

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
FEBRUARY 11, 2003  
TUESDAY - 7:00 P.M.  
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, February 11, 2003. 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 January 28, 2003

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the January 28, 2003 meeting as presented. The motion carried unanimously.

Public Hearing - Annexation of 4.465 Acres at the Intersection of Lansing Road and Shingle Cove Road - Eugene Ferguson

Mr. Eugene Ferguson has requested the annexation of his property, a 4.465 acre tract of land at the intersection of Lansing Road and Shingle Cove Road west of the Route 23/74 Bypass. Mr. Ferguson plans to develop the property and connect to the Town's sewer.

Town Clerk Phyllis McClure has investigated the sufficiency of the petition and reported that it is in order and complies with State law regarding annexation.

Attorney Bonfoey opened the public hearing. No one spoke; Attorney Bonfoey closed the public hearing.

Alderman Brown moved, seconded by Alderman Moore, to adopt an ordinance annexing the 4.465 acres at the intersection of Lansing Road and Shingle Cove Road effective February 11, 2003. The motion carried unanimously. (Ord. No. 4-03)

Award of Paving Bids

On January 28, 2003, the Town accepted bids on furnishing and installing paving materials for the 2003 calendar year. Bids were received as follows:

Custom Paving	\$276,015.00
WNC Paving	\$249,465.00
APAC-Carolina	\$262,275.00

NOTE: APAC did not include the sales tax in their bid, so this comparison was made without the sales tax.

Alderman Moore moved, seconded by Alderman Feichter, to award the bid to the low bidder, WNC Paving in the amount of \$249,465.00. The motion carried unanimously.

#### Release of Property Taxes - Carol Underwood

Tax Collector James Robertson has discovered a situation where the records show that Carol Underwood had not paid the 1994 real estate taxes for property at 401 North Balsam Street, now Camelot Drive. Mr. Underwood has a receipt showing that the property taxes were paid on January 4, 1995, and he has a check record showing the payment of those taxes.

All of this occurred prior to the merger of Waynesville and Hazelwood, and it is virtually impossible to explain what happened in this situation. James Robertson has reviewed the matter and consulted with Mr. Bill Campbell, the Property Tax Specialist at the Institute of Government. Mr. Campbell feels that this is a matter of clerical error and that the taxes should be released from the tax receivable file. There would be no refund involved, but if approved, the tax bill, currently showing as unpaid, would be removed from the books and the accounts receivables reduced by \$399.04, the amount of the tax. It is recommended that this action be taken to correct a clerical error.

Alderman Brown moved, seconded by Alderman Moore, to reduce the accounts receivables by \$399.04 to correct the clerical error regarding 1994 real estate taxes for property at 401 North Balsam Street (now Camelot Drive) owned by Carol Underwood. The motion carried unanimously.

#### Minor Subdivision Plat - Riley & Helen Inman - Oakdale Drive

Riley and Helen Inman own a 1.8 acre parcel of property on Oakdale Road. They are dividing the parcel into five lots. The property is located in the R-4 zoning district which requires 11,000 square foot lots. The subdivision plat meets Town standards and Town Staff recommends approval with the following conditions:

- 1) Revise final plat to include the certification blocks for the Town Manager and the Town Clerk.
- 2) The sewer line for lot #5 must be a private 4-inch sewer line located in the right-of-way of Patrick Drive and connected to manhole #2.

When the revised plat was presented Items #1 and #2 were corrected. However, the revised plat contained additional items which need to be corrected. The sewer line easement is needed that crosses Lot #3 to get to manhole #2 and two separate 4-inch sewer lines for lots #4 & 5 in the Patrick Drive right-of-way need to be shown connecting to manhole #2.

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minor subdivision plat as requested by Riley and Helen Inman on Oakdale Road subject to compliance with the conditions

recommended by Town Staff. The motion carried unanimously.

### Various Discussion Items

Several items were discussed, including the following.

Manager Galloway said meetings are going on now between the Police Department and County regarding parking concerns in the downtown area while construction is underway for the Courthouse

The Haywood County Sheriff's Department may move into the former Dayco property during construction of the Courthouse. HVO will have new signs to install to inform people that the former Dayco property was purchased by the Haywood Advancement Foundation. Mayor Foy asked that the signs across the street from Dayco not be forgotten.

Manager Galloway said that Board of Aldermen Retreat is scheduled for Friday, February 28, 2003. He will be meeting with the Staff of Southwestern Commission on Monday, February 17 and asked that any special issues that the Board may have for the retreat be given to him before that time.

There was discussion regarding the attendance at the Recreation Center. Some Board Members have noticed a larger number of people at the center. Manager Galloway said Recreation Director Mike Smith has been trying some new things and is currently considering some after school programs. Progress is being made in increasing programs and attendance at the center.

Mayor Foy was commended for his recent article about Boy Scouts which appeared in the Enterprise Mountaineer.

At an earlier meeting the Board discussed the possibility of the ability of the Town Tax Collector to enforce the provisions of Chapter 105 of the North Carolina General Statutes in so far as individuals and businesses listing taxes correctly for motor vehicles which appeared to be inventory. Attorney Bonfoey is still researching the issue.

Manager Galloway said Ms. Betty Henderson has expressed a desire to request additional time to rehabilitate the warehouse on Richland Street. The Board recently adopted an ordinance to require that this warehouse be demolished. Alderman Feichter said if there were any "redeeming values" this may be considered. However, it was the consensus of the Board that this situation has been ongoing for several years and it was felt that they would not be doing the owner a favor by allowing the structure to be rehabilitated rather than demolished.

Manager Galloway said there was nothing new to report regarding the relocation of the electrical lines in Hazelwood. He added that the Town Attorney is currently working on a new lease for the parking lot in Hazelwood.

Manager Galloway said the Town has received its first bill under the new CP&L contract rates with a savings of \$34,000. This bill was for some of the coldest weather so far this year and other months may not show this much savings.

The traffic light in Frog Level should be placed in service sometime next week. Mason Adams, a reporter with the Enterprise Mountaineer said he understands that the Frog Level merchants are planning some festivals and other activities in the spring. Manager Galloway said new garbage cans for the Frog Level area were ordered and are ready to be installed.

The Town has been working on Bryson Street to remove 70 white pine trees. Hardwood trees will be planted in their place and Public Works Director Fred Baker has been working with Central Elementary Principal John Sanderson on this project. There is no time frame for completion of the project.

Manager Galloway said he met with a group yesterday for approximately four (4) hours to discuss watershed management and conservation easement issues for the Town's watershed.

Mayor Foy said Mr. Burrell and Mr. Setzer with NCDOT met with Andrew Powell and were quite enthused about Andrew's plans for sidewalks, etc. in the Pigeon Street area. There are some drainage problems in this area which DOT is trying to resolve.

Manager Galloway said Andrew Powell spoke to the Leadership Haywood Group this morning and gave a presentation on the Land Use Plan which was well received by the group. Alderman Feichter added that Mr. Powell has also done a wonderful job in putting together some power point presentations for her in the past.

No action was necessary.

### Adjournment

With no further business, Alderman Moore moved, seconded by Alderman Brown, to adjourn the meeting at 7:43 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Henry B. Foy  
Mayor