

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
NOVEMBER 28, 2000
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, November 28, 2000. Members present were Mayor Henry Foy, Aldermen Gavin Brown, Gary Caldwell, Libba Feichter and Kenneth Moore. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure and Town Attorney Michael Bonfoey. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of November 14, 2000

Alderman Feichter moved, seconded by Alderman Caldwell, to approve the minutes of the November 14, 2000 meeting as presented. The motion carried unanimously.

Petition Requesting Water - Sorrells Cove Community on Plott Creek

Roy Jenkins, along with three other property owners in the Sorrells Cove (SR 1174) area, attended the meeting to request assistance from the Town to extend water lines to their properties. Mr. Jenkins said that the water extends to the property around them on both sides and to the Laurel Ridge property which is located above them. He said that there are twenty-one houses located in this community, but he did not know if all the property owners wanted to connect to city water. Some of the wells and springs have begun to experience problems and some wells have run out of water several times. Property owners were also concerned that septic tanks serving the homes above them could contaminate their water. Manager Galloway asked if any of their water supplies had been tested for contaminants, but they said they have not.

Town Manager Galloway said that Public Works Director Fred Baker has researched the possibility of extending the Town's water to serve this area. About five of the homes are located above the 2,950 foot maximum elevation and it may not be possible to extend water to this point. In Mr. Baker's report, 160' of 6" water line and 500' of 2" water line, could be connected to the existing 8" water line located on Plott Creek Road. This project could cost approximately \$60,000, with engineering costs. If the water system is designed to accommodate all the homes, a pump station and water tank may also be needed. The water tank alone could cost \$175,000.

Manager Galloway explained that Waynesville adopts its budget before July 1 of each year. At the time the budget was being prepared, the Town did not know that this request would be received and the money for this project was not appropriated. He said that it may be possible for Community Development Block Grant Funds to pay for this project. However, since the property is located outside Waynesville's corporate limits, Haywood County should be the advocate for this project. He suggested that the property owners meet with Haywood County Manager Jack Horton and said that either he or Fred Baker could meet with them or supply the information to Haywood County that

the Town has gathered so far.

Walter Sorrells, one of the other residents, asked if it would be possible to connect to the water system at Laurel Ridge. Manager Galloway explained that this water system already has two pumps and was designed and sized according to the number of homes Laurel Ridge planned to build.

The Board of Aldermen agreed that the residents do have a legitimate request and were sympathetic with their need for water. They agreed that the first step for the residents to take is to speak with the Haywood County Manager. No action was taken at this time.

Public Hearing - Annexation Request by Kathy and James Warren - 350 Bridget Drive

Town Attorney Bonfoey opened the public hearing regarding the request for voluntary annexation by Kathy and James Warren for 1.5 acres located off of Buchanan Cemetery Road. This property was approved as a minor subdivision in the name of Kenneth Muse on August 24, 1999. Mr. Muse later transferred the property to his daughter and son-in-law, Kathy and James Warren. In order for the minor subdivision to be approved several conditions had to be met. One of those conditions was that an application for voluntary annexation be submitted

No one spoke at the public hearing. Attorney Bonfoey closed the public hearing.

Alderman Moore moved, seconded by Alderman Feichter, to adopt an ordinance annexing the 1.5 acre parcel of property as requested by Kathy and James Warren. This annexation is to be effective January 1, 2001. The motion carried unanimously. (Ord. No. 30-00)

Audit Report for Fiscal Year Ending June 30, 2000

Bruce Kingshill, with the accounting firm of Ray, Bumgarner, Kingshill and Associates, attended the meeting to present the audit report for the fiscal year ending June 30, 2000. Mr. Kingshill gave an explanation of the revenues and expenditures in each fund. He advised the Board to reduce the amount transferred from the Electric Fund to the General Fund. Throughout the years, the Electric Fund has allowed Waynesville's tax rates to remain low. Electric deregulation may affect Waynesville's Electric Fund in the future and Board Members expressed concern with what those effects may be. Mr. Kingshill reported that the Town had very few non compliant sections.

Mr. Kingshill reported that 81% of the Town's motor vehicle taxes for 1999 had been collected as of June 30, 2000. However, the Town has no control over this low collection rate since this tax is collected by Haywood County according to State regulations. Board Members agreed that it may be beneficial for the Town to speak with their State Representatives to try to have the manner changed in which motor vehicle taxes are collected. 94.5% of the remainder of taxes have been collected, but the lower motor vehicle tax collection rate brings the overall tax collection rate down to 93%.

Finance Director Eddie Caldwell presented a report on the cash available in each fund. A large amount of this cash is committed to projects which were carried over from the previous fiscal year. The Recreation Fund shows a large increase in fund balance. However, before the end of this fiscal

year and the completion of the new center, the majority of these funds will be spent. Mr. Caldwell said that the Town is in good financial shape.

Mayor Foy said that he was glad to hear such a good report. Board Members extended their appreciation to Auditor Bruce Kingshill and his firm, Finance Director Eddie Caldwell and Town Manager Galloway for all their work and such a good financial report. Finance Director Caldwell gave credit to the Department Heads of the Town for the manner in which they handle their budgets each year. He added that this is one of the reasons that the Town is in such a good financial position. Town Manager Galloway said that he was speaking to one of the Haywood County Commissioners this past week who was complimenting the Town on how well it looked and what good equipment the employees have to work with. Manager Galloway added that the Town has completed a large number of projects over the past several years and still been able to increase its fund balance. No action was necessary.

Petitions for Annexation - Red Barn Convenience Store - 1880 Dellwood Road and Jo Ann Noland - S & H Alignment - 1373 Dellwood Road

Two petitions for annexation were received for properties located along the U.S. Route 19 corridor. These petitions were submitted as part of the requirements by the Town in order to connect to the Town's wastewater collection system.

Alderman Brown moved, seconded by Alderman Caldwell, to adopt a resolution instructing the Town Clerk to investigate the sufficiency of the petitions. The motion carried unanimously. (Res. No. 27-00)

Legal Matter - Knollwood Drive Water Line Easements

Town Attorney Bonfoey said that the Town has easements from all property owners except two, Gilmer and Burgin, to construct a water line connecting to the Shingle Cove water tank along the edge of Knollwood Drive next to the Bypass. This project is necessary to sufficiently serve water customers along the Golf Course Road, Lake Junaluska and Ivy Hill areas.

Alderman Brown moved, seconded by Alderman Moore, to formally offer the property appraisal amount of \$2,200 to Maude Gilmer for the water line easement along Knollwood Drive. If this amount is not accepted by Tuesday, December 12, 2000, Town Attorney Bonfoey is authorized to proceed with condemnation proceedings on this property. The motion carried unanimously. (Res. No. 28-00)

Alderman Brown moved, seconded by Alderman Moore, to formally offer the property appraisal amount to Burgin once the appraisal is received. If this amount is not accepted within a specified time period, Town Attorney Bonfoey is authorized to proceed with condemnation proceedings on this property. The motion carried unanimously. (Res. No. 29-00)

Commencement of Condemnation Proceedings for Mining Tract Property at Watershed

The mining tract property at the watershed has been an issue for several years. Attorney Bonfoey

has been in contact with an Attorney representing Mr. Andrew Sprague, and an offer for purchase has previously been made for this property. One of the problems encountered during this process has been the inability to identify the property owners, which may involve several stockholders. Public Works Director Fred Baker corresponded with Mr. Kimball Sprague during the 1980's. Mr. Sprague has since passed away and Attorney Bonfoey has dealt with the Attorney who represents his son, Andrew Sprague.

The first appraisal of this property was done in 1995 and the appraiser could not determine that there was legal access to the mining tract. He supplied two appraisals on the property. The first would be if there were legal access and that was \$438,000. The second would be if there were no legal access and that was \$110,000. These appraisals were done on the basis of the watershed having a WS-II classification which would have allowed the property to be developed residentially. However, the State refused to change the rating from WS-I to WS-II, meaning the highest and best use of the property would be for timbering. On that basis the most recent appraisal is for \$228,000 which is based upon the value of the timber located on the property.

Alderman Brown moved, seconded by Alderman Caldwell, to authorize Attorney Bonfoey to begin condemnation proceedings for the mining tract property at the watershed using the most recent appraisal amount of \$228,000, to be deposited in the Haywood County Clerk of Court's Office. The motion carried unanimously. (Res. No. 30-00)

Individual Free Memberships for Recreation Advisory Board Members

Alderman Brown moved, seconded by Alderman Moore, to provide free individual memberships for the Recreation Center to members of the Recreation Advisory Board during their time of service on this Commission. The motion carried unanimously.

Town Manager Galloway reported that the floor contractor is scheduled to return on Thursday, November 30 to complete the work on the floors of the gym, racquetball court and aerobics room. The heating units are finished for the pool and the water temperature must reach 80 degrees before Dectron can train the employees and check their equipment to make sure it is operating properly. It is hopeful that the new Recreation Center can be open to the public by December 18th. In order to give the public an opportunity to become familiar with the new center, no admission will be charged during the two weeks beginning December 18. Admission will be charged beginning January 1, 2001.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Moore, to adjourn the meeting at 9:02 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor