaining to Asheville-Buncombe Technical Community College (hereinafter "College" or "Board of Trustees").

**WITNESSETH**

**WHEREAS,** on November 8, 2011, the voters of Buncombe County approved the levy of a One-Quarter Cent County Sales and Use Tax by authority of Article 46 of Chapter 105 of the North Carolina General Statutes (hereinafter sometimes the "1/4 Cent Sales Tax");

**WHEREAS,** this 1/4 Cent Sales Tax was imposed and levied as a tax "in addition to all other State and local sales and use taxes" which offers eligible counties and cities an opportunity to obtain added sources of revenue with which to meet their growing financial needs, and to reduce reliance on other revenues, such as the property tax;

**WHEREAS,** on June 8, 2020, the North Carolina General Assembly passed Senate Bill 267 (ratified as Session Law 2020-9 and hereafter "the Act"), which mandates, in part, that all 1/4 Cent Sales Tax revenues collected by the County between July 1, 2019 and June 30, 2027 be used for specific purposes;

**WHEREAS,** the Act allocates certain revenues to a) pre-existing debt service, b) a deferred capital repair plan, c) a portion of annual College operating costs, and d) a capital reserve fund;

**WHEREAS,** all 1/4 Cent Sales Tax revenues in excess of the designated purposes are restricted by the Act "only for new construction of or repair and improvements to real property owned by [the College] or to retire any indebtedness incurred by the county for these purposes" (all monies restricted by the Act are referred to herein as "Restricted Sales Tax Funds");

**WHEREAS,** the College and the County wish to demolish buildings on the College's campus within the County using 1/4 Cent Sales Tax revenues; specifically, the Enka Tower, formally called the Haynes building ("Enka tower"), located at 1459 Sand Hill Road, Candler, NC 28715;

**WHEREAS,** the Enka tower includes a three-story brick building with basement, built in 1959 and consisting of 48,300 square feet and a seven-story brick addition built in 1969 and consisting of 48,695 square feet;

**WHEREAS,** the College and the County desire to enter into this Agreement to define and memorialize the roles and responsibilities of each party as to the demolition of the Enka tower; and

**WHEREAS,** Session Law 2013-112, extended by Session Law 2018-115, allows the County and the College to enter into such agreement to execute such an undertaking if deemed appropriate by both Parties.

**NOW THEREFORE,** for and in consideration of the promises and covenants contained in this Interlocal Agreement, the County Commissioners and Board of Trustees agree as follows:

**Section 1.** The Recitals set forth above, along with the definitions of certain terms, are incorporated herein by reference as if fully restated.

**Section 2.** The County and the College deem it appropriate to demolish the Enka tower because it is more cost effective on a cost per square foot basis to demolish rather than renovate. The Enka tower has been vacant since 2015, there is no certificate of occupancy, and the buildings are in a state of disrepair.

**Section 3.** The County will manage the demolition project using 1/4 Cent Sales Tax revenues.

**Section 4.** The demolition of the Enka tower will be completed in a timely fashion and cost-efficient manner.

**Section 5.** Binding Effect. Subject to the specific provisions of this Agreement, this Agreement shall be binding upon and inure to the benefit of and be enforceable by the parties.

**Section 6.** Entire Agreement. This Agreement sets forth and constitutes the entire agreement and understanding of the parties with respect to the subject matter hereof. This agreement supersedes any and all prior agreements, negotiations, correspondence, undertakings, promises, covenants, arrangements, communications, representations, and warranties, whether oral or written, of any party to this agreement.

**Section 7.** Invalid Provision to Affect no Others. If any provisions of this Agreement is held, determined or adjudicated to be invalid, unenforceable or void for any reason, each such provision shall be severed from the remaining provisions of this Agreement and shall not affect the validity and enforceability of such remaining provisions. In no event, shall any provision of this Agreement be read, applied or interpreted to violate the expressed provisions of N.C. Session Law 2020-9.

**Section 8.** The individual signatories below have the expressed authority on behalf of their respective Boards to execute this Agreement. The Parties may execute this Agreement in separate counterparts and the execution of a copy shall have the same effect as the execution of an original. Such execution may be by facsimile or PDF attachment to an email.

{Signature Page Follows}

SIGNATURE PAGE 1 OF 2

IN WITNESS WHEREOF, the Parties hereto have executed this instrument as of the day and year written below.

BUNCOMBE COUNTY

By: \_\_\_\_\_  
Brownie Newman  
Chair, Buncombe County Commission

Attest:

\_\_\_\_\_  
Lamar Joyner  
Clerk to the Board of Commissioners

This instrument has been preaudited in the manner required by the  
Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Don Warn,  
Buncombe County Finance Director

Approved as to Form:

\_\_\_\_\_  
Michael C. Frue  
Buncombe County Senior Staff Attorney

SIGNATURE PAGE 2 OF 2

THE TRUSTEES OF ASHEVILLE-  
BUNCOMBE TECHNICAL COMMUNITY  
COLLEGE

[SEAL]

By:

---

Matt Kern  
Chair, Board of Trustees

Attest:

---

John D. Gossett, Ed.D.  
President

Approved as to Form:

---

Ashley F. Leonard,  
College Attorney



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 11/15/2022**

**Consent Agenda**

**Department: Strategy & Innovation**

**Presenter(s): Rafael Baptista, Strategy & Innovation Director**

**Contact(s): Rafael Baptista, Strategy & Innovation Director**

**Subject: Technical Corrections to Drug-Free Workplace**

**Brief Summary:** Staff review of the Drug-Free Workplace Policy adopted in May of 2022, identified the need for edits to the policy.

Upon further review, staff identified that Federal and State laws occasionally require certain drug testing requirements. Staff discovered that the County is required to conduct random drug testing of employees required to hold a CDL as a condition of employment. Staff recommends adding language that "When required by State or Federal Law, Buncombe County will conduct appropriate drug testing of employees."

Changes were also made to the policy to allow the County to conduct hair sample testing of applicants for specific positions within the County. Additionally, grammatical changes have been made which have no material impact.

**County Manager's comments and Recommendation:** Approve the policy as proposed.



## Drug-Free Workplace Policy

### Contents

|                                               |   |
|-----------------------------------------------|---|
| 1. <b>Purpose</b> .....                       | 1 |
| 2. <b>Applicability</b> .....                 | 1 |
| 3. <b>Policy</b> .....                        | 1 |
| 4. <b>Policy Non-Compliance</b> .....         | 8 |
| 5. <b>Audit</b> .....                         | 8 |
| 6. <b>Definitions</b> .....                   | 8 |
| 7. <b>Approval and Revision History</b> ..... | 9 |

### 1. **Purpose**

In compliance with the Drug-Free Workplace Act of 1988, Buncombe County Government (the County) has a longstanding commitment to provide a safe, quality-oriented and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of Buncombe County Government employees and to the security of the County's equipment and facilities. For these reasons, Buncombe County Government is committed to the elimination of drug and alcohol use and abuse in the workplace.

### 2. **Applicability**

This policy applies to all Buncombe County departments and employees. Where there is a conflict with any department-specific policy, this document will supersede. All sections of this policy with the exception of section 3.2.3 apply to members of the Buncombe County Board of Commissioners. This policy does not apply to elected officials and their departments; however, they may elect to follow this policy by providing a written statement.

### 3. **Policy**

#### 3.1. **Drug-Free Expectations**

Whenever employees are working, are operating any Buncombe County Government vehicle, using their private vehicle for Buncombe County business, are present on Buncombe County Government premises or are conducting company-related work offsite, they are prohibited from:

- Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia)
- Being under the influence of alcohol or an illegal drug as defined in this policy
- Possessing or consuming alcohol

The presence of any detectable amount of any illegal drug, illegal controlled substance or alcohol in an employee's body system, while performing County business or while in a County facility, is prohibited. Buncombe County Government will also not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

**3.2. Required Testing****3.2.1. Reasonable Suspicion**

Employees are subject to testing based on (but not limited to) observations by at least two individuals, preferably management, of apparent workplace use, possession or impairment. After consultation with the Human Resources Director or their designee, a decision will be made to send the employee for testing. The employee will be provided transportation to/from the testing site and placed on paid administrative leave. Management must use the reasonable suspicion observation checklist to document specific observations and behaviors that create a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol.

Examples include:

- Odors (smell of alcohol, body odor or urine)
- Movements (unsteady, fidgety, dizzy)
- Eyes (dilated, constricted or watery eyes, or involuntary eye movements)
- Face (flushed, sweating, confused or blank look)
- Speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts)
- Emotions (argumentative, agitated, irritable, drowsy)
- Actions (yawning, twitching)
- Inactions (sleeping, unconscious, no reaction to questions)

When reasonable suspicion testing is warranted, both management and HR will meet with the employee to explain the observations and the requirement to undergo a drug test within two hours. Testing refusal by an employee will be treated as a positive drug test result and the employee will be subject to disciplinary action, up to and including termination. Under no circumstances will the employee be allowed to drive to the testing facility. A member of management will arrange for a taxi to the testing facility and for the employee to be transported home.

**3.2.2. Post-Accident**

- 3.2.2.1. Employees are subject to testing when they cause or contribute to accidents that seriously damage a Buncombe County Government vehicle, machinery, equipment or property or that result in an injury to themselves or another employee requiring offsite medical attention. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle (including a County forklift, pickup truck, tractor, overhead crane or any other form of heavy equipment) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place within two hours following the accident, if not sooner. Testing refusal by an employee will be treated as a positive test result and the employee will be subject to disciplinary action, up to and including termination.
- 3.2.2.2. Under no circumstances will the employee be allowed to drive themselves to the testing facility. A member of management will arrange for a taxi to the testing facility and for the employee to be transported home.

**3.2.3. Applicant Drug Testing**

- 3.2.3.1. Prior to the offer of employment, an applicant for employment with Buncombe County Government in a position that requires the ability to operate a vehicle or motorized equipment to perform the essential functions of the position will be required to submit to a

drug testing procedure for the purpose of screening for the presence of illegal drugs or an abusive level of prescribed medication. It is the policy of Buncombe County that a negative result from this screening is a condition of employment. A confirmed positive test result indicating the presence of illegal drugs or an abusive level of prescribed medication will result in a rejection of the applicant for employment.

3.2.3.2. Drug test results will be held in the strictest confidence. Applicants who are tested will be provided with a copy of the results if requested. Specimens will be checked by a lab utilizing strict chain-of-custody procedures.

3.2.3.3. Drug testing will be limited to the top finalist upon completion of the employment selection process. All applicable applicants must sign a consent form for drug testing. Failure to sign a drug test consent form will result in the candidate not being considered for employment.

### **3.3. Mandated Drug Testing**

When required by State or Federal Law, Buncombe County will conduct appropriate drug testing of employees.

### **3.4. Collection and Testing Procedures**

Employees subject to drug and/or alcohol testing will be transported to an approved designated facility and directed to provide either a urine, breath, hair, saliva or blood specimen. All specimens will be tested by trained technicians using federally approved testing devices capable of producing printed results that identify the employee. For purposes of this policy, test results generated by law enforcement or medical providers will not supplant the County's approved designated facility testing requirement.

### **3.5. Consequences**

3.4.1. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy or who test positive will be subject to disciplinary action, up to and including termination.

3.4.2. Depending on the circumstances, such as the employee's work history and any state law requirements, Buncombe County may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which would include follow-up drug testing at times and frequencies determined by the County for a minimum of one year but not more than two years. If the employee agrees to the random testing after a documented violation, they will then waive their right to contest any termination resulting from a subsequent positive test.

3.4.3. Employees will be paid for time spent in alcohol or drug testing and pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of County Management and HR, and pending the results, this meeting will be considered a pre-disciplinary hearing with a separation recommendation.

### **3.6. Confidentiality**

3.5.1. Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the Employee Relations Manager will be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed to the County Manager,

Assistant County Manager, Human Resources Director and the employee's immediate supervisor on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

- 3.5.2. Buncombe County Government reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees, volunteers and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

### 3.7. Crimes Involving Drugs

- 3.6.1. Buncombe County Government prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. County employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel will be notified, as appropriate, when criminal activity is suspected.
- 3.6.2. Buncombe County Government does not want to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the County reserves the right to take appropriate disciplinary action for drug use, sale or distribution while off company premises. All employees who are convicted of, plead guilty to or are sentenced for a crime involving alcohol or an illegal drug(s) are required to report the conviction, plea or sentence to HR within five calendar days. Failure to comply will result in automatic discharge. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with Buncombe County Government.

### 3.8. Resources and Employee Assistance

This policy encourages employees to voluntarily seek help with alcohol and/or drug problems. The County recognizes that issues with alcohol and drug abuse and addiction are treatable. We also recognize that early intervention and support improves the success of rehabilitation. This policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help
- Offers all employees and their family member's assistance with alcohol and drug problems through our insurance plan and/or our employee assistance program

#### 3.8.1. Local Resources for Drug and Alcohol Concerns

| Center                                 | Contact Information                                                                                       |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------|
| Asheville AA                           | <a href="https://ashevilleaa.org">https://ashevilleaa.org</a>                                             |
| Carolina Region of Narcotics Anonymous | 855-613-2762 <a href="http://www.crna.org/">www.crna.org/</a>                                             |
| SMART Recovery                         | 828-604-6124 <a href="http://www.ashevillerecoverycenter.com">www.ashevillerecoverycenter.com</a>         |
| Rethinking Drinking                    | <a href="https://www.rethinkingdrinking.niaaa.nih.gov/">https://www.rethinkingdrinking.niaaa.nih.gov/</a> |
| YWCA                                   | <a href="http://www.ywcaofasheville.org">www.ywcaofasheville.org</a>                                      |

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Human Resources Department.

|                              |                                                                                        |
|------------------------------|----------------------------------------------------------------------------------------|
| Codependent's Anonymous      | First Congregational Church 20 Oak Street<br>Asheville                                 |
| Faces and Voices of Recovery | <a href="http://www.facesandvoicesofrecovery.org">www.facesandvoicesofrecovery.org</a> |

*Employees and their dependents are encouraged to contact each agency for additional information regarding specific services and costs.*

### 3.8.2.Substance Abuse Counseling Centers

| Counseling Center                                         | Services                                                                                                                  | Contact Information |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------|
| Legacy Freedom Treatment Centers                          | Substance abuse assessment and treatment, outpatient                                                                      | (828) 774-5420      |
| Western Carolina Treatment Center, Inc.                   | Medication-assisted treatment for opiate dependency                                                                       | (828) 251-1478      |
| Crest View Recovery Center                                | Substance abuse assessment and treatment, intensive outpatient program                                                    | (828) 575-2701      |
| October Road                                              | Evaluation and outpatient services<br>(Specializes in substance abuse services)                                           | (828) 350-1000      |
| Mountain Health Solutions                                 | Medication-assisted treatment for opiate dependency                                                                       | (877) 762-3798      |
| Angel Light                                               | Outpatient and assessment services<br>(Licensed and approved for DWI and other court-related substance abuse assessments) | (828) 350-9191      |
| Beyond Addiction                                          | Substance abuse assessment and treatment, outpatient, DWI assessment and groups                                           | (828) 225-2535      |
| Julian F. Keith Alcohol and Drug Abuse Treatment Center   | Inpatient substance abuse treatment                                                                                       | (828) 257-6200      |
| Black Mountain Substance Abuse Treatment Center for Women | Inpatient substance abuse treatment for women                                                                             | (828) 669-4174      |
| Women's Recovery Center                                   | Substance abuse assessment and outpatient treatment for women                                                             | (828) 248-0056      |
| Willow Place                                              | Substance abuse assessment and intensive outpatient treatment for women                                                   | (561) 512-1605      |

*Employees are encouraged to contact each agency for additional information regarding specific services, costs and insurance requirements.*

### 3.8.3.Health Risks of Commonly Abused Substances

| Substance | Nicknames or Slang | Short Term Effects | Long Term Effects |
|-----------|--------------------|--------------------|-------------------|
|-----------|--------------------|--------------------|-------------------|

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Human Resources Department.

Title: Drug-Free Workplace

Last Revised: 10/20/2022

Date Approved: 05/19/2022

|                                |                                                                                                             |                                                                                                                                                                                                                                                   |                                                                                                                                                                                          |
|--------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Alcohol                        |                                                                                                             | Slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts                                                 | Toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, cancer, physical dependence                                          |
| Amphetamines                   | Uppers, speed, meth, crack, crystal, ice, pep pills                                                         | Increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety                                                                                                                                  | Delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence                                                                    |
| Barbiturates and Tranquilizers | Barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's | Slurred speech, muscle relaxation, dizziness, decreased motor control                                                                                                                                                                             | Severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence                                                                                       |
| Cocaine                        | Coke, cracks, snow, powder, blow, rock                                                                      | Loss of appetite, increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility Increased rate of breathing, muscle spasms and convulsions, dilated pupils, disturbed sleep | Depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage |
| Gamma Hydroxy Butyrate         | GHB, liquid B, liquid X, liquid ecstasy, G, Georgia homeboy, grievous bodily harm                           | Euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure                                                                                                                    | Memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence                                                                                       |

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Human Resources Department.

|                  |                                                             |                                                                                                               |                                                                                                                                                                                                        |
|------------------|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Heroin           | H, junk, smack, horse, skag                                 | Euphoria, flushing of the skin, dry mouth, "heavy" feeling arms and legs, slowed breathing, muscular weakness | Constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence |
| Morphine/Opiates | M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff | Euphoria, increased body temperature, dry mouth, "heavy" feeling in arms and legs                             | Constipation, loss of appetite collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence     |

| Substance | Nicknames & Slang Terms                   | Short Term Effects                                                                                                                                                              | Long Term Effects                                                                                                                                                                |
|-----------|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ketamine  | K, super K, special K                     | Dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression                                            | Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity, increased confusion, increased depression, physical dependence, psychological dependence |
| LSD       | Acid, stamps, dots, blotter, A-bombs, Cid | Dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes | May intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence   |

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Human Resources Department.

|                       |                                                                                        |                                                                                                                                                                                       |                                                                                                                                                                                                                                 |
|-----------------------|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MDMA                  | Ecstasy, XTC, adam, X, rolls, pills                                                    | impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension                                                          | same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss, kidney failure, cardiovascular problems, convulsions, death, physical dependence, psychological dependence |
| Marijuana or Cannabis | Pot, grass, dope, weed, joint, bud, blunt, reefer, doobie, roach, mary-jane            | Sensory distortion, poor coordination of movement slowed reaction time, panic, anxiety                                                                                                | bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some                                            |
| Mescaline             | peyote cactus                                                                          | nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature                                                                       | lasting physical and mental trauma, intensified existing psychosis, psychological dependence                                                                                                                                    |
| PCP                   | crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, ozone | shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking | memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence                                                         |
| Psilocybin            | mushrooms, magic mushrooms, shrooms, caps, psilocybin, psilocyn                        | nausea, distorted perceptions, nervousness, paranoia                                                                                                                                  | confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis                                                                                                                                   |

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Human Resources Department.

|          |              |                                                                                                          |                                                                                                                                                                                                                                                                                                                                    |
|----------|--------------|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Steroids | roids, juice | increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure | Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence |
|----------|--------------|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

#### 4. **Policy Non-Compliance**

Employees willfully violating the terms and conditions of this policy may be subject to appropriate disciplinary action, up to and including dismissal.

#### 5. **Audit**

All policies for Buncombe County may be subject to audit or review as outlined in the [Internal Auditor's Statement](#).

#### 6. **Definitions**

- 6.1. County premises - includes all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by Buncombe County Government or any site on which the County is conducting business.
- 6.2. Illegal drug - a substance whose use or possession is controlled by federal law but that is not being used or possessed under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.)
- 6.3. Refuse to cooperate - to obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.
- 6.4. Under the influence of alcohol - means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.
- 6.5. Under the influence of drugs - means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly OTC) when there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization).

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Human Resources Department.

Title: Drug-Free Workplace

Last Revised: 10/20/2022

Date Approved: 05/19/2022

**7. Approval and Revision History**

|                           |                                                                     |
|---------------------------|---------------------------------------------------------------------|
| Policy Origination Date:  | May 10, 2022                                                        |
| Requires Board Approval:  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Board Approval Date:      | May 19, 2022                                                        |
| Revision History Dates:   | Enter Dates                                                         |
| Revision History Changes: |                                                                     |

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Human Resources Department.



## Buncombe County Board of Commissioners

### Request for Board Action

Meeting Date: 11/15/2022

#### Consent Agenda

**Department:** Justice Services

**Presenter(s):** Hannah Legerton, Youth Justice Division Manager

**Contact (s):** Hannah Legerton, Youth Justice Division Manager

**Subject:** Approval of Updated JCPC FY 2022-2023 County Funding Plan

**Brief Summary:** Each year the state requires each Juvenile Crime Prevention Council (JCPC) to submit their County Funding Plan as part of their Annual Plan. The original FY2022-2023 Buncombe County Funding Plan was approved on June 7, 2022. However, there were \$84,902 remaining unallocated funds due to the closure on 5/15/2022 of the JCPC-funded program, Trinity Place. The JCPC has until December 31, 2022 to reallocate the remaining \$84,902.

This fall, the JCPC released another Request for Proposals and reviewed applications for funding. The JCPC recommends allocating the remaining \$84,902 according to the attached revised Funding Allocations FY2022-2023.

The approved funding plan includes Justice Services receiving \$48,089 of JCPC funds to establish a program component that will provide clinical juvenile assessments and group counseling. The required 30% match of \$14,427 will be provided through the Justice Resource Support cost center's operating budget. The award period is January 1, 2023 through June 30, 2023, and will include 1FTE JCPC-funded position.

Buncombe County JCPC has completed all the necessary requirements from the state and is in compliance per JCPC policies.

**Recommended Motion & Requested Action:** Approve the updated Buncombe County Juvenile Crime Prevention Council County Funding Plan, and approve 1FTE grant-funded position.

**County Manager's comments and Recommendation:** County Manager recommends approval.

# Buncombe County NC DPS - Community Programs - County Funding Plan

Available Funds: \$ \$644,477 Local Match: \$ \$227,527 Rate: 30%

DPS JCPC funds must be committed with a Program Agreement submitted in NC Allies and electronically signed by authorized officials.

| #  | Program Provider                               | DPS-JCPC<br>Funding | LOCAL FUNDING        |                     |                   | OTHER<br>State/<br>Federal | OTHER<br>Funds | Total            | % NOT<br>DPS-JCPC<br>Program<br>Revenues |
|----|------------------------------------------------|---------------------|----------------------|---------------------|-------------------|----------------------------|----------------|------------------|------------------------------------------|
|    |                                                |                     | County Cash<br>Match | Local Cash<br>Match | Local In-<br>Kind |                            |                |                  |                                          |
| 1  | JCPC Administration                            | \$15,500            |                      |                     |                   |                            |                | \$15,500         |                                          |
| 2  | Teen Court                                     | \$96,799            |                      |                     | \$29,600          |                            |                | \$126,399        | 23%                                      |
| 3  | Earn and Learn                                 | \$207,021           |                      |                     | \$63,400          |                            |                | \$270,421        | 23%                                      |
| 4  | Aspire Kids at Work & The Connection           | \$85,263            |                      |                     | \$30,697          |                            |                | \$115,960        | 26%                                      |
| 5  | Eliada Student Training for Advancement        | \$69,654            | \$25,000             | \$6,911             |                   |                            |                | \$101,565        | 31%                                      |
| 6  | PIVOTPoint                                     | \$84,112            |                      | \$25,234            |                   |                            |                | \$109,346        | 23%                                      |
| 7  | Buncombe Structured Day                        | \$38,039            |                      |                     | \$32,258          |                            |                | \$70,297         | 46%                                      |
| 8  | Buncombe County Youth Justice Clinical Program | \$48,089            | \$14,427             |                     |                   |                            |                | \$62,516         | 23%                                      |
| 9  |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 10 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 11 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 12 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 13 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 14 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 15 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 16 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 17 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
| 18 |                                                |                     |                      |                     |                   |                            |                |                  |                                          |
|    | <b>TOTALS:</b>                                 | <b>\$644,477</b>    | <b>\$39,427</b>      | <b>\$32,145</b>     | <b>\$155,955</b>  |                            |                | <b>\$872,004</b> | <b>26%</b>                               |

The above plan was derived through a planning process by the Buncombe County  
Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2022-2023.

Amount of Unallocated Funds \_\_\_\_\_

Amount of funds reverted back to DPS \_\_\_\_\_

Discretionary Funds added \_\_\_\_\_

check type ☐ initial plan ☐ update ☐ final

-----DPS Use Only-----

Reviewed by \_\_\_\_\_  
Area Consultant

Date

Reviewed by \_\_\_\_\_  
Program Assistant

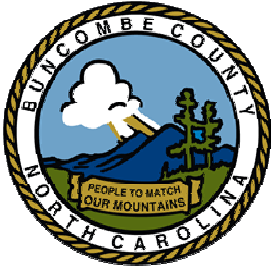
Date

Verified by \_\_\_\_\_  
Designated State Office Staff

Date

\_\_\_\_\_  
Chairperson, Juvenile Crime Prevention Council (Date)

\_\_\_\_\_  
Chairperson, Board of County Commissioners (Date)  
or County Finance Officer



## Buncombe County Board of Commissioners

### Request for Board Action

**Meeting Date: November 15, 2022**

#### Consent Agenda

**Department:** Health & Human Services

**Presenter(s):** John Hudson, Budget

**Contact(s):** Stoney Blevins, HHS Director  
Phillip Hardin, Economic Services Director

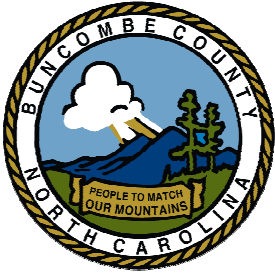
**Subject:** NC Community Development Block Grant-Coronavirus (CDBG-CV) Program Grant Budget Revision

**Brief Summary:** Buncombe County was awarded \$900,000 of Community Development Block Grant (CDBG) for the NC CDBG Coronavirus (CDBG-CV) Program. Buncombe County HHS administers this grant program to distribute housing assistance payments for residents of Buncombe County. This assistance can include emergency rent/mortgage and utility payments on behalf of individuals who have experienced income loss as a result of COVID and rent/mortgage payments focused on eviction/foreclosure prevention.

The NC Department of Commerce has approved a grant budget revision to allow Buncombe County to contract with Land of Sky Regional Council to provide technical assistance in completing the CDBG-CV Compliance Plan and Analysis of Impediments to Fair Housing for CDBG-CV compliance. The revision moves \$31,930 from salaries and benefits to cover these costs and also allocates more of the award towards providing assistance payments.

**Recommended Motion & Requested Action:** Approve budget amendment

**County Manager's Comments & Recommendation:** County Manager recommends as presented



ORDINANCE #22-11-06

## BUNCOMBE COUNTY, NORTH CAROLINA

### Grant Projects Ordinance

**BOARD MEETING DATE: November 15, 2022**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 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 FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 15th day of November, 2022

|                         |                                                |
|-------------------------|------------------------------------------------|
| <b>Granting Agency:</b> | US Department of Housing and Urban Development |
| <b>Grant Name:</b>      | NC CDBG Coronavirus (CDBG-CV) Program          |

**Description:**

Buncombe County was awarded \$900,000 of Community Development Block Grant (CDBG) for the NC CDBG Coronavirus (CDBG-CV) Program. Buncombe County HHS administers this grant program to distribute housing assistance payments for residents of Buncombe County. This assistance can include emergency rent/mortgage and utility payments on behalf of individuals who have experienced income loss as a result of COVID and rent/mortgage payments focused on eviction/foreclosure prevention.

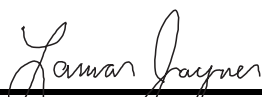
The NC Department of Commerce has approved a grant budget revision to allow Buncombe County to contract with Land of Sky Regional Council to provide technical assistance in completing the CDBG-CV Compliance Plan and Analysis of Impediments to Fair Housing for CDBG-CV compliance. The revision moves \$31,930 from salaries and benefits to cover these costs and also allocates more of the award towards providing assistance payments.

**Funding Source:**

NC CDBG Coronavirus (CDBG-CV) Program -NC Department of Commerce, Rural Economic Development Division - US Department of Housing and Urban Development Community Development Block Grant (CDBG)

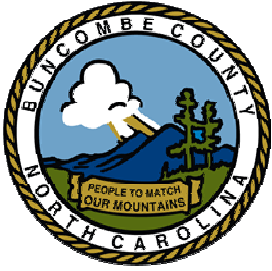
| Exhibit A:<br>Account Description | Increase (Decrease) |              |
|-----------------------------------|---------------------|--------------|
|                                   | Revenues            | Expenditures |
| Fund 327 - Salaries and Benefits  |                     | \$ (31,930)  |
| Fund 327 - Operating              |                     | \$ 12,000    |
| Fund 327 - Program Support        |                     | \$ 19,930    |
| <b>TOTAL</b>                      | \$ -                | \$ -         |

**ATTEST:**

  
Clerk to the Board

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

By:   
Chairman of the Board



## Buncombe County Board of Commissioners

### Request for Board Action

**Meeting Date: November 15, 2022**

#### Consent Agenda

**Department:** Health & Human Services

**Presenter(s):** John Hudson, Budget

**Contact(s):** Stoney Blevins, HHS Director  
Stacie Saunders, Public Health Director

**Subject:** School Health Liaison - Agreement Addendum 361

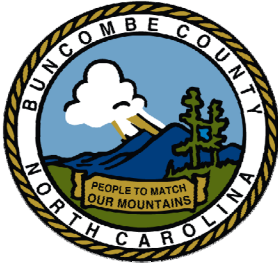
**Brief Summary:** To enable schools to establish and expand COVID-19 screening testing programs to support and maintain in-person learning, the federal government is providing financial resources through the Centers for Disease Control and Prevention (CDC) under the Epidemiology and Laboratory Capacity (ELC) Reopening Schools award. This is temporary funding of \$115,000 to create School Health Liaisons for the coordination of COVID-19 screening, testing, and vaccine administration efforts, and to coordinate other school health/public health services.

To implement this temporary program, the Public Health department will create an addendum to the existing Mountain Area Health Education Center (MAHEC) contract for school nursing to include the additional scope of work for this funding. MAHEC will then hire two certified medical assistants. One would be dedicated to COVID-19 testing coordination and the other would be dedicated to isolation and quarantine consultation for schools without school nurses.

**Recommended Motion & Requested Action:** Approve budget amendment

**County Manager's Comments & Recommendation:** County Manager recommends as presented

ORDINANCE #22-11-07



**BUNCOMBE COUNTY, NORTH CAROLINA**  
**General Fund**

**BOARD MEETING DATE: November 15, 2022**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 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 FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 15th day of November, 2022

**Requesting Department:** Health and Human Services  
**Budget Amendment Item:** School Health Liaison - Agreement Addendum 361

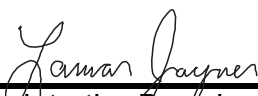
**Description:** To enable schools to establish and expand COVID-19 screening testing programs to support and maintain in-person learning, the federal government is providing financial resources through the Centers for Disease Control and Prevention (CDC) under the Epidemiology and Laboratory Capacity (ELC) Reopening Schools award. This is temporary funding to create Local School Health Liaisons for the coordination of COVID-19 screening, testing, and vaccine administration efforts, and to coordinate other school health/public health services.

To implement this temporary program, the Public Health department will create an addendum to the existing Mountain Area Health Education Center (MAHEC) contract for school nursing to include the additional scope of work for this funding. MAHEC will then hire two certified medical assistants, one dedicated to COVID-19 testing coordination and the other dedicated to isolation and quarantine consultation for schools without school nurses.

**Funding Source:**  
US DHHS, Centers for Disease Control and Prevention  
CFDA #: 93.323 Epidemiology and Laboratory Capacity for Infectious Disease (ELC)

| <b>Exhibit A:</b><br><b>Account Description</b> | <b>Increase (Decrease)</b> |                     |
|-------------------------------------------------|----------------------------|---------------------|
|                                                 | <b>Revenues</b>            | <b>Expenditures</b> |
| Fund 100 - Revenues                             | \$ 115,000                 |                     |
| Fund 100 - Expenditures                         |                            | \$ 115,000          |
| <b>TOTAL</b>                                    | <b>\$ 115,000</b>          | <b>\$ 115,000</b>   |

**ATTEST:**

  
Clerk to the Board

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

By:   
Chairman of the Board



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 11/15/2022**

**Presentations**

**Department: Health & Human Services**

**Presenters: Heather Sellers, HHS**

**Contacts: Heather Sellers**

**Subject: Adoption Awareness Month Proclamation**

**Brief Summary: Recognition of Adoption Awareness Month in Buncombe County for November, 2022.**

County of Buncombe

# Proclamation

OF NOVEMBER AS  
**ADOPTION AWARENESS MONTH**

---

**WHEREAS,** *Adoption Awareness Month* is celebrated to call attention to the fact that every child deserves to grow up in a loving, nurturing, permanent home and that this experience lays the foundation for a happy, productive adulthood; and

**WHEREAS,** in Buncombe County, there are 328 children and 50 young adults age 18-21 in custody in Buncombe County

**WHEREAS,** 32 children achieved permanency with their forever families through adoption July 1, 2021 to June 30, 2022

**WHEREAS,** during the month of November, Buncombe County Health and Human Services will continue to focus on children who need permanent adoptive families and honor families who have adopted children as well as those who work to address the impacts of childhood trauma through safe and stable forever homes that meet the unique needs of children in foster care.

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

1. That the month of November 2022 be proclaimed

## **ADOPTION AWARENESS MONTH**

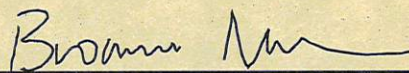
in Buncombe County.

2. That all citizens, community agencies, religious organizations, businesses and others be encouraged to celebrate adoption and honor adoptive families by increasing their awareness of the issues of adoption and helping to focus attention on the need for adoptive parents and the children who are waiting for permanent homes.

3. That this proclamation be effective upon its adoption.

**ADOPTED** this the 15th day of November 2022.

**BOARD OF COMMISSIONERS  
COUNTY OF BUNCOMBE**



**Brownie Newman, Chairman**



**Buncombe County Board of Commissioners**  
**Request for Board Action**  
**Meeting Date: 11/15/2022**

**Presentations**

**Department:** Communications & Public Engagement

**Presenter(s):** Sonja Saunooke

**Contact(s):** Sonja Saunooke, Lillian Govus

**Brief Summary:** Native American Heritage Month is a time to celebrate the rich and diverse cultures of indigenous people, raise awareness about our shared history, recognize that truth must come before reconciliation, and acknowledge the important contributions that Native Americans have made to our community and our nation.

County of Buncombe  
*Proclamation*

Native American Heritage Month

WHEREAS, Buncombe County is committed to creating an inclusive community that celebrates diversity and ensures all residents have equitable opportunities to lead healthy, peaceful, safe and sustainable lives; and

WHEREAS, in honoring the cultures, traditions and accomplishments of Native Americans that have shaped our country, we also acknowledge our nation's history of colonialism that has inflicted discrimination, deprivation, violence and genocide upon indigenous people; and

WHEREAS, the area currently known as Buncombe County, North Carolina rests on land that was first inhabited by the Cherokee, who flourished here for thousands of years, as well as the Catawba People; and

WHEREAS, the traditional territory of the Cherokee covered more than 100,000 square miles of what today is western North Carolina, eastern Tennessee, northern Georgia, and upstate South Carolina; and

WHEREAS, in the early 18<sup>th</sup> century, the estimated population of the Cherokee People was 36,000 but by 1770 was only about 7,000 due to forced relocation, consolidation of towns, and smallpox outbreaks; and

WHEREAS, white settlers began arriving in what would become Buncombe County in the 1760s and took land from the Cherokee that was not ceded nor paid for; and,

WHEREAS, following a massacre led by Griffith Rutherford, leader of the Salisbury district militia, virtually no indigenous inhabitants were left in the present-day Buncombe County region; and

WHEREAS, the Cherokee people endure to this day, having survived catastrophic diseases, loss of their ancestral lands, forced relocation to a reservation, long-term mismanagement at the reservation, family separations through the removal of children to boarding schools, and termination; and

WHEREAS, the Buncombe County Register of Deeds collaborated with Cherokee counterparts to collect information for the website "As Long as the Grass Shall Grow," featuring the history of Cherokee land cessions that created Buncombe County; and

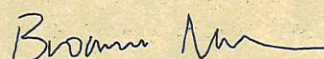
WHEREAS, more than 8,000 members of the Eastern Band of the Cherokee now live in the Qualla Boundary just to our west; and

WHEREAS, we recognize and honor the generous contributions of the Eastern Band of Cherokee to our economy, culture, and community; and

WHEREAS, the Buncombe County Board of Commissioners supports renaming the Great Smoky Mountains National Park's "Clingmans Dome" to its Cherokee name "Kuwohi;" and

WHEREAS, we seek to repair the trauma of past oppression and broken trust—both locally and regionally—by lifting up indigenous cultures and voices and striving together to build a future of shared hope and promise for all;

NOW, THEREFORE, BE IT RESOLVED, that on this 15<sup>th</sup> day of November 2022, the Buncombe County Board of Commissioners does hereby proclaim November 2022 as **Native American Heritage Month**, a time to celebrate the rich and diverse cultures of indigenous people, to raise awareness about our shared history, to recognize that truth must come before reconciliation, and to acknowledge the important contributions that Native Americans have made to our community and our nation.



Brownie Newman, Chairman  
Buncombe County Board of Commissioners



# Community Reparations Commission – Quarterly Update

---

*Presented by*

DK Wesley, Assistant County Manager

Christine Edwards, Civility Localized

County Manager's Report

November 15, 2022



# OVERVIEW

- Background
- Project Management Update
- Work in Progress
- Looking Ahead
- Commission Appointments
- Discussion

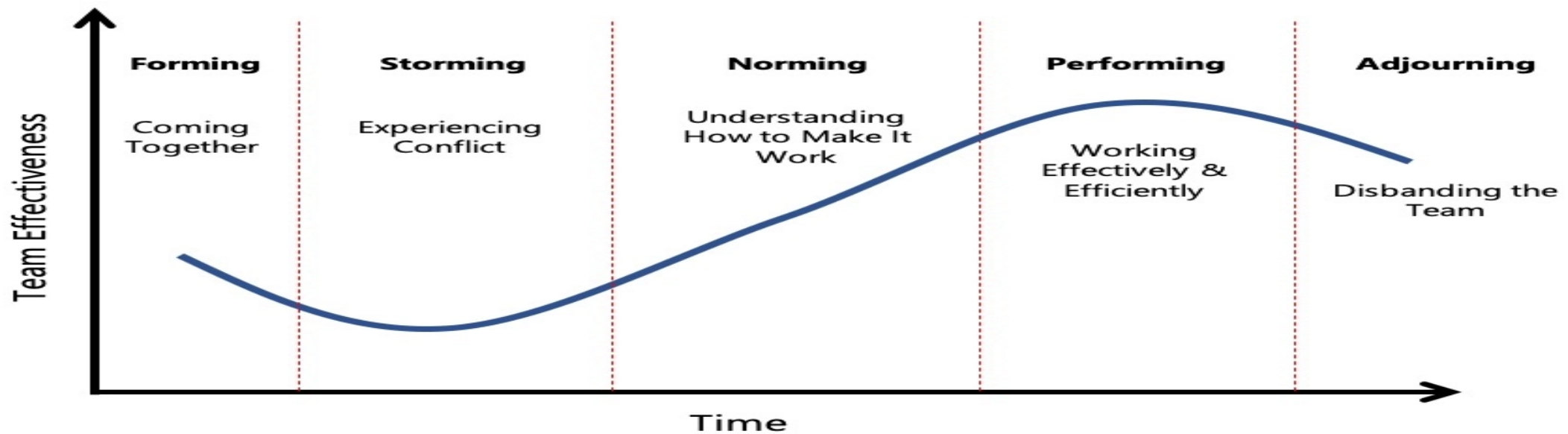


# BACKGROUND

## Community Reparations Commission -

The Journey thus far...

### *The Art of Becoming*



# PROJECT MANAGEMENT UPDATE

- TEQuity LLC
  - Contracted by City of Asheville – September 2021
  - Convened 1<sup>st</sup> Commission Meeting – April 30, 2022
- Additional project mgmt. support added
  - TEQuity subcontracts with Christine Edwards, Civility Localized
- Reassignment of Project Management (in full)
  - Civility Localized w/ Christine Edwards as Primary Lead
  - Considered by Asheville City Council tonight - November 15<sup>th</sup>
- Continuous County In-Kind Project Support
  - Planning & Legal advisement
  - Communications & Engagement
  - Subject Matter Expertise for 5 Impact Focus Areas
  - Security – Buncombe County Sheriff's Office



# WORK IN PROGRESS

- IFA Workgroups

- Contract Facilitation w/ SME support
- In Community & In Person
- Critical Path – Identify Harms, Evaluate Data & Develop Recommendations

- Recommendations

- Immediate, Short Term, Mid Term & Long Term
- Buncombe County Board of Commissioners include a line item in their budget for reparations for Black people in Buncombe County as a percentage of the overall budget in perpetuity [Immediate]
  - BOCC Approved - \$500K w/ 2% annual increase



# LOOKING AHEAD

- **Process Re-engineering**
  - Based on community & survey feedback
  - Structured data request/response process
  - Developing standard recommendation template for use across IFAs
  - Developing process for recommendation vetting and full commission consideration
- **Develop 2023 Communications & Public Engagement Plan**
  - More informal touch points for commission members
  - More communication resources available
  - Regular update to city website and engagement hub
  - Partnership with youth-led BIPOC multimedia communications
  - Expand opportunities to collaborate with other organizations on reparations work
- **Re-work Short-Term Recommendations milestone (current milestone is March 2023)**
- **Next Commission Meeting: December 5, 2022, 6 PM – 8 PM, Harrah's Civic Center**



# COMMISSION APPOINTMENTS

- Six Commission Appointments
  - By Impact Focus Areas
  - 1 vacancy
- Alternates
  - 2 appointments
    - 1 elevated to full participation
    - 1 recent resignation
    - 2 vacancies



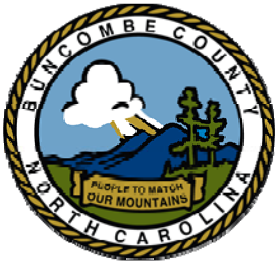
# COMMISSION APPOINTMENTS

| OPTIONS                                                   | POSSIBLE PROS                                                                                                                                                                                                                           | POSSIBLE CONS                                                                                                                                                                                                       |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A – Elevate current alternates (COA/Neighborhoods)</b> | <ul style="list-style-type: none"> <li>• No time lost</li> <li>• Continuity of work / knowledge</li> </ul>                                                                                                                              | <ul style="list-style-type: none"> <li>• Reduction of representation across county</li> <li>• Reduction of members appointed solely for focus area expertise</li> </ul>                                             |
| <b>B – Review previous applicants</b>                     | <ul style="list-style-type: none"> <li>• Reduces time lost – no application process</li> <li>• Clear indication of interest</li> </ul>                                                                                                  | <ul style="list-style-type: none"> <li>• Applicants may have lost interest or relocated</li> <li>• Depending on the pool, may also include the cons above</li> <li>• Level setting / onboarding required</li> </ul> |
| <b>C – Re-open application process</b>                    | <ul style="list-style-type: none"> <li>• Extends opportunities for participation</li> <li>• Allows access to those who reside in unincorporated Buncombe County</li> <li>• Increase knowledge of commission charge and goals</li> </ul> | <ul style="list-style-type: none"> <li>• Adds time to filling the seats</li> <li>• Level setting / onboarding required</li> </ul>                                                                                   |



# DISCUSSION





## Buncombe County Board of Commissioners

### Request for Board Action

**Meeting Date: November 15, 2022**

#### New Business

**Department:** Agriculture & Land Resources

**Presenter(s):** John Hudson, Budget

**Contact(s):** Jennifer Harrison, Agriculture and Land Resources Director  
Ariel Zijp, Farmland Preservation Manager

**Subject:** Establish Three New Conservation Easement Projects

**Brief Summary:** The Buncombe County Agricultural Advisory Board (AAB) requests transaction costs for three easement projects from FY23 Conservation Easement project funds. The three full donation projects consist of Dragonheart Farm owned by Tarana Wesley in Sandy Mush, Larson Forest owned by Bruce and Jean Larson in Sandy Mush, and Garrett Cove Farm owned by Southern Appalachian Highlands Conservancy. These easements will be held by Buncombe County Soil and Water Conservation District.

- Dragonheart Farm, 31 acres in Sandy Mush - \$38,000
- Bruce and Jean Larson Farm, 70 acres in Sandy Mush - \$50,000
- Garrett Cove Farm, 101 acres in Sandy Mush - \$25,000

This aligns with the 2025 Strategic Plan Goal: *Preserve farmland and environmentally sensitive tracts.*

This aligns with Buncombe County Board of Commissioner's Land Conservation Goal of *protecting 20% of Buncombe County lands by 2030.*

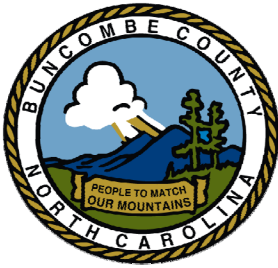
6,036 acres are needed to achieve the 20% by 2030 conservation goals. Since the adoption of this goal in May 2022, 590.4 acres of easement projects have been initiated. With the addition of these 3 projects - totaling 202 acres - Buncombe County will need 5,243.60 more acres to achieve this goal. Buncombe County will have conserved 77,429 acres total with the addition of these projects.

No new funding is required to establish the three new easement projects. Approving the budget amendment will allocate \$113,000 of the \$750,000 budgeted for FY23 Conservation Easement project funds.

**Recommended Motion & Requested Action:** Approve budget amendment

**County Manager's Comments & Recommendation:** County Manager recommends as presented

ORDINANCE #22-11-08



**BUNCOMBE COUNTY, NORTH CAROLINA**  
**Special Projects Ordinance**

**BOARD MEETING DATE: November 15, 2022**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 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 FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 15th day of November, 2022

**Project Name:** Establish Three New Conservation Easement Projects

**Description:**

The Buncombe County Agricultural Advisory Board (AAB) requests transaction costs for three easement projects from FY23 Conservation Easement project funds. The three full donation projects consist of Dragonheart Farm owned by Tarana Wesley in Sandy Mush, Larson Forest owned by Bruce and Jean Larson in Sandy Mush, and Garrett Cove Farm owned by Southern Appalachian Highlands Conservancy. These easements will be held by Buncombe County Soil and Water Conservation District.

- Dragonheart Farm, 31 acres in Sandy Mush - \$38,000
- Bruce and Jean Larson Farm, 70 acres in Sandy Mush - \$50,000
- Garrett Cove Farm, 101 acres in Sandy Mush - \$25,000

No new funding is required to establish the three new easement projects. Approving the budget amendment will allocate \$113,000 of the \$750,000 budgeted for FY23 Conservation Easement project funds. This brings the total allocation to date to \$497,000.

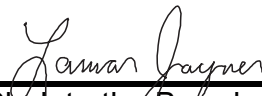
**Funding Source:**

FY23 Conservation Easement funding. No new County dollars required

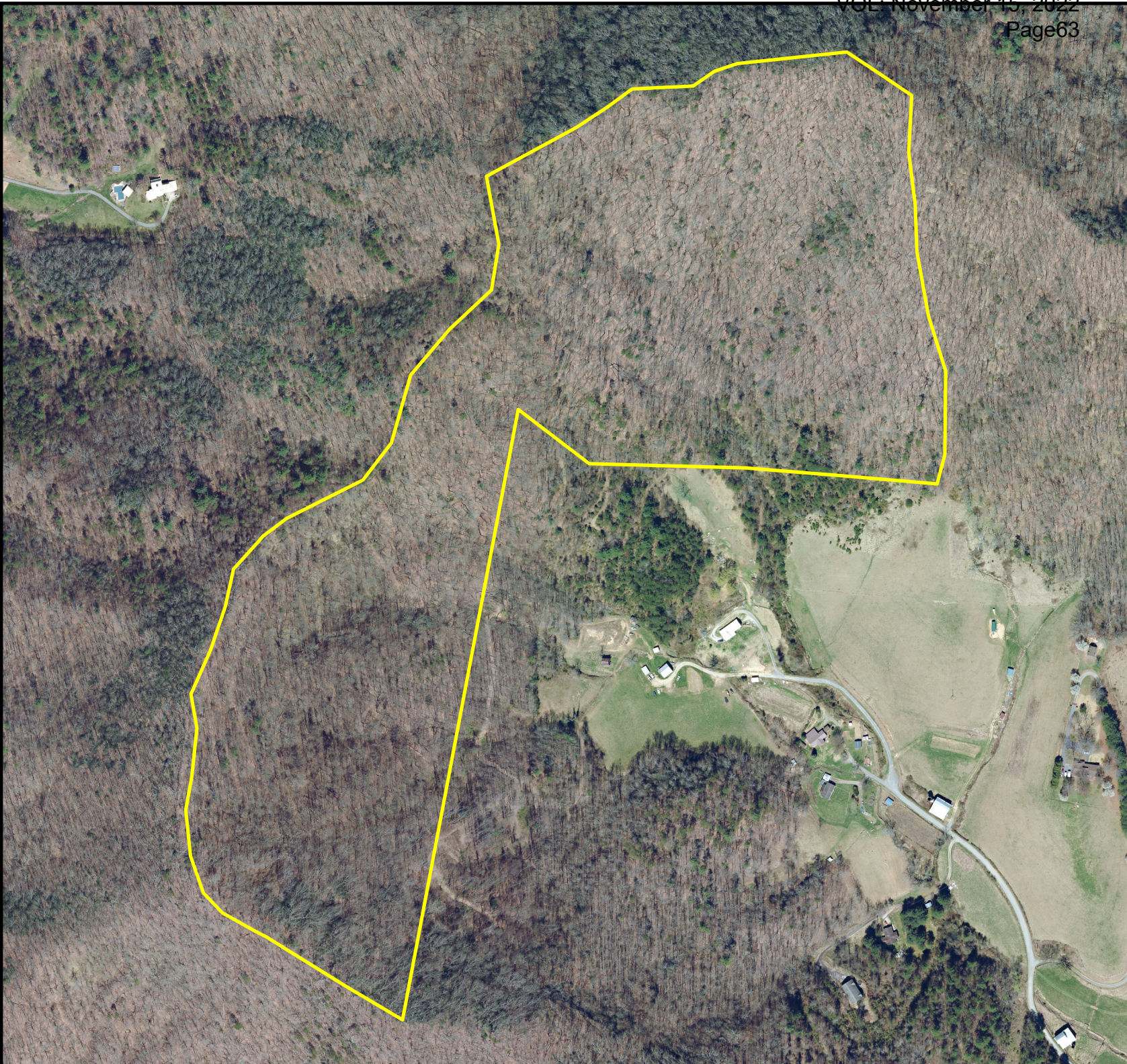
| <b>Exhibit A:</b><br><b>Account Description</b> | <b>Increase (Decrease)</b> |                     |
|-------------------------------------------------|----------------------------|---------------------|
|                                                 | <b>Revenues</b>            | <b>Expenditures</b> |
| Fund 224 - Future Conservation Easements        | \$ (113,000)               | \$ (113,000)        |
| Fund 224 - Dragonheart Farm                     | \$ 38,000                  | \$ 38,000           |
| Fund 224 - Bruce and Jean Larson Farm           | \$ 50,000                  | \$ 50,000           |
| Fund 224 - Garret Cove Farm                     | \$ 25,000                  | \$ 25,000           |
| <b>TOTAL</b>                                    | <b>\$ -</b>                | <b>\$ -</b>         |

**ATTEST:**

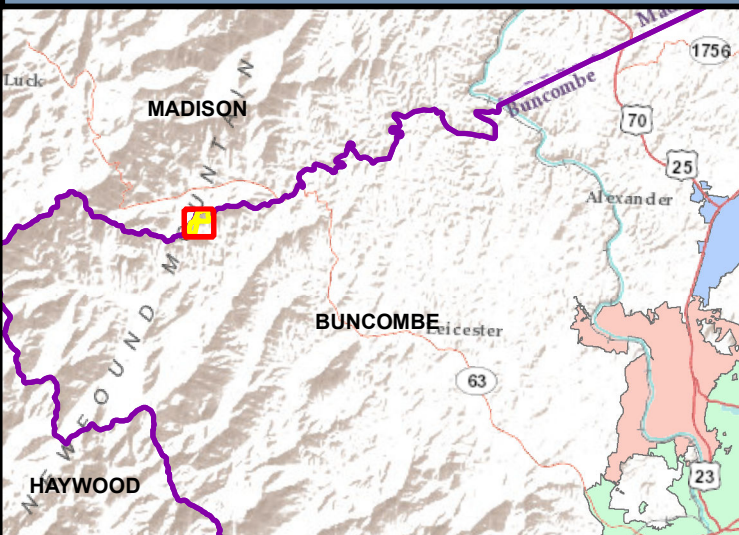
**BOARD OF COMMISSIONERS FOR  
THE COUNTY OF BUNCOMBE:**

  
Clerk to the Board

By:   
Chairman of the Board



## Bruce Larson Easement Map

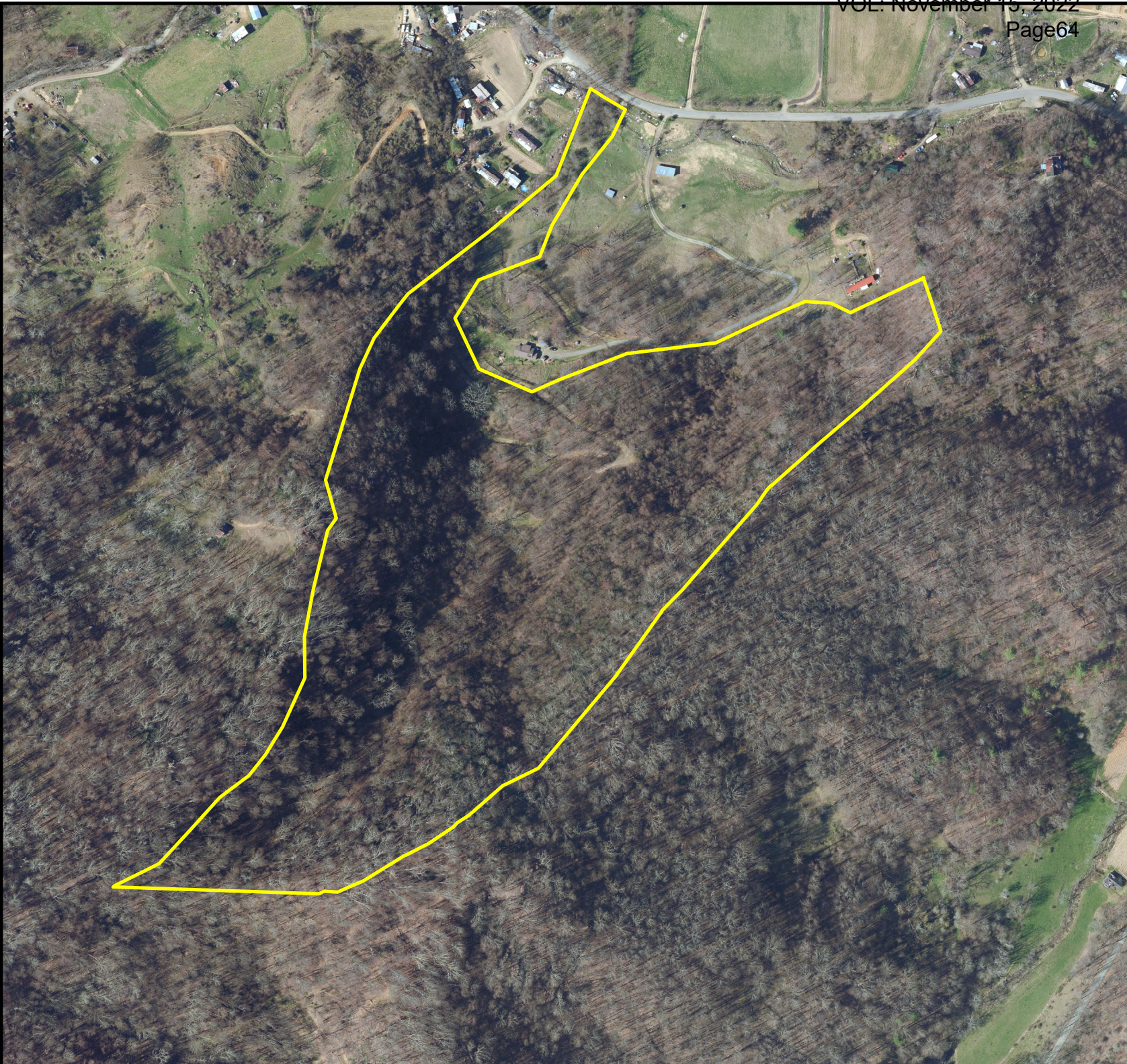


-  Easement Boundary
-  City of Asheville
-  Weaverville
-  Woodfin
-  County Boundary



Map by Buncombe County  
Soil & Water Conservation  
District Staff  
September, 2022

This map may not be used as a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.



## Linda (Taran) Wesley Easement Map

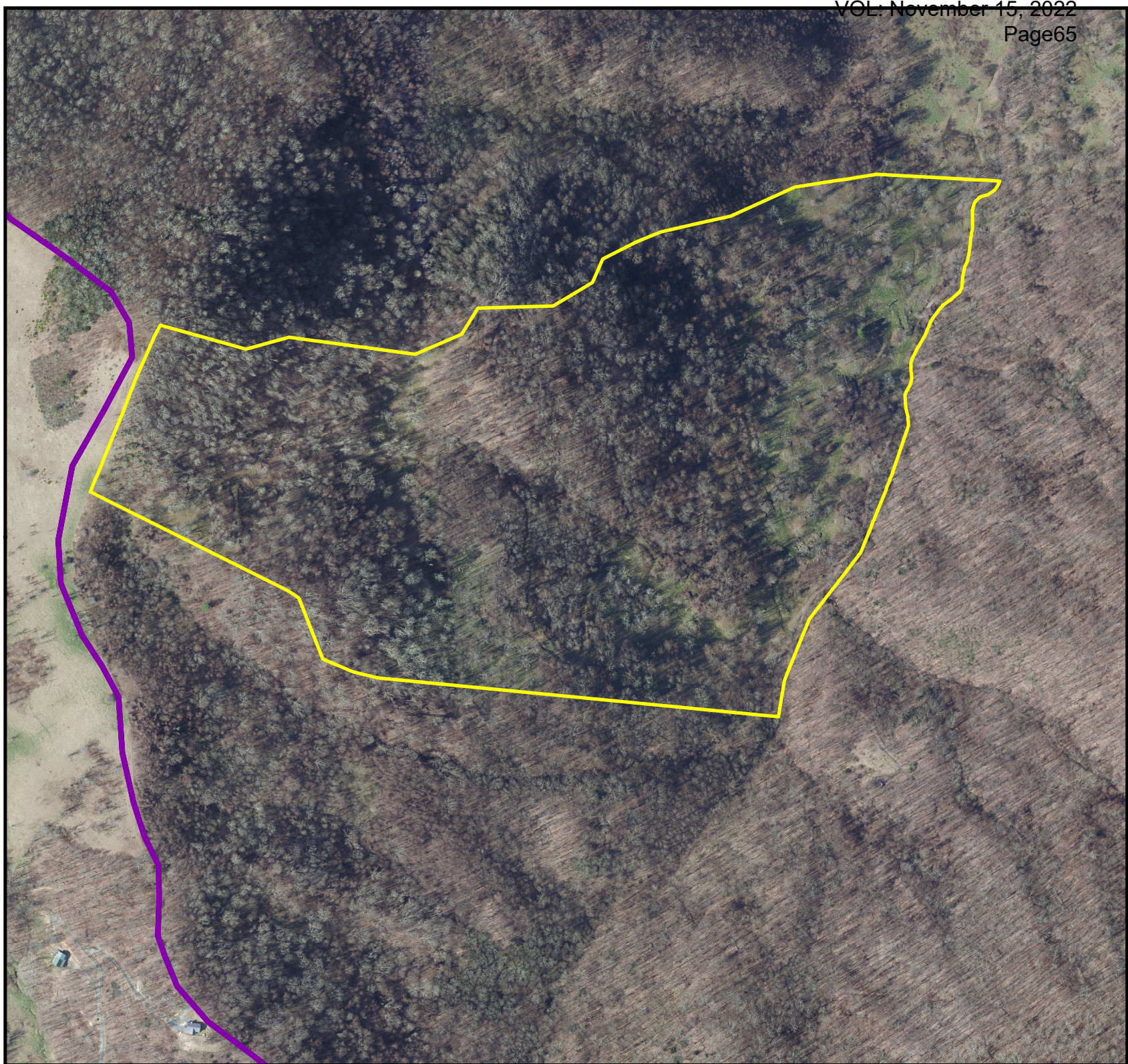


-  Easement Boundary
-  City of Asheville
-  Weaverville
-  Woodfin
-  County Boundary



Map by Buncombe County  
Soil & Water Conservation  
District Staff  
September, 2022

This map may not be used as a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.



## Southern Appalachian Highlands Conservancy (SAHC) - Garret Cove

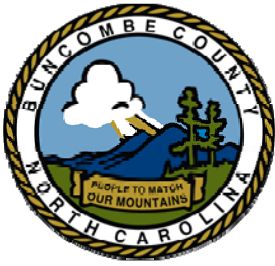


-  County Boundary
-  SAHC Garrett Cove
-  City of Asheville
-  Weaverville
-  Woodfin



Map by Buncombe County  
Soil & Water Conservation  
District Staff  
September, 2022

This map may not be used as a certified  
survey and has not been reviewed  
by a local government agency for  
compliance with any applicable land  
development regulations and has not  
been reviewed for compliance with  
recording requirements for plats.



## Buncombe County Board of Commissioners

### Request for Board Action

**Meeting Date: November 15, 2022**

#### New Business

**Department:** Budget

**Presenter(s):** John Hudson, Budget Director

**Contact(s):** John Hudson, Budget Director

**Subject:** Cross Functional Line-Item Transfers Memo

**Brief Summary:** North Carolina General Statute Section 159-15 states "The governing board by appropriate resolution or ordinance may authorize the budget officer to transfer moneys from one appropriation to another within the same fund subject to such limitations and procedures as it may prescribe. Any such transfers shall be reported to the governing board at its next regular meeting and shall be entered in the minutes."

Buncombe County's annual Budget Ordinance authorizes the County Manager to approve line-item budget transfers across functions up to \$75,000.

The attached memo lists the cross functional line-item budget transfers that were approved by the County Manager in the first quarter of fiscal year 2023. Following this update, the Budget Office will be reporting these transfers to the Board at their next regular meeting following such transfers.

**Recommended Motion & Requested Action:** Accept for Information

**County Manager's Comments & Recommendation:** County Manager recommends as presented



## Budget Office

John E. Hudson  
*Budget Director*

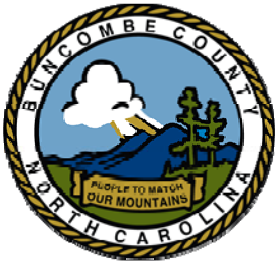
November 15, 2022

### FY2023 Cross Functional Line-Item Transfers (LIT)

| Date            | Amount   | Transferred From | Transferred To     |
|-----------------|----------|------------------|--------------------|
| August 1, 2022  | \$16,146 | Public Safety    | General Government |
| August 10, 2022 | \$5,558  | Human Services   | General Government |

Both transfers were due to a janitorial contract for 35 Woodfin that was previously managed by HHS, being transferred to General Services for contract management.





## Buncombe County Board of Commissioners

### Request for Board Action

**Meeting Date: November 15, 2022**

#### **New Business**

**Department:** Planning

**Presenter(s):** John Hudson, Budget Director

**Contact(s):** Nathan Pennington, Planning Director  
Matthew Cable, Community Development Division Manager

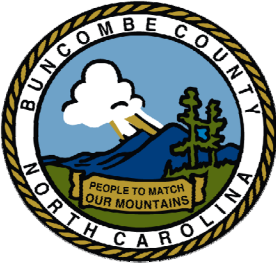
**Subject:** Affordable Housing Services Program Budget Consolidation

**Brief Summary:** This budget amendment consolidates \$1,240,600 in unallocated FY22 Affordable Housing Services Program (AHSP) project dollars as well as \$247,555 in overrealized AHSP Program Income project dollars into the AHSP FY23 project in order to fund all FY23 AHSP projects.

**Recommended Motion & Requested Action:** Approve budget amendment

**County Manager's Comments & Recommendation:** County Manager recommends as presented

ORDINANCE #22-11-09



**BUNCOMBE COUNTY, NORTH CAROLINA**  
**Special Projects Ordinance**

**BOARD MEETING DATE: November 15, 2022**

**WHEREAS**, the Budget Director recommends and the Board now desires to amend the FY2022-2023 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 FY2022-2023 amendments listed in Exhibit A below be hereby adopted.
2. That this ordinance shall be effective upon adoption.

**ADOPTED** this 15th day of November, 2022

**Project Name:** Affordable Housing Services Program Budget Consolidation

**Description:**

This budget amendment consolidates \$1,240,600 in unallocated FY22 Affordable Housing Services Program (AHSP) project dollars as well as \$247,555 in overrealized AHSP Program Income project dollars into the AHSP FY23 project in order to fund all FY23 AHSP projects.

**Funding Source:**

AHSP allocations and program income. No new County dollars required

| <b>Exhibit A:</b><br><b>Account Description</b>     | <b>Increase (Decrease)</b> |                     |
|-----------------------------------------------------|----------------------------|---------------------|
|                                                     | <b>Revenues</b>            | <b>Expenditures</b> |
| Fund 224 - Affordable Housing Services Program FY22 | \$ (1,240,600)             | \$ (1,240,600)      |
| Fund 224 - Affordable Housing Services Program FY23 | \$ 1,488,155               | \$ 1,488,155        |
| <b>TOTAL</b>                                        | <b>\$ 247,555</b>          | <b>\$ 247,555</b>   |

**ATTEST:**

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

  
Clerk to the Board

By:   
Chairman of the Board