

Top 10 Reasons Forced Annexation Is Unfair

By Mike Thompson
Guest Columnist

TEN: To grab Biltmore Lake and other Buncombe County residents and force them inside Asheville's city limit will create costly litigation—hundreds of thousands of dollars in lawyers' bills for protesters and Asheville taxpayers.

NINE: If ultimately compelled to live in a city they did not choose, and pay higher taxes to boot, most new residents will deeply resent Asheville—a threat to social harmony and local politicians' reelection.

EIGHT: The North Carolina no-vote-by-the-people annexation statute is unpopular and bizarre (92% of the states [46 of 50] have no such a law). Truly disgusted residents will abandon NC (including Asheville), while potential newcomers and job-creating businesses will avoid the state altogether.

SEVEN: By "cherry-picking," *i.e.*, forcing only *solid* neighborhoods into its city of elastic boundaries, Asheville uses annexation as a tool to grab other people's money. That's why Asheville never annexes large areas of the *poor*, people who need millions of dollars in city aid and would test Asheville's liberal passion for redistributing income.

SIX: Compulsory annexation has become Asheville's narcotic to forget that its *willing* population (those who

want to live in Asheville) has *shrunk* 9.6% since 1970, from 57,681 persons to 52,151. The 2005 Census estimate is higher only because 17,157 county residents during that period were *forced* into the city! Padding its numbers lets Asheville neglect its severe problems: Dead-end jobs, unaffordable housing, high taxes, and ideological politics.

FIVE: To inflame public opinion against Biltmore Lake (Asheville's No. 1 forced-annexation target), city boosters wage an ugly, un-American form of political combat: *Class warfare*, traditionally seen only in desperate societies with despotic rulers. Constantly painting Biltmore Lake as "rich folks" who are slackers, annexers defame the majority of Biltmore Lake residents, who in fact are Social Security retirees or hard-working families struggling to stretch salaries or savings just to pay for their kids' needs, medical bills, fuel costs, and at least one mortgage.

FOUR: Forced annexation defies the U.S. Constitution's Fifth Amendment federal right "not to be deprived of life, liberty or *property*" [my emphasis] "without due process."

THREE: Forced annexation also defies the Constitution's Fourteenth Amendment guarantee that all states (even North Carolina) may not deprive citizens of "due process" and "equal protection of the laws."

TWO: Forced annexation also defies the Constitution's Article 4 (Section 4) guarantee that citizens *everywhere* (even Asheville) are entitled to a "republican form of government" (that is, *republican* with a small *r*, meaning a representative system in which *every citizen votes*).

ONE: By aborting their solemn "so help me God" oath before the people to "support and maintain the laws and Constitution of the United States," Asheville's mayor and City Council members are mocking every American soldier, sailor, Marine, airman, and Coast Guardsman; every intelligence officer and merchant seaman; every civil-rights worker, suffragette, President, and every other American who fought to protect all our freedoms, ***especially the freedom to vote.***

Biltmore Lake families, however, have a big friend in their corner: the North Carolina Supreme Court. Its recent 5-2 decision [*Nolan v Village of Marvin*] outlaws all annexations that offer targets no meaningful new services, only new and higher taxes.

Thus, Asheville's threat toward us is not only immoral. It is illegal.

Mike Thompson is chairman of STAT! (Stop The Asheville Takeover), a non-profit organization of Biltmore Lake residents against forced annexation.