

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
AUGUST 12, 2003  
TUESDAY - 7:00 P.M.  
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, August 12, 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 Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of July 8, 2003

Alderman Brown moved, seconded by Alderman Caldwell, to approve the minutes of the July 8, 2003 meeting as presented. The motion carried unanimously.

Public Hearing - Council on Aging Annexation Request - 81 Elmwood Way

In order to be connected to sewer service, the Council on Aging has requested annexation of the 8.892 acre tract they purchased off Russ Avenue. This will be the new location for the Mountain Area Resource Center. This property was the former location of Oakhill Furniture. Bargains, a home improvement store, continues to operate in a second building on this tract.

At the meeting of July 8, Town Clerk Phyllis McClure reported that the petition complied with State requirements, and the Board chose to schedule a public hearing.

Attorney Griffin opened the public hearing. The following persons spoke:

Denise Mathis, Executive Director of the Haywood County Council on Aging, attended the meeting. Ms. Mathis thanked the Board for their support in this request for annexation into the Town of Waynesville. No one else spoke; Attorney Griffin closed the public hearing.

Alderman Brown moved, seconded by Alderman Feichter, to adopt an ordinance annexing the 8.892 acre tract located at 81 Elmwood Way as requested by the Council on Aging (PIN #8616-37-3208). The motion carried unanimously. (Ord. No. 21-03)

Alderman Feichter said this facility is going to be a marvelous addition and will make a great deal of difference in this community. Alderman Feichter said through Ms. Mathis' tenacity and incredible hard work this is becoming a reality. Mayor Foy added the Mountain Area Resource Center will fill a need for this area. The Board thanked Ms. Mathis for her work.

### Voluntary Annexation Petition - Blossman Gas - Dellwood Road

The Town has received an annexation petition from Blossman Gas. At the present time, the company is located at 3160 Asheville Road. However, they have purchased a 1.0814 acre tract of land on the south side of Dellwood Road (US Route 19) opposite Queen's Farm. They wish to connect to the Town's sewer line and must petition for annexation.

Alderman Brown moved, seconded by Alderman Moore, to adopt a resolution instructing the Town Clerk to investigate the sufficiency of the petition. The motion carried unanimously. (Res. No. 14-03)

### Reappointment to ABC Board

Mr. John Summerow serves on the Waynesville ABC Board and his three-year term will expire on August 15, 2003.

Alderman Caldwell moved, seconded by Alderman Moore, to reappoint Mr. John Summerow to serve a three-year term to expire August 14, 2006. The motion carried unanimously.

### Resolution for Safety on Haywood County Highways

The Families for Roadside Safety (F.O.R.S.) is an organization which was formed to help make the roads in Haywood County safer for motorists. This work resulted from the deaths of two North Carolina Highway Patrolmen in the past two years, both being killed when they were struck on the road side while working wrecks or making traffic stops.

Mr. Gary Coldren attended the meeting and asked that the Board adopt a resolution regarding the safety of highways in Haywood County. Mr. Coldren said it is felt that the highways in Haywood County are unsafe and will only get worse with increases in traffic. All towns in Haywood County are being asked to adopt resolutions.

Mr. Coldren said there are times when only one highway patrolman is on duty in Haywood County. It is felt that this area is understaffed, especially with enforcement on the interstate. Alderman Feichter asked if there are statistics regarding other areas in North Carolina. Mr. Coldren said there were statistics available but he did not have any with him. He added that this does seem to be a statewide problem. During a two-week period a random increase in enforcement in Haywood County resulted in the issuance of 3,200 tickets. Random increases in enforcement would help, as well as the installation of rumble strips. Rumble strips were installed along the new stretch of Interstate 26.

Alderman Feichter said she serves on the Transportation, Communication and Public Safety Committee with the North Carolina League of Municipalities. They have discussed some of these issues.

Alderman Moore moved, seconded by Alderman Feichter, to adopt a resolution regarding the safety

of the Haywood County Highways. The motion carried unanimously. (Res. No. 15-03)

Request by Haywood County Solid Waste Management Regarding Leachate Disposal Fees

Haywood County collects ground water leachate at the county landfill, disposes of that leachate at the Waynesville Wastewater Treatment Plant and pays the Town for the number of loads that is brought to the treatment plant. Last year the Town raised the fees for the disposal of the leachate from \$90 to \$99 per 6,000 gallon load. A notice was sent to both the County Manager and the Solid Waste Department. Unfortunately, they did not receive the notice of the increase. After the close of the County's 2002-2003 fiscal year, the County attempted to pay what they thought was the correct amount for the leachate deposited. However, they were using the old, \$90 per load rate. This left an additional \$2,178 due for the leachate charge. By the time they became aware of the higher cost, the fiscal year had closed and the books for the 2002-2003 fiscal year were completed and it is too late for the County to amend their budget for the prior year.

Mr. Bobby Cogdill, Haywood County Solid Waste Director, requested that the Town consider waiving the additional amount due. He pointed out that Haywood County did not charge tipping fees to the Town when trees, stumps and brush were being cleared along Bryson Street for disposal at the landfill.

Alderman Brown moved, seconded by Alderman Feichter, to waive \$2,178 in leachate fees charged to Haywood County. The motion carried unanimously. Alderman Brown pointed out that this is a good example of how the Town and the County can work together.

Request by Downtown Waynesville Association - Main Street Closing - Apple Festival October 18, 2003

When the DWA made their annual request for street closings, a request was made that Main Street be closed for the Apple Festival from 9:00 p.m. on October 17 until 6:30 p.m. on October 18. The plan was to close the street from the Courthouse parking lot to Depot Street. The vendors and participants in the Apple Festival previously set up on Main Street in front of the Courthouse and on the Courthouse parking lot. With the construction of the new courthouse, the courthouse parking lot no longer exists and is unavailable to the Festival.

The DWA has now requested that the Board approve closing Main Street from what was the edge of the courthouse parking lot on North Main Street to Miller Street. Vehicles headed north on Main Street would be diverted down Miller Street rather than down Depot Street. The hours of the street closing would remain the same. Also if the number of vendors does not warrant the need for more street space, the portion of North Main between Depot Street and Miller Street will not be closed. It is recommended that this request be approved.

Alderman Moore moved, seconded by Alderman Brown to approve the request by DWA to close Main Street from the edge of the Courthouse parking lot to Miller Street if the number of vendors warrants this needed street space. The motion carried unanimously.

### Request by DWA Regarding Mini-Park

DWA also reported the following low cost clean-up renovation for the mini park at the intersection of North Main Street and Depot Street:

- a) Remove the existing trees and consider replanting new more suitable trees to the north side away from the law office building or use of large movable planters. (DWA Board felt the existing trees were too large to be pruned and remain attractive.)
- b) Remove the existing fountain planting and add steps and handicap ramp to access the rear park and create more space.
- c) Level, re-lay and clean brick flooring.
- d) Remove old lamps and install new lamps.
- e) Coordinate with Public Art Committee, former StreetScapes Committee, to develop a railing along the wall on Depot and rear side of park, which can incorporate a public sculpture in the railing. The committee would develop design requirements, etc., and raise funds for new sculpture. The sculpture, integrated with the railing, could relate to the original bank or the entrance way to the Great Smoky Mountain National Park. The railing could also address potential liability issues of people falling off the wall.
- f) It is felt that the Town employees can perform most of the work, thus reducing renovation costs.

No action was required.

### Smallpox Inoculation Policy

As part of the terrorists' activity conducted against the United States, there is the possibility of the use of chemical and disease bearing organisms against the public. One such threat has been the possible release of the smallpox virus, a disease which was felt to have been eliminated.

The Federal Government issued regulations which deal with the potential exposure to the smallpox virus by public law enforcement, fire, emergency and other officials. The N. C. General Assembly passed similar legislation, and local governments are required to adopt a policy regarding smallpox prior to September 10, 2003.

Human Resource Director Margaret Langston has prepared an explanation on this matter and developed a "Smallpox Inoculation Policy". Manager Galloway said it is recommended that this policy be adopted.

Alderman Brown moved, seconded by Alderman Caldwell, to adopt the Smallpox Inoculation Policy as recommended. The motion carried unanimously.

### Report by Town Manager Regarding Progress Energy Pay Station

Town Manager Galloway said Town staff has been working with Progress Energy and American

Paystations to try to make a smooth transition during the selection of a new paystation. Forga Rentals will serve as the new paystation and they have begun taking payments. September 12 is the last day the Town will accept payments and notice is being given to each person making a payment advising them of the change.

#### Reminder of NCDOT Meeting Regarding Howell Mill Road Improvements

Manager Galloway reminded the Board that a meeting will be held at the Waynesville Recreation Center on Tuesday, August 19 from 4:00 - 7:00 p.m. to discuss improvements to Howell Mill Road.

#### Alderman Moore - Allens Creek Road Concerns

Alderman Moore expressed concern regarding trucks coming off Allens Creek Road which are traveling too fast when they are turning left. Also he felt that a stop sign should be installed at the rock crusher rather than the existing yield sign because a school bus was almost hit at this location. Alderman Moore asked if the Town could contact the NCDOT authorities to see if a stop sign could be installed.

#### Greenhill Cemetery

Alderman Caldwell said he received a complaint about damage being done by someone driving over new grave sites at Greenhill Cemetery. No action was taken.

#### Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Caldwell, to adjourn the meeting at 7:42 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Henry B. Foy  
Mayor