

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
MAY 24, 2005  
TUESDAY - 7:00 P.M.  
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, May 24, 2005. 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, Finance Director Eddie Caldwell and Acting Town Attorney Steve Ellis. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of March 29 and May 12, 2005

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the March 29 and May 12, 2005 meetings as presented. The motion carried unanimously.

Reappointments - Planning Board and Board of Adjustment

Planning Board

The terms of Planning Board Members Don Stephenson and Patrick McDowell expire on May 31, 2005. Don Stephenson and Patrick McDowell have both indicated that they would like to be reappointed. Mr. Stephenson is an in-town member appointed by the Board of Aldermen. Mr. McDowell is a member appointed by Haywood County from within the extraterritorial jurisdiction.

Alderman Moore moved, seconded by Alderman Feichter, to reappoint Don Stephenson to serve another three year term which will expire May 31, 2008 on the Planning Board and to recommend the reappointment of Patrick McDowell to serve another three year term which will expire May 31, 2008 on the Planning Board. The motion carried unanimously.

Board of Adjustment

The terms of Board of Adjustment Members Mack Noland, Mike Erwin, Stephanie Welch Strickland and Garnell Day expire on May 31, 2005. All members have indicated that they wish to be reappointed.

Mack Noland, Mike Erwin and Stephanie Welch Strickland are appointed by the Board of Aldermen. Garnell Day is an alternate member who lives in the extraterritorial jurisdiction and is appointed by the Haywood County Commissioners.

Alderman Caldwell moved, seconded by Alderman Feichter, to reappoint Mack Noland, Mike Erwin and Stephanie Welch Strickland to serve another three year term to expire May 31, 2008 on the Board of Adjustment and to recommend the reappointment of Garnell Day to serve another three year term to expire May 31, 2008 on the Board of Adjustment. The motion carried unanimously.

Award of Bid - Haywood Vocational Opportunities Water Line

The North Carolina Rural Center awarded a grant to the Town of Waynesville to assist with one half the cost of a water line to be extended from Richland Creek to the new HVO addition between the railroad track and Riverbend Street. The distance is approximately 1,600 feet and the line is to be twelve inches in diameter to assure that the fire suppression system will work properly.

Patrick Bradshaw of Bradshaw Engineering has developed the plans for this water line and assisted with supplying cost estimates for the work. A pre-construction conference was held at the Waynesville Town Hall and bids were opened on Tuesday, May 24 as follows:

Buckeye Construction \$119,180

Cooper Construction \$104,250

Carolina Spec. Cont. \$167,303

Alderman Brown moved, seconded by Alderman Feichter, to tentatively award the bid for construction of the Haywood Vocational Opportunities water line to Cooper Construction in the amount of \$104,250, subject to obtaining utility easements and the Norfolk Southern encroachment agreement. The motion carried unanimously.

#### Clerk's Report Regarding Annexation Petition - Haywood Electric Membership Corporation - 1560 Asheville Road

At the meeting of May 12, 2005, the Board received an annexation petition from the Haywood Electric Membership Corporation for the property they own at 1560 Asheville Road. This petition was submitted because they have requested connection to the Town's sewer system. Upon receiving this petition, the Board directed Town Clerk Phyllis McClure to investigate the sufficiency of the petition. Ms. McClure found that the petition meets the requirements of State law.

Alderman Brown moved, seconded by Alderman Moore, to adopt a resolution to set the public hearing date for this annexation for Tuesday, June 14, 2005. The motion carried unanimously. (Res. No. 10-05)

#### Albert Henson - 40 Norman Street - Noise From Trucks on Norman Street

Albert Henson said Jerry Owen has a trucking business beside his home at 40 Norman Street. He said he is awakened sometimes as early as 4:30 a.m. or 5:00 a.m. until 6:00 a.m. - 7:00 a.m. by the noise from the trucks running. It seems to him that this is done intentionally. Mr. Henson said his wife has congestive heart failure and has been on oxygen for the past four years. He has spoken with Code Enforcement Officer Jason Rogers and understands that Mr. Rogers has forwarded a letter to Town Attorney Woodrow Griffin regarding the fumes and noise from this business.

Mr. Henson said he has spoken with the Environmental Protection Agency and they told him there was nothing they could do about the fumes from the trucks. He also spoke with Waynesville Police Chief Bill Hollingsed and he told Mr. Henson that a discussion with NCDOT indicated that as long as the trucks pass inspections there is nothing they could do about the noise. Mr. Henson said he has lived there for the past 44 years and Mr. Owen's business has been at this location for the past thirty years. Prior to that it was the location of WNC Paving Company.

Town Manager Galloway said he could speak with Attorney Woodrow Griffin to determine whether the Town's existing Noise Ordinance would deal with this situation. Manager Galloway will report back to the Board with his findings.

#### Continued Discussion Regarding Fiscal Year 2005-2006 Budget

Finance Director Eddie Caldwell distributed current and proposed utility rate comparisons showing proposed 10% increases for water and sewer rates. There was also discussion regarding the need to renegotiate the contract for water purchase which expired in December 2004 between the Town of Waynesville and Junaluska Sanitary District.

Impact fees are being proposed for extensions to the Junaluska Sanitary District and Town of Clyde sewage systems. This new charge is being proposed to cover extensions to the existing sewer system which would take away some of the available capacity at the Town's Wastewater Treatment Plant. The WWTP was originally constructed by the Town of Waynesville, Town of Hazelwood and Lake Junaluska Assembly in the late 1970's. Manager Galloway said the Board may also want to consider impact fees for extensions to the JSD and Town of Clyde water systems.

The public hearing for the 2005-2006 budget is scheduled for Tuesday, June 14, 2005 at 7:00 p.m. Additional budget workshops can be scheduled if necessary after the public hearing and before the next regular meeting of June 28, 2005.

#### Adjournment

With no further business, Alderman Moore moved, seconded by Alderman Caldwell, to adjourn the meeting at 7:56 p.m. The motion carried unanimously.

Phyllis R. McClure  
Town Clerk

Henry B. Foy  
Mayor