

Town of Fletcher  
Agenda Review Meeting  
Minutes  
November 6, 2017

Call the meeting to order at: 06:04 pm

Those who were in attendance are as follows:

Mayor Bill Moore  
Mayor Pro-Tem Eddie Henderson  
Councilwoman Sheila Franklin  
Councilman Bob Davy  
Councilman Hugh Clark  
Town Manager Mark Biberdorf  
Planning & Zoning Director Eric Rufa  
Police Chief Erik Summey  
Town Attorney Joe Ferikies

Invocation: Mayor Pro-Tem Eddie Henderson  
Pledge of Allegiance: Councilman Hugh Clark

\*\*\*Public Input\*\*\*  
None at this time

Approval of minutes-corrections, additions or deletions.  
(10/02, 10/09 & 10/19)

**Mayor Moore** asked council to review minutes and let any changes be known next week.

**Council Updates**

**Councilwoman Sheila Franklin:** None at this time

**Mayor Pro-Tem Eddie Henderson:** None at this time

**Councilman Bob Davy:** None at this time

**Councilman Hugh Clark:** Commented on the heavy rains in the park and the water that accumulated on the back parking lot. He said that it took on lots of water has asked why the valves were not put on during the recent improvements on the drainage area in that area of the parking lot.

**Town Manager Mark Biberdorf** My recollection from that is that they can put something like that on but it tends to cause more issues or problems as far as stopping up the drains instead of benefiting them.

**Mayor Moore** asked if the debris was removed from Cane Creek.

**Town Manager Mark Biberdorf** stated that public works rented a track hoe and removed all the debris that had collected around the bridge from the storm.

### **Consent Agenda**

Tax releases/refunds

Set public hearing for December meeting to consider CD# 2017-01 & SUP#2017-02, an application from the City of Hendersonville water dept. for a new booster pump station on parcel ID# 9652-67-2788, on Woodhill Drive.

Renewal of broker agreement with Commercial Carolina.

**Mayor Moore** asked council to review the Consent Agenda and let him know if they would like to remove any items for discussion next week.

### **Presentation of audit for FY 16/17-Carol Avery CPA, of Lowdermilk Church & Company.**

**Town Manager Mark Biberdorf** stated that the audit is done and we will direct you to the management discussion and analysis in the document. I am happy to report that this is another clean audit. Ms. Avery will go into more detail on net assets, fund balance and tax collection rate. To give you a quick glimpse our total fund balance combined is \$5,275,694 and we had a little bit net decrease of \$ 71,829 as compared to the prior year. This is all of fund balance restrictive and unrestrictive. Then our unassigned fund balance which is the one we do the calculation with the fund balance policy that is available for appropriations for anything and that was at \$3,466, 673. Our fund balance policy is 45% to 65 % as a percentage of general fund expenditures. That puts us at 51.9% or 52 % we were at 54% almost 55% last year. The dollar amount is very close to the prior year. Our debt increased by \$179, 000 which is really good at 2.07%. Then our collection rate is 99.61% which is great and the statewide average is 98.78% as a comparison. We did not have any audit findings or material weaknesses.

Discussion Followed:

**Public hearing to consider SUP Application #2017-01, a proposed 168 unit Apartment complex located at 35 Howard Gap Road (PIN#9652-78-6499, zoned CBD)-Planning & Zoning Director Eric Rufa.**

**Planning & Zoning Director Eric Rufa** stated that the developer and the engineer will be here next for the Public Hearing. This went before the Planning Board and it took about 2 hours last week and there was a vote of 4 to 3 in favor of recommending approval of the project. He then gave a brief overview of the meeting with Planning Board and answered some questions that council had on this.

**Town Attorney Joe Ferikes** stated that this hearing needs to be conducted as a quasi-judicial hearing and everyone needs to be given the right to testify under oath.

Discussion Followed:

**Consideration of animal control ordinance-Mark Biberdorf, Town Manager and Erik Summey, Police Chief.**

**Town Manager Mark Biberdorf** stated that a lot of the language in this ordinance is the county's animal control ordinance that we are currently operating under when we did our Resolution years ago to authorize them to enforce here in the town. However, with the advent of the police department taking over the animal control function of capturing and transporting dogs and cats to the shelter Erik and I had some discussion with the School of Government and they recommended that we have our own ordinance. Erik started working on this and I have been going over edits on it. What you have here is that the language that has been taken out as to who is picking up the animals (which our police department will now be doing) and the shelter is still an integral part of this which you will see throughout the ordinance.

**Police Chief Erik Summey** stated that once the budget was approved in July is when we started looking at this. He commented that per the discussion with the School of Government they highly recommended that we have our own animal control ordinance especially if this might lead to a criminal or civil issue. He said that he spent the last several months going over the ordinance and making changes to fit what we need in Fletcher

The chief then answered questions council had concerning this ordinance.

Discussion Followed:

The Police Chief and Town Manager are comfortable with this ordinance with a few final amendments.

**Councilman Hugh Clark** suggested moving this to consent agenda next week.

Council is agreeable to move this to the Consent Agenda for next week.

**Discussion on recycling contract with Curbside Management-Mark Biberdorf, Town Manager.**

**Town Manager Mark Biberdorf** stated that he mentioned to council back in the spring that we have gotten to close to the notice period to be renegotiating or re-evaluating our recycling contract. Technically it expired and renews automatically for one year unless we give notice or curbside gives notice to end the agreement. Everything is going fine with recycling services right now there has been no issues with it. I need to start looking what our options are to continue with the service.

Several options that we have are:

- 1) Renew for another year
- 2) Renegotiate a new agreement for another five year period
- 3) Go through the RFP process
- 4) Bring it in house.

Staff recommendation is to enter into negotiations for another 5 year agreement if council is comfortable with that. We would want to talk to them about help with marketing and see if they can go to a larger container and maybe go back to lids. I will be suggesting possibly roll out carts and maybe something larger than the 32 gallon container which is the largest that they currently allow.

Discussion Followed:

**Discussion on lease agreement with Asheville Buncombe Aeromodelers Inc.-  
Mark Biberdorf, Town Manager.**

**Town Manager Mark Biberdorf** stated that the Fletcher RC flyers merged with ABA back in September. I asked Joe Ferikes (Town Attorney) did we need to have a new lease agreement since they merged. We have got a new draft going that ends in 2019 which is when the current lease ends unless we extend it.

Do we want to go up on the lease fee for this?

We are currently getting \$131.00 per acre with taproot dairy.

It would be \$525.00 for 4 acres. (Per year)

Council has suggested that the fees increase since this is a new group and is mostly nonresidents.

Discussion Followed:

The rate suggested is \$500.00 a year with a notification of 60 days. The town also needs to be notified of any large event that takes place on the property.

**Comments from the Town Manager-Mark Biberdorf.**

The FABBA Annual Business meeting is tomorrow night upstairs from 5:30 to 7:00. They have their elections of president, treasurer, communications committee chair and membership elections chair.

I handed out a map for you to view because I was contacted by a ROW specialist from Raleigh. They are going to need a right of way area from the town (green area on map) and a temporary construction easement (yellow area) for the Howard Gap Road project. They are offering compensation of \$10,350 for this.

Council has some concerns what the impact on public works would be with the temporary construction easement.

We held the mandatory pre-bid conference for the Hwy 25 Corridor project last Thursday. There was a good turnout nine contractors came to the meeting. Hopefully this is a good indication that we will get competitive bids because we have to get a minimum of three bids.

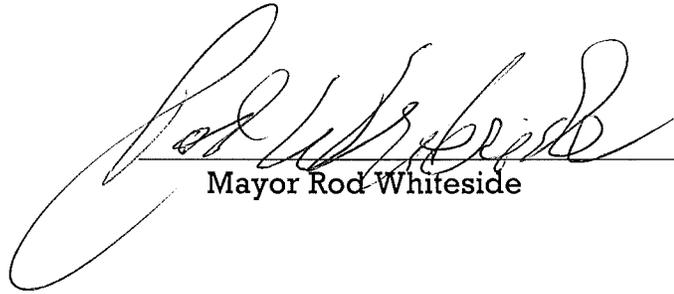
The Veterans Salute is this Saturday at 8:30 am. Mayor Pro-Tem Eddie Henderson will do the closing remarks for the ceremony.

**Mayor Pro-Tem Eddie Henderson** made a motion to adjourn and it was seconded by Councilwoman Sheila Franklin.

Adjourned: 08:58 pm

Approved:

12/11/17  
Date

  
\_\_\_\_\_  
Mayor Rod Whiteside

Town of Fletcher  
Council Meeting  
Minutes  
November 13, 2017

Call the meeting to order at: 06:59 pm

Those who were in attendance are as follows:

Mayor Bill Moore  
Mayor Pro-Tem Eddie Henderson  
Councilman Bob Davy  
Councilman Hugh Clark  
Councilwoman Sheila Franklin  
Town Manager Mark Biberdorf  
Assistant Town Manager Heather Taylor  
Planning & Zoning Director Eric Rufa  
Public Works Director Jabbo Pressley  
Parks & Recreation Director Greg Walker

**Police Chief Erik Summey did not attend this meeting.**

Invocation: Mayor Pro-Tem Eddie Henderson  
Pledge of Allegiance: Councilman Bob Davy

\*\*\*Public Input\*\*\*

**None at this time**

Approval of Minutes-corrections or deletions.  
(10/02, 10/09 & 10/19)

**Mayor Pro-Tem Eddie Henderson** made a motion to approve the minutes as written and it was seconded by Councilman Bob Davy.

Council Updates:

**Councilwoman Sheila Franklin:** stated that she attended the water and sewer advisory committee last month and they decided that we would be meeting quarterly. They did a presentation on all the capital plans they have right now and if anyone has any questions she would be glad to answer them.

**Mayor Pro-Tem Eddie Henderson:** None at this time

**Councilman Hugh Clark:** None at this time

**Councilman Bob Davy:** None at this time

**Mayor Moore:** commented on our Veterans Celebration this past Saturday and what a wonderful turnout there was for this event. Our sponsor was United Federal Credit Union and we appreciate that.

**Consent Agenda**

Tax releases/refunds

Set Public Hearing for December meeting to consider CD# 2017-01 & SUP# 2017-02, an application from the City of Hendersonville Water Dept. for a new booster pump station on parcel ID # 9652-67-2788 on Woodhill Drive.

Renewal of broker agreement with Commercial Carolina.

Approval of Fletcher Animal Control Ordinance # 0-17-16.

**Mayor Moore** asked if council had any questions on the consent agenda.

**Town Manager Mark Biberdorf** stated that council received an updated version of the animal control ordinance in their packet. There was an update on the fees and just some housekeeping issues in the update.

There were no questions at this time from council.

**Mayor Pro-Tem Eddie Henderson** made a motion to approve the Consent Agenda and it was seconded by Councilman Hugh Clark

**Presentation of audit for FY 16/17-Carol Avery CPA, of Lowdermilk Church & Company.**

**Carol Avery** went over the financial highlights of the audit that Lowdermilk & Church recently completed.

She also gave an overview of the fund balance and how it works and answered questions that council had on this.

Discussion Followed:

**Mayor Moore** asked if it would be a fair statement to say that the Town of Fletcher is on a solid financial foundation.

**Carol Avery:** stated that yes you have a 69.28% fund balance so I would say that you are.

**Councilman Hugh Clark:** asked do we have to approve the audit?

**Town Manager Mark Biberdorf:** stated that it is not necessary for this to be voted on.

**Public Hearing to consider SUP Application # 2017-01, a proposed 168 unit Apartment complex located at 35 Howard Gap Road (PIN#9652-78-6499), zoned CBD)- Planning & Zoning Director Eric Rufa.**

**Councilman Hugh Clark** made a motion to go into public hearing and it was seconded by Mayor Pro-Tem Eddie Henderson.

**Planning & Zoning Director Eric Rufa** went over a few procedures with this being a quasi-judicial process that is necessary for us to follow.

**Quasi-judicial hearing all persons who wish to speak did sign in and were sworn in by Town Clerk Christine Thompson.**

**Planning & Zoning Director Eric Rufa** stated that this hearing is in regards to SUP Application #2017-01 for The Groves at Town Center. Our staff had received an application from Triangle Real Estate and Southwood Realty for a 168 unit apartment complex purposed for 35 Howard Gap Road commonly known as the former Mason property and currently owned by John Koenig. The property is simply under contract at this point with a long contingency period. This is the same development company that constructed The Seasons Apartments at the corner of US 25 and Blake Road.

The property at Howard Gap Road is currently zoned CBD (Central Business District) and is located within our Heart of Fletcher overlay district. Multifamily residential is a permitted use within the CBD but does require this formal approval as a special use permit. He then went over the list of criteria required for consideration for a special use permit and stated that in approving or denying a special use permit council has to make findings to justify either approval or denial.

Discussion Followed:

**William Ratchford Vice President of Triangle Real Estate and Southwood Realty** he stated that he is the builder and developer of these companies and that this is a family owned company. He gave an overview of the complexes that they have developed in Henderson County to include Four Seasons at Cane Creek which

is located here in Fletcher. He then went over all the specific details concerning this proposed complex and what it would bring to Fletcher. He provided letters of support for his project that will be made a part of the record. (See "Exhibit A" attached pages 1-13)

**Tom Jones of WGLA Engineering** went over the maps/plats for the apartments and stated that in conclusion the project will not adversely affect the health, safety, and welfare of the town residents and it meets all the requirements for the central business district for zoning and we believe it complements the master plan.

**Tom Jordan 24 Westfield Road Fletcher** does not agree with this location for the apartment complex and stated his concerns with traffic on Howard Gap Road as well as the quality of life for the residents that already live here in Fletcher.

**Mickey Foster 2 Dunn Woody Drive Arden** stated that he owns 57 Howard Gap Road which is the doctor's office next to this proposed development. He has said that he is not in favor of this complex due to the fact that he has concerns of the flooding that it will create on his property. He does think that the apartment complex is a great idea just not there in the flood plain. He presented council with some documentation of recent photos of heavy rain from 10-23-17 along with a letter of explanation of his situation as well as a flood elevation certificate of his property which will be made part of the record. (See "Exhibit B" attached pages 1-6)

**Jeff Ledford of Triangle Real Estate** deferred his turn to speak.

**Heather English of Triangle Real Estate** stated that she has been a resident of Henderson County for 19 years and an employee of Southwood Realty and Triangle Real Estate for 15 of those 19 years. She spoke in favor of this apartment complex for Fletcher.

**Planning & Zoning Board Chairman George Clayton** spoke against the apartment complex. He stated that he knows they have a quality project and the town needs housing but not in that location. He does not believe that putting apartments next to the park and with the traffic on Howard Gap Road that this is not a suitable area for apartments. He feels that there would be much better use for this property. He said that the issues of concern were: traffic, flood plain and how the ingress/egress access will cause an impact on Howard Gap Road.

Discussion Followed:

**Planning Board Member Joe Tandy** spoke out against the apartment complex due to the traffic on Howard Gap Road and he said that he is mirroring what George Clayton said but that if just does not fit our plans for the Town of Fletcher

**Planning Board Member Lucas Armeña** spoke on his concerns about flooding on the property and the traffic on Howard Gap Road that would be associated with this complex.

**Michael Luplow Director of FernLeaf Charter School** stated that he has no official stance for or against this development and that he is here to answer any questions council may have for him on the potential impact on the school.

Council had several questions concerning possible flooding on FernLeaf property as well as conversations that Mr. Luplow may have had with DOT concerning the changing of the road and bringing in the sidewalk.

Discussion Followed:

**Kelly Noble of Southwood Realty** stated that she grew up in Fletcher and spoke in favor of the apartment complex and stated that as the manager of Seasons at Cane Creek Apartments that it is full and there is a waiting list.

**Planning & Zoning Director Eric Rufa** answered questions that council had concerning this development.

Discussion Followed:

**William Ratchford and Tom Jones** answered additional questions that council had concerning flood/storm water issues on this property.

Discussion Followed:

**James Wilson owner of Fletcher Business Park** is in favor of this development and spoke on attracting workers to the area. He said one of the deciding factors for businesses to come to this area and attract quality workers is if housing is available for them. He said that any housing within a 5 mile radius of Fletcher would be a good idea.

**Mayor Moore:** stated his concerns on a turning lane being installed for this and will that happen for this development.

**Town Manager Mark Biberdorf** stated that what the district engineer said is that it is warranted and they can require the developer to bear the cost to do this. They would do a reimbursable agreement with them and then roll this into the design of the Howard Gap Road project.

Discussion Followed:

**Planning & Zoning Director Eric Rufa** stated that when council does vote on this that to make sure to include the two conditions of approval per Bob Davy.

**Conditions of approval are:**

Turn lane must be installed

Sidewalks need to be installed

**Councilman Hugh Clark** made a motion to go out of Public Hearing and it was seconded by Mayor Pro-Tem Eddie Henderson.

**Planning & Zoning Director Eric Rufa** stated that when you make the motion to approve this development (if this is what you choose) I would state the findings in the criteria of the outline (agenda packet item # 5) at the beginning of the meeting have been met.

Discussion Followed:

**Councilman Bob Davy** made a motion to approve this plan per the checklist that the developer has accomplished and that the legal aspect of this has been met. I propose that we approve this with the 2 conditions of the turn lane has to be installed and regardless of what DOT position is that sidewalks have to be installed as well.

**Councilwoman Sheila Franklin** stated that she prefers to leave the connector gate out between the apartment complex and Fletcher Park.

**Motion was amended to include:**

Adding the restriction of leaving the connector gate out to Fletcher Park and it was then seconded by Councilman Hugh Clark

**Mayor Pro-Tem Eddie Henderson** stated that he agrees with Hugh that the developer has met all the guidelines that he knows that these gentlemen will do everything they can to make it right. However, I don't think that we can control some elements to the environment and the road down there. Because of this I don't think all the requirements have been met and therefore I will have to vote no.

**All in favor**

Councilman Bob Davy  
Councilman Hugh Clark  
Councilwoman Sheila Franklin

**Against**

Mayor Pro-Tem Eddie Henderson

**Motion passes with a 3 to 1 vote.**

**Discussion on recycling contract with Curbside Management-Mark Biberdorf, Town Manager.**

**Town Manager Mark Biberdorf** stated that recycling contract had renewed for a one year period after it expired from a 5 year contract. I talked to you about several options:

- 1) Let the contract renew for another year.
- 2) Go out for a request for proposals like we did 6 years ago.
- 2) Negotiate another 5 year contract of what we discussed
- 3) Look at bringing it in house.

After discussion council recommends (staff as well) looking at renegotiating a new extended contract for a 5 year period. The Town Manager also stated that if council has any suggestions that they would like to negotiate in the contract let him know. He also stated that we would like to look at something larger for recycling containers currently they do not allow anything larger than a 32 gallon roll out cart.

Discussion Followed:

**Discussion on lease agreement with Asheville Buncombe Aeromodelers Inc.- Mark Biberdorf, Town Manager.**

**Town Manager Mark Biberdorf** Last week I discussed with council that we would be establishing a new lease agreement with the balance of what we have with

Fletcher R/C Flyers. Fletcher R/C Flyers has merged with ABA. We are doing this based on the advice of our attorney to establish a new lease. They are under a 30 day public notice period which will expire on the 21<sup>st</sup> of this month. Then you can consider approving the new lease in December

We talked about a fee increase (\$500.00) giving what we have forgone with this property not being farmed. Greg has communicated this to that individual (Dave Bowman) and they have communicated back that this might be a hardship on them

**Comments from the Town Manager-Mark Biberdorf.**

A right of way is needed for the Howard Gap road project from Fletcher in front of Public Works. They have surveyed the flagged area and the Town Manager said that he would have to go out and look at it. Jabbo and I are going to meet with the point of contact for right of way acquisition on Wednesday morning. I will also ask what parts of the improvements are passing in front of public works and what goes into the temporary construction easement area as well.

**Discussion Followed:**

On the extension of the greenway trail Equinox Environmental did that quote for the preliminary design study. CMLC (now known as Conserving Carolina) has been going after grants and have been approved for a grant from the community foundation of Henderson County the Fletcher fund. We have been awarded \$5,000 and they asked for \$ 9,000. We have a gap of \$4,000 and last year you had appropriated \$5,000 and they never got the rest of the funding so you never expended that money. If council would consider at the December meeting is if we would make up that 4,000 gap. This is for the preliminary design of extending the greenway under FernLeaf.

I will be meeting with our legislative delegation for our legislative priorities list.

I am also working on potential update to CIP to consider some type of phasing in of the Meritor Park Improvements.

**Councilman Bob Davy** made a motion to adjourn and it was seconded by Mayor Pro-Tem Eddie Henderson.

Adjourned: 10:44 pm

Approved:

12/11/17  
Date

  
\_\_\_\_\_  
Mayor Rod Whiteside



"EXHIBIT A"

Page(s) 1-13

November 13, 2017

The Honorable Bill Moore, Mayor  
Town of Fletcher  
300 Old Cane Creek Road  
Fletcher, NC 28732

Dear Bill:

The Henderson County Chamber of Commerce supports the development of Southwood Realty's newest housing community – the Groves at Town Center. We understand that the project has been approved by the Fletcher Planning Board and meets all of the zoning and land-use guidelines pertaining to the project. We feel that this project will be beneficial to citizens in the Fletcher community as well as the surrounding area.

Henderson County and our region are in the midst of a housing shortage. Additional rental units are needed and welcome in the community. Southwood has developed three other properties in Henderson County that good are examples of the quality product that they produce (Ballantyne Commons, Brittney Place and the Season's at Cane Creek).

We appreciate Southwood Realty's continued investment in Fletcher, Henderson County and our entire region. We thank the Fletcher Town Council for your consideration of this project and encourage you to approve the Groves at Town Center.

Sincerely,

A handwritten signature in black ink, appearing to be "Bob Williford".

Bob Williford  
President

November 10, 2017

Mr. Eric Rufa &  
Town Council Members  
300 Old Cane Creek Rd  
Fletcher, NC 28732

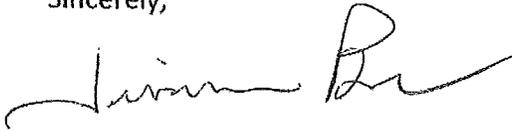
Re: The Groves at Town Center Apartment Project

Dear Mr. Rufa and Town Council,

We have recently learned about the proposed apartment project called The Groves at Town Center and would like to mention to you that it has our support. Our medical system serves Fletcher, Henderson County, and the surrounding areas and we have a need for quality housing for our workforce. We employ over 1,100 people, many of whom call Fletcher home.

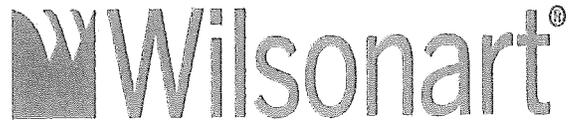
Josh Allen has looked at the site plan for this project and PRH hopes it succeeds to bring forth some new growth to this great town.

Sincerely,



Jimm Bunch, CEO  
Park Ridge Health  
100 Hospital Drive  
Hendersonville, NC 28791

TAMMY ALBRECHT  
DIRECTOR OF OPERATIONS  
(828) 651-7578 OFFICE  
(828) 337-9016 CELL



80 LA WHITE DRIVE  
P. O. Box 249  
FLETCHER NC 28732

November 8, 2017

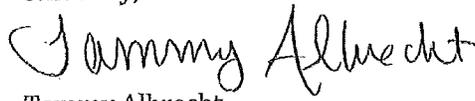
TO WHOM IT MAY CONCERN:

Wilsonart currently employees approximately 600 people at the manufacturing site located in Fletcher, NC. An issue that continually arises for our employees as well as many others in this community is the need for additional affordable housing.

I believe that the proposed apartment complex to be located on Howard Gap Road would be a benefit to not only the citizens of the community but to all employers in the area as well. A key component to attracting workers to an area is availability of housing. As more and more businesses move to this area, I believe this will continue to be a growing issue that must be addressed.

Thank you.

Sincerely,

  
Tammy Albrecht

# FLETCHER BUSINESS PARK

3

November 9, 2017

Fletcher Town Council  
300 Old Cane Creek Road  
Fletcher, NC 28732

RE: The Groves at Fletcher

Dear Fletcher Town Council,

Fletcher Business Park, LLC owns and operates the Fletcher Business Park (former Steelcase Building) on Cane Creek Road, which has a number of large type companies, employing over 800 people from our community. We would be very supportive of The Groves at Fletcher on Howard Gap Road.

There is a real need for additional housing in this area. Employers need housing close to their businesses so their employees do not have to travel so far for employment. In fact, there could be connectivity between this new neighborhood and the employment needs in the areas of Mills Gap Road, Hwy 25 and the proposed Heart of Fletcher, for those folks who may need to or decide to walk to work.

We believe this is another step forward to of the proposed Heart of Fletcher becoming a reality and real asset for the community. As owners of the Fletcher Business Park, we encourage the Fletcher Town Council to approve this new housing community.

Thank you for your consideration of this matter. Please feel free to contact me with any questions you may have.

Sincerely,



Fletcher Business Park, LLC  
Rusty Pulliam  
2 Walden Ridge Drive, Ste. 70  
Asheville, NC 28803  
[rpulliam@pulliamproperties.com](mailto:rpulliam@pulliamproperties.com)

RP/1



November 3, 2017

Mr. Mark Biberdorf, Town Manager  
Mr. Eric Rufa, Planning and Zoning Director  
300 Old Cane Creek Road  
Fletcher, NC 28732

Business Services  
Mailcode: 503-01-02-00  
265 W. Franklin Blvd.  
P.O. Box 1776 (28053)  
Gastonia, NC 28052  
(704) 852-5555  
Fax (704) 852-5531

**RE: Southwood Realty Company, Inc. & Triangle Real Estate of Gastonia, Inc.**

Dear Mr. Biberdorf and Mr. Rufa;

At the request of Mr. William Ratchford with Southwood Realty Company, Inc., I have been asked to provide you with information around the overall banking relationship on the companies of Southwood Realty Company, Inc. and Triangle Real Estate of Gastonia, Inc. Both of these companies are owned and operated under the same management team and both are based in Gastonia, NC. The relationship that we have with these companies at BB&T has spanned over 40+ years. We are proud that they have entrusted BB&T to be their lead financial institution and they have multiple depository and credit services with us. I can confirm that as of today, their combined overall deposit relationship has balances that are in the mid-eight figure range and their loan commitments to BB&T is in the high-eight figure range. Based on the tenure and the depth of this relationship, I can certainly state that they are very much a valued client and we are very happy that we have the ability to serve their banking needs.

These companies purchase, build and own numerous multi-family apartment complexes throughout the Southeast. In addition to ownership, these companies handle all of the property management responsibilities of their properties and also have a construction arm of their business which provides project management over new construction and renovations. The company builds projects as well as acquires various projects that may meet their demographic requirements and are within service areas of the property management company. BB&T does provide financing on various construction projects and have found that the company produces a quality product that is traditionally ahead of schedule.

We are pleased to have these companies as clients of BB&T and we have expressed our desires to provide additional services to them as we see tremendous opportunity for them in the future. I hope that you will find this information adequate for summarizing this relationship and if you need additional information, please feel free to contact Mr. William Ratchford at Southwood Realty Company, Inc.

Sincerely,

Craig C. Kluttz  
Senior Vice President  
Business Services Officer

CC: Town of Fletcher Council Members



November 10<sup>th</sup> 2017 5

Town Council  
300 Old Cane Creek Rd  
Fletcher, NC 28732

Re: The Groves at Town Center Apartment Project

Dear Fletcher Town Council Members,

Wells Fargo & Co. has a long history in Henderson and Buncombe County and would love to see The Groves at Town Center apartment project come alive in the Fletcher community. This would present an opportunity for us to help additional employees and residents of this community with their financial situations.

This would have a positive impact to having affordable housing in this community that would result in more jobs, more economic value to other small businesses, and attract additional small businesses to the area. This is an attractive area for people to live that can work in the Fletcher area and surrounding areas.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua A English", written over a light blue horizontal line.

Joshua A English  
Wells Fargo & Co.  
AVP  
ph. (828)232-3766



5660 Old Haywood Road  
Mills River, NC 28759  
(828) 890 8154

6

November 09, 2017

Town Council  
300 Old Cane Creek Rd  
Fletcher, NC 28732

Dear Town Council,

As a local, small town business who has provided services to businesses and residents in the town of Fletcher we wanted to reach out and express our support for Southwood Realty. They have provided work & housing for local businesses and an instrumental part of our growth in the Fletcher community. We stand behind the apartment project, The Groves at Town Center, as it can be a dynamic opportunity to help more business thrive in Fletcher. This project will bring in residents that can start to build roots in this town that can later buy homes. It will also bring additional business and sales to our local businesses versus these dollars going to other surrounding communities.

As an employer, we have to recruit and bring in employees that can live in a quality and reasonably priced areas to succeed. Adding these units will help the market slowdown from the great increases in the cost of housing that this market is suffering from.

Thank you for your time,

A handwritten signature in cursive script that reads "Robin &amp; Donna Smith".

Robin & Donna Smith  
U.S. Lawns  
Owner/Operators

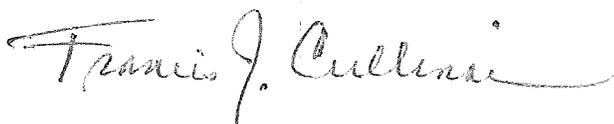
30 Oct 17

To Whom It May Concern

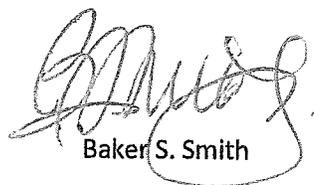
We, the undersigned, wish to state as a matter for record that we are most pleased with our new apartment here at the Seasons at Cane Creek in Fletcher. Having lived in Fletcher at Livingston Farms before we decided to downsize and sell our home, we wanted to stay in the Town of Fletcher. We looked throughout the greater Asheville area at new apartment complexes and decided that the new development on Rt. 25 /Hendersonville Rd in Fletcher was the best for our needs. As developed and managed by Southwood Realty, our decision has proven to be the right one.

The complex here both for young professionals working at their careers and the retirees including us is optimum living for all. Also, the resident management and staff are most cordial, professional and always available for any matters that might arise. It is a "win-win" situation for everyone. The Town of Fletcher should be very pleased to have this kind of rental living in their area. Knowing that so much is developing south of Asheville, the Seasons at Cane Creek is ideal for all.

Sincerely,



Francis J. Cullinan



Baker S. Smith

182 Seasons Circle – Apt #108, Fletcher, NC 28732

## William Ratchford

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8

**From:** Heather English  
**Sent:** Friday, November 10, 2017 12:53 PM  
**To:** William Ratchford  
**Subject:** FW: The Fletcher Groves at Town Center Apt Projects

### Heather English, CAPS

Regional Manager



Southwood Realty

828.556.9672

heather.english@southwoodrealty.com

**From:** Lori Jantzi [mailto:lori.jantzi@nestrealty.com]  
**Sent:** Friday, November 10, 2017 12:45 PM  
**To:** Heather English <heather.english@southwoodrealty.com>  
**Subject:** Re: The Fletcher Groves at Town Center Apt Projects

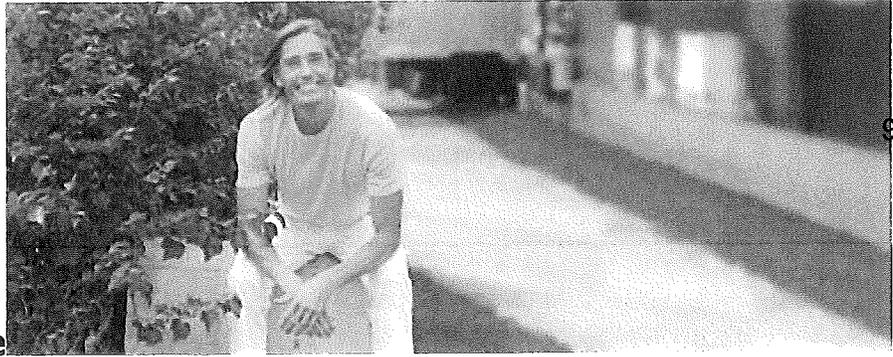
As Real estate Agents in the area as well as a transplants from the West coast, we realize the need for rentals. We have many out of state clients that would like to have affordable rentals to move into while they take the time to find their dream home. Being able to move when needed and not feel pressured to buy without knowing the area would alleviate much of the stress out of state clients feel after deciding to move whether it be a job transfer or a lifestyle change.

We believe the town of Fletcher would benefit from The Groves at Towne Center. What a great opportunity to help businesses provide affordable safe housing for the growing community in that area. The more housing made available the more businesses will thrive. Quality affordable housing. It just makes sense.

Thank you,



**Lori Jantzi**



**and Robert Comingore**

828-989-3235 Cell

877-406-7040 Fax

Nest Realty

212 S Grove Street Suite A

Hendersonville NC 28792



**REAL ESTATE CONSUMER PROTECTION INFORMATION**

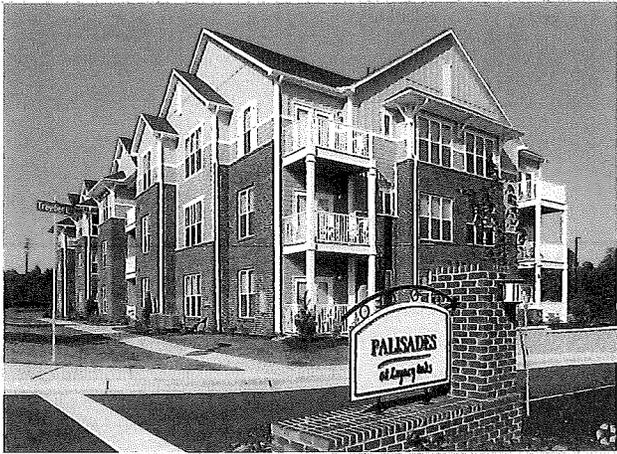
*Real estate professionals licensed in North Carolina are required to provide each customer with information regarding consumer protection called Agency Law. This information explains to potential Buyers and Sellers the different roles of agency representation their agent may provide - i.e., representing the buyer, representing the seller, or representing both parties equally.*

*To see the brochure prepared by the North Carolina Real Estate Commission to provide this consumer protection information, click on the following link:*

[Working With Real Estate Agents](#)

Building Images

10



Pallisades at Legacy Oaks



Clubhouse



Building Photo



Building Photo



Building Photo



Building Photo

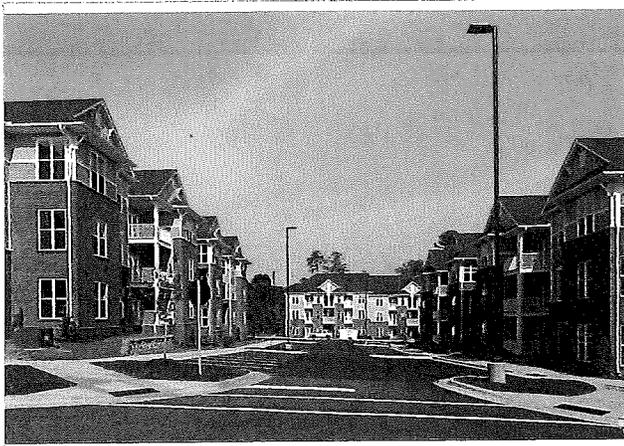
11



Entrance



Building Photo



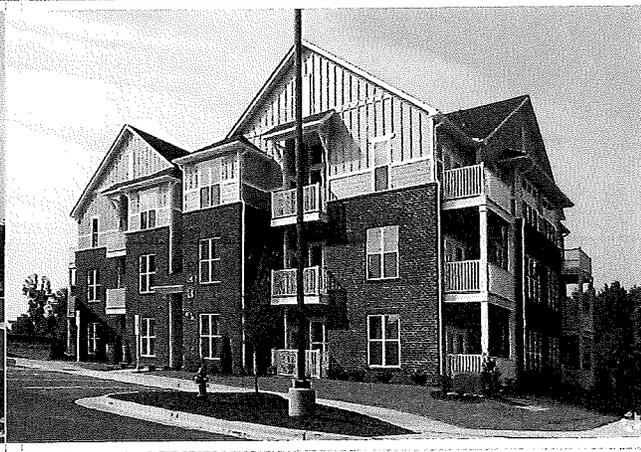
Building Photo



Building Photo



Building Photo



Building Photo



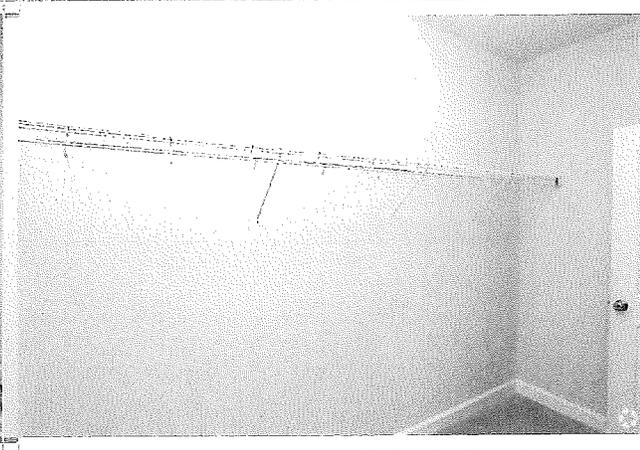
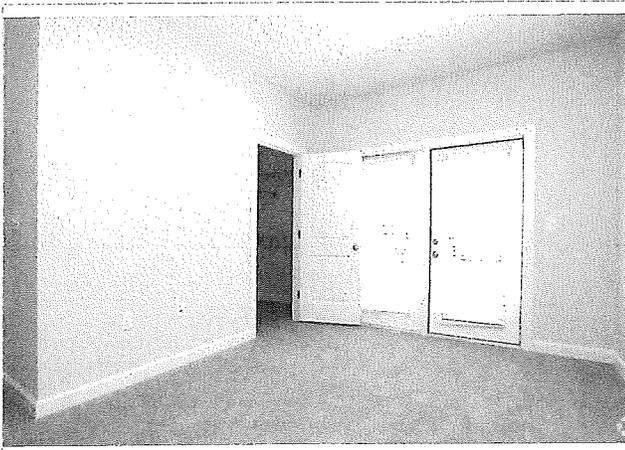
12

Building Photo

3BR, 2BA - 1408sf Dartmouth w/Balcony & S...



3BR, 2BA - 1408sf Dartmouth w/Balcony & S...3BR, 2BA - 1408sf Dartmouth w/Balcony & S...



3BR, 2BA - 1408sf Dartmouth w/Balcony & S...2BR, 2BA - 1102sf Franklin w/Balcony- Walk...



## Memorandum

To: Mr. William Ratchford, Southwood Realty

From: Cletus Haas, Doggett Concrete

A handwritten signature in black ink, appearing to read "C. Haas", is written over the name "Cletus Haas" in the "From:" line.

Subject: Building slab on grade pricing vs.

a slab on grade with a podium above

PROJECT: The Groves at Town Center

William, we have determined the costs of providing a slab on grade with a suspended podium type slab above would be approximately \$75/sf to \$85/sf. The typical slab on grade for your projects run about \$8/sf. For example, a 10,000 sf slab on grade would be \$80,000. A slab on grade with a suspended podium slab above for the same size building would be \$750,000 to \$850,000. Let me know if you have any questions or need additional information.

November 13, 2017

Page(s) 1-6

The Town of Fletcher  
300 Old Cane Creek  
Fletcher, North Carolina 287332

Re: Proposed apartment development, The Groves at Town Center Apartments, located at 35 Howard Gap Road and adjacent property at 57 Howard Gap Road, Fletcher, North Carolina

Members of the Fletcher Town Council:

The proposed apartment complex of 136 apartment units on 11 acres will be built in an existing flood plain. The proposed development will have a housing density of 12.4 units per acre. If this density were applied to my land of 1.22 acres, then the parcel could accommodate 15 apartment units.

Most all of the 11 acres of the apartment project is located in the flood plain. The developers propose the existing elevation of the land to be raised 3 to 5 feet above the flood elevation, creating a 4 to 5 foot wall along the west side of the creek for the full length of the property line along the creek.

Since the apartment property will have many roof tops, asphalt paving, concrete paving, sidewalks, and grass, the rain water cannot be absorbed as it exists now by the plowed fields. Instead, the water will run directly towards the creek which will flood the stream on to adjacent land owner. In this case, the water will flood Fletcher Park, 57 Howard Gap Road, and Fernleaf Community School on Howard Gap Road.

It is quite probable that the immediate neighborhood not receive a heavy rain, but still flood from rains located up stream in the Old Airport Industrial area. The above-mentioned properties in the neighborhood would still flood due to the high wall created along the creek by directing the flood water on to neighboring properties while not absorbing any flood water on site.

My property, located at 57 Howard Gap Road has a floor elevation 8.76 inches above the flood elevation and has never flooded since construction in 2001.

The Corp. of Engineers states that if you fill in a flood plain, then you have to remove the same volume of dirt somewhere else. The fill dirt proposed for this project will create a dangerous health and safety issue for the neighbors.

This proposed apartment development is a contradiction to the town of Fletcher's "FLOOD DAMAGE PREVENTION ORDINANCE," (Appendix 1 to the Land Development Code), Section "C" 1-5 and Section "D" 1-7.

Cont.

I respectfully request that the proposed apartment project be denied in order to protect the neighborhood and its properties from flood damage that would be caused by the proposed development plan. The high-density development is simply too large and the density too great to be placed in a flood plain.

Sincerely,

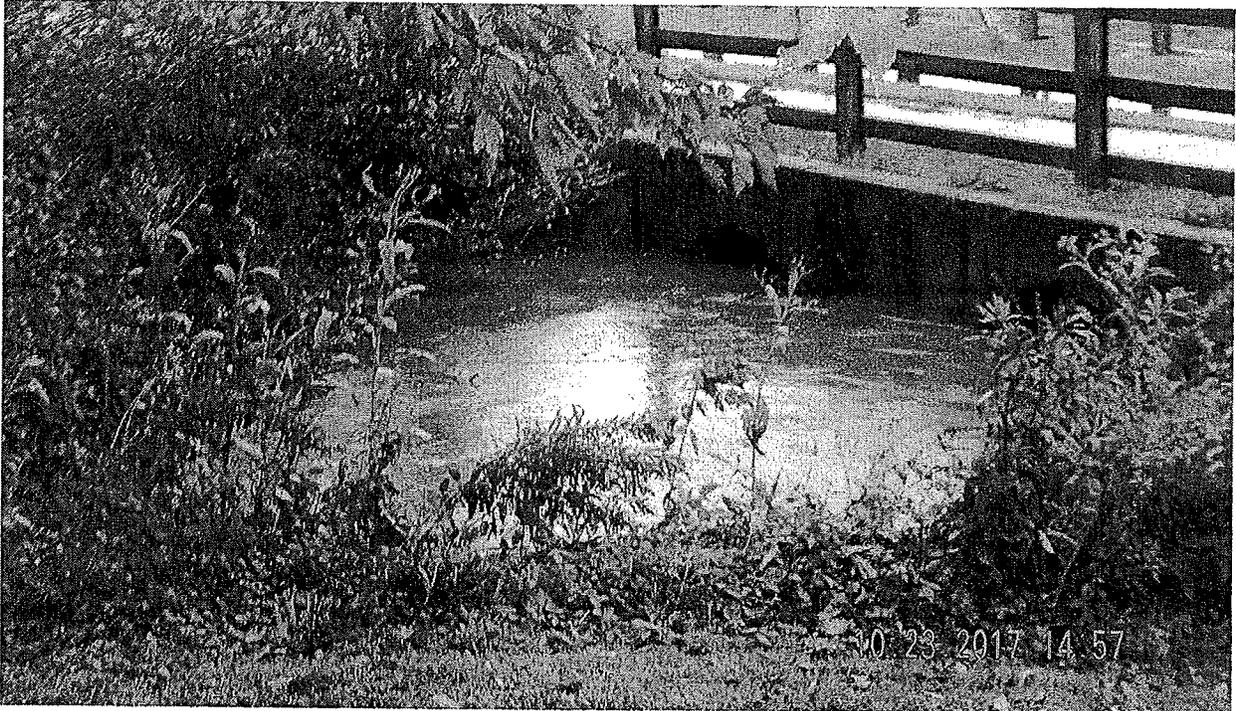


Mickey Foster  
2 Dunnwoody Drive  
Fletcher, North Carolina 28704  
828-670-8828  
mickey@fosterappraisers.com

Cc: Bob Long, attorney at law

Attachments: Proposed Apartment Plain & 57 Howard Gap Road Property  
Flood pictures @ 57 Howard Gap Road, Fletcher, NC dated 10-23-17

10-23-17

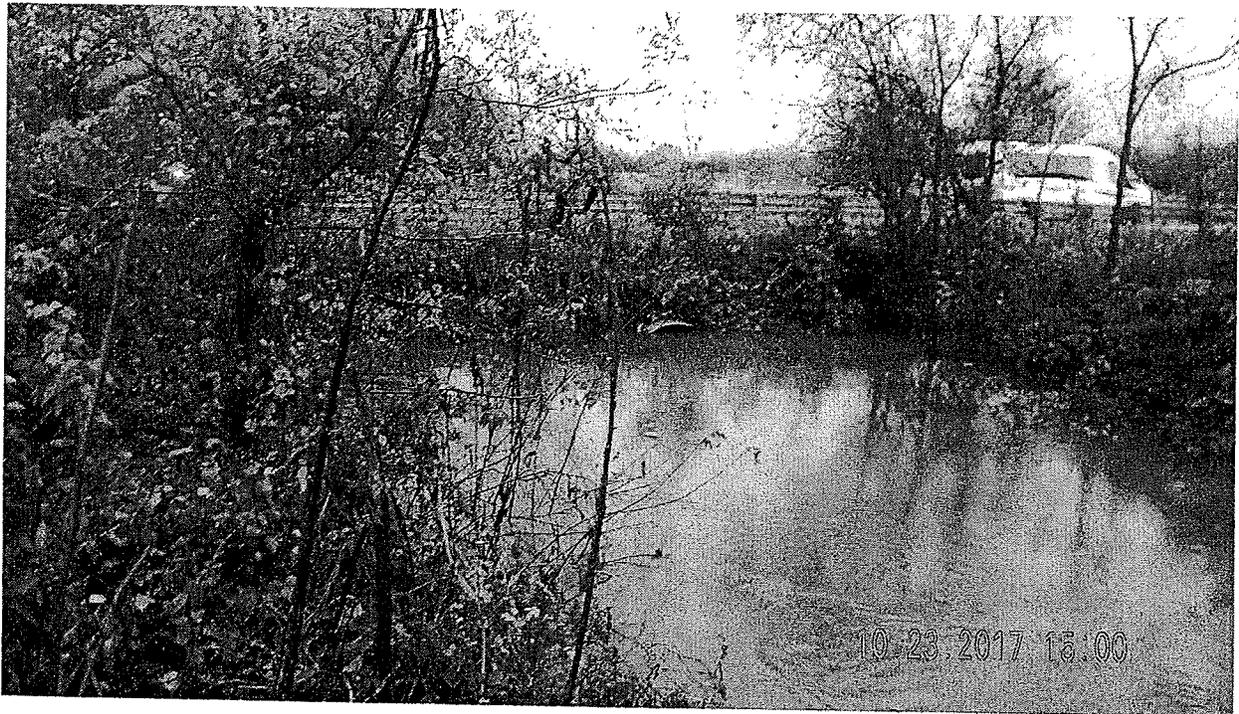
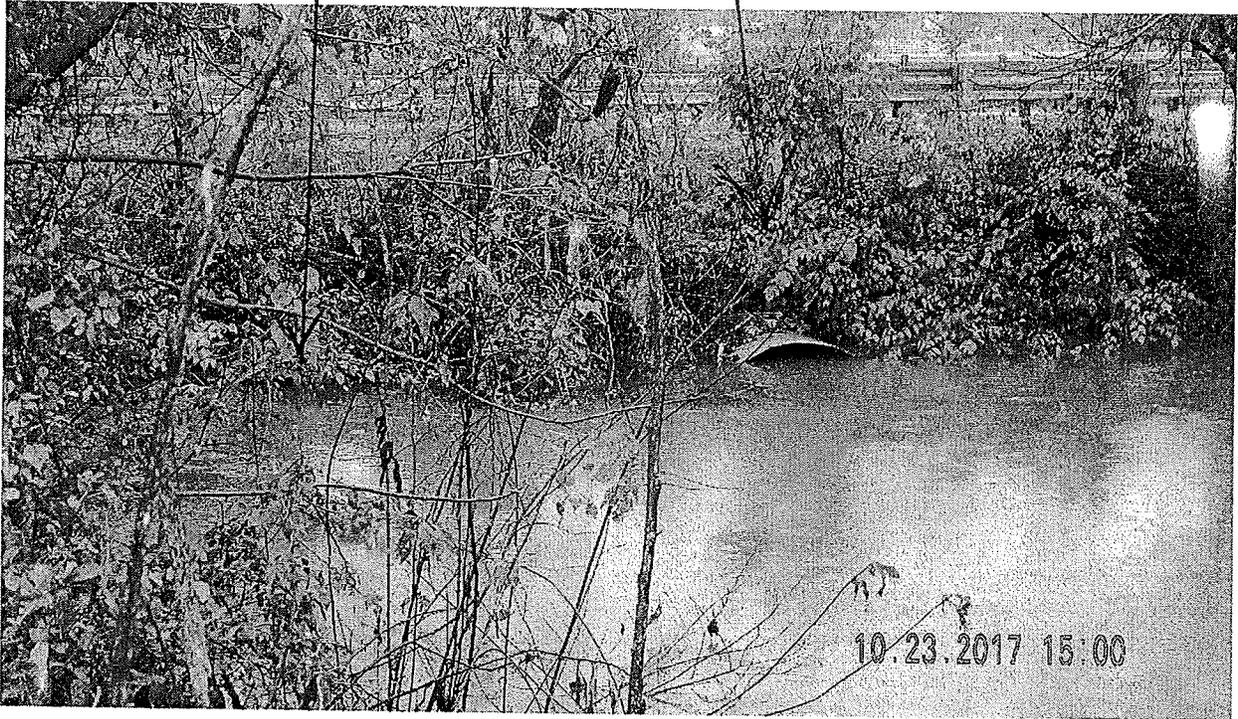


Culvert #1

Culvert #2

10-23-17

3





DEPARTMENT OF HOMELAND SECURITY  
Emergency Management Agency  
National Flood Insurance Program

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expires February 28, 2005

Important: Read the instructions on pages 1-8.

## SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name <b>MICHAEL D. FOSTER</b>	For Insurance Company Use: Policy Number
A2. Building Street Address (Including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. <b>57 HOWARD GAP ROAD</b>	Company NAIC Number
City <b>FLETCHER</b> State <b>NC</b> ZIP Code <b>28732</b>	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) <b>TAX ID # 9652784270 DEED BOOK 1115-692</b>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <b>OFFICE</b>	
A5. Latitude/Longitude: Lat. <b>35.42517</b> Long. <b>082.50050</b>	
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance. Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983	
A7. Building Diagram Number <b>1</b>	
A8. For a building with a crawl space or enclosure(s), provide: a) Square footage of crawl space or enclosure(s) <b>N/A</b> sq ft b) No. of permanent flood openings in the crawl space or enclosure(s) walls within 1.0 foot above adjacent grade <b>N/A</b> c) Total net area of flood openings in A8.b <b>N/A</b> sq in	
A9. For a building with an attached garage, provide: a) Square footage of attached garage <b>N/A</b> sq ft b) No. of permanent flood openings in the attached garage walls within 1.0 foot above adjacent grade <b>N/A</b> c) Total net area of flood openings in A9.b <b>N/A</b> sq in	

## SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number <b>HENDERSON COUNTY UNINC. AREA 370125</b>		B2. County Name <b>HENDERSON COUNTY</b>		B3. State <b>NC</b>	
B4. Map/Panel Number <b>3701259852</b>	B5. Suffix <b>J</b>	B6. FIRM Index Date <b>OCT-2-2008</b>	B7. FIRM Panel Effective/Revised Date <b>OCT-2-2008</b>	B8. Flood Zone(s) <b>AE</b>	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) <b>2071'</b>
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9. <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Designation Date _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

## SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-g below according to the building diagram specified in Item A7.

Benchmark Utilized **NCCS MONUMENT AIRPORT** Vertical Datum **NGVD 29**  
Conversion/Comments **NAVD 88 = NGVD 29+(-0.15')**

Check the measurement used.

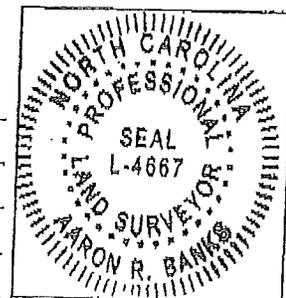
a) Top of bottom floor (including basement, crawl space, or enclosure floor).	<b>2071.73</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor	<b>N/A</b>	<input type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only)	<b>N/A</b>	<input type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab)	<b>N/A</b>	<input type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment in Comments)	<b>2071.04</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade (LAG)	<b>2070.83</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade (HAG)	<b>2071.73</b>	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters (Puerto Rico only)

## SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form.

Certifier's Name <b>AARON R. BANKS</b>	License Number <b>L-4667</b>
Title <b>PROFESSIONAL SURVEYOR</b>	Company Name <b>BANKS CREEK SURVEYING, INC. C-3280</b>
Address <b>278 TIPTON HILL RD</b>	City <b>LEICESTER</b> State <b>N.C.</b> ZIP Code <b>28748</b>
Signature	Date <b>6-10-09</b> Telephone <b>828-779-4039</b>



**Section D:** In these spaces, copy the corresponding information from Section A.

Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. or HOWARD GAP ROAD	For Insurance Company Use: Policy Number <b>6</b>
City FLETCHER State N.C. ZIP Code 28732	Company NAIC Number

**SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)**

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments NONE

Signature  Date 6-10-09

Check here if attachments

**SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
  - a) Top of bottom floor (including basement, crawl space, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the HAG.
  - b) Top of bottom floor (including basement, crawl space, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the LAG.
- E2. For Building Diagrams 6-8 with permanent flood openings provided in Section A items 8 and/or 9 (see page 8 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

**SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Telephone \_\_\_\_\_

Comments \_\_\_\_\_

Check here if attachments

**SECTION G - COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in items G8 and G9.

- G1.  The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.  A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3.  The following information (Items G4-G7) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
-------------------	------------------------	---

- G7. This permit has been issued for:  New Construction  Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: \_\_\_\_\_  feet  meters (PR) Datum \_\_\_\_\_
- G9. BFE or (in Zone AO) depth of flooding at the building site: \_\_\_\_\_  feet  meters (PR) Datum \_\_\_\_\_

Local Official's Name \_\_\_\_\_ Title \_\_\_\_\_

Community Name \_\_\_\_\_ Telephone \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

Check here if attachments