

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JANUARY 24, 2006
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, January 24, 2006. 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, Planning Director Paul Benson, Administrative Intern Alison Melnikova and Town Attorney Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of January 10, 2006

Alderman Moore moved, seconded by Alderman Caldwell, to approve the minutes of the January 10, 2006 meeting as presented. The motion carried unanimously.

Annexation Report - Phase I of Asheville Road Area

The first step in the process is the adoption of the Resolution of Intent to Annex, and the Town Board took this action at the meeting of January 10, 2006. Planning Director Paul Benson presented the Annexation Services Plan to serve the area known as Asheville Road Phase I. Mr. Benson said the State of North Carolina gives cities and towns the legal ability to annex property for two basic reasons. Sound urban development is essential to the economic development of the State and the services provided by city and town government are essential for urban development. Also residents and property owners benefit from existing municipal services and therefore have a responsibility for sharing the cost of these services.

Phase I consists of approximately 57 acres which are continuous with the existing corporate limits. The area contains 32 properties with 38 dwelling units and approximately 79 residents. The area qualifies in terms of urban development and subdivision of the lots, with 73% of the area developed. The majority of this area is currently served by the Town with water and sewer already in place, the Waynesville Police Department responds to assist the Sheriff's Department in emergency calls. Fire protection is provided with a \$3/month fee attached to water bills. This charge will discontinue upon annexation. Garbage collection will be added and ten new street lights are proposed along this area of the Asheville Road. A couple of changes have been made to the original Phase I including the exclusion of the vacant Haywood Electric Membership Corporation lot, and the inclusion of two lots accessed by Allison Acres Drive.

Revenue estimates include the following: assessed real property value for this area is \$3,090,338 with an annual revenue for the Town of \$13,288.45; franchise tax \$5,081.28; local option sales tax \$16,527.59; solid waste collection \$1,497.60 and Powell Bill allocation \$1,828.06, for a total estimate of revenues of \$38,222.98.

Expenditures include: loss in water revenue \$4,277.28; loss in fire protection fees \$1,368.00; and street lighting \$2,592.00, for a total estimate of expenditures of \$8,237.28. The estimated net revenue is \$29,985.70.

Mr. Benson explained that streets are not automatically maintained by the Town. Some of the streets in this area are maintained by the N. C. Department of Transportation and others are private driveways. In order for the Town to take over maintenance, property owners would need to dedicate the necessary right-of-way on private driveways or the Town would need to adopt a resolution requesting that NCDOT turn streets over to the Town to maintain.

The next step in the process is to hold a public information meeting. This meeting is planned for Thursday, March 2 at Town Hall. Letters will be mailed to all property owners and two ads will be published in the local newspaper to inform the public of the informational meeting. The public hearing is scheduled for Tuesday, March 28.

Alderman Brown moved, seconded by Alderman Feichter, to accept the annexation services plan report for Phase I of the Asheville Road area as presented by Planning Director Paul Benson and to continue to the next step of the informational meeting scheduled for March 2. The motion carried unanimously.

Clerk's Report Regarding Annexation Petition - 29 and 49 Ammons Trail

At the meeting of January 10, 2006, the Town Board received an annexation petition from the owners of the property at 29 and 49 Ammons Trail. Calvin Grasty and Phyllis Grasty filed the petition in order for the property to receive sewer service. At that time, the Town Board adopted a resolution directing Town Clerk Phyllis McClure to investigate the sufficiency of the petition, to assure that the petition complies with all requirements of State law. Ms. McClure has completed her investigation and found that the petition meets all requirements.

Alderman Moore moved, seconded by Alderman Brown, to adopt a resolution to set the public hearing date for Tuesday, February 28, 2006. The motion carried unanimously. (Res. No. 6-06)

Perry Wilkerson Presentation of Soil and Water Conservation Award Town of Waynesville Watershed Conservation Easement

Manager Galloway said in late December, it was learned that the Town of Waynesville had been selected to receive an award from the Hugh Hammond Bennett Chapter of the Soil and Water Conservation Society. The Town was nominated for the award by Mr. Perry Wilkerson who is a resident of Haywood County and someone who has closely followed the process the Town has followed in placing a conservation easement on the 8,030 acres in the Allens Creek Watershed. In addition, Mr. Wilkerson is also the incoming president of this organization. Alderman Feichter, representing the Board, attended the annual meeting of the Chapter on January 8, 2006, and was presented with the award.

Mr. Wilkerson attended the meeting to present the award to the Town and give the Board information about the Soil and Water Conservation Society. Mr. Wilkerson is the President elect

of the Hugh Hammond Bennett Chapter of the Soil and Water Conservation Society, a non profit organization founded in 1943. The organization currently has approximately 7,000 members with chapters in the United States and Canada. They are always looking for different, exceptional things that are going on which exhibit better natural resource use.

Mr. Wilkerson nominated the Town of Waynesville for the Unit of Government Award for "Outstanding Achievement for Water Quality". He said the Town of Waynesville and its elected officials should be recognized for their continued and long-term efforts to protect the water resources and water quality of the municipal water supply for the Town of Waynesville and Haywood County.

Mr. Wilkerson states in his nomination that the Town of Waynesville has the unique distinction of owning its entire water supply watershed, some 8,400 acres on the headwaters of Allens Creek in Haywood County. The Town began acquiring properties within the watershed around 1908 for the purpose of creating a reservoir that would supply the town with high quality water for residential and commercial needs and for flood control. Additional properties were purchased from 1997-2002 with grants from other agencies and conservation organizations to make up the 8,400 acres held today. This watershed has earned the highest quality ranking the State of North Carolina can assign to drinking water (WS-1) and it is part of an area recognized for its diverse wildlife habitat and scenic beauty.

The Waynesville Town Board recently approved two conservation easements to further protect the Allens Creek Watershed. One easement protects some 690 acres where no activities can occur which would impact the watershed whatsoever. The second easement will encourage the development of a Forest Management plan on 7,340 acres, overseen by conservation organizations and written by Western Carolina University. The Town hopes to use the watershed as an educational resource for students at Western Carolina University and show it as a model forest for others to see and learn by. Mr. Wilkerson presented the award to Mayor Foy and the Board, adding that it was an honor to present Waynesville with this award.

The Board thanked Mr. Wilkerson for attending the meeting to present the award and for Waynesville's nomination.

Pigeon Development Club Request

A letter was received from Ms. Sybil Mann, Board Member of the Pigeon Street Community Development Club concerning the financial situation of the Club. Ms. Mann recently contacted Manager Galloway to advise of problems the Club was having in handling the cost of fuel oil for the building they operate on Pigeon Street.

As Ms. Mann's letter points out, the Club expended \$5,000 to heat the building in the past fiscal year and expects to spend \$6,000 in the next fiscal year. The Club is looking for assistance from wherever it may come as they attempt to reduce some costs or seek donations to help them curtail costs. Manager Galloway said when she asked him about the Town assisting with the electric bill for the building, he explained that he did not have the authority to forgive bills. He

then advised that the Town does grant a limited credit for utility costs to the Rescue Squad, the Open Door and the Haywood Mountain Home.

Manager Galloway asked the Finance Department to run a check on the utilities for the Center and confirmed the figures supplied by Ms. Mann. During the winter months of 2004-2005, the utility bills for the building were \$88.83, \$127.35, \$121.75, \$111.08 and \$106.60. This included water and sewer as well as the electricity. The bill jumps quite a bit during the warmer months, probably due to air conditioning.

Ms. Mann attended the meeting, along with Lee Bouknight who serves as the Secretary-Treasurer. Ms. Mann said this property was acquired four years ago as a community development building and they have attempted to serve the community with activities during the summer and winter. They have had a successful program for the past three years and would greatly appreciate help from the Town. Last year over \$5,700 was spent for heating oil. Last year the organization raised a lot of community support and served over 35 children.

Alderman Brown moved, seconded by Alderman Moore, to grant a forgiveness of electrical bill charges, not to exceed \$1,000, from the present time until the end of this fiscal year June 30, 2006. The motion carried unanimously.

There was additional discussion regarding the condition of the building. Alderman Feichter asked how often the building is occupied during the winter months. Mr. Bouknight said once or twice per month. Alderman Feichter asked about repairs to the building. Mr. Bouknight and Ms. Mann explained that Haywood County attempted to make repairs to the roof, but they continue to have leakage. Mayor Foy said this is one of the schools in Haywood County which was built in 1952 using monies obtained through the School Bond Issue and during that time the flat roofs were used. Ms. Mann added that the building contains a massive paper cutter in the middle of the kitchen that needs to be moved out and they are making progress on getting this done. Ms. Mann and Mr. Bouknight thanked the Board for their contribution.

Audit Proposal for Years Ending June 30, 2006, 2007 and 2008

The firm of Ray, Bumgarner, Kingshill, and Associates has performed the Town's audit for at least 18 years. Manager Galloway said in his 33 years in local government, the audits performed by this firm have gone smoother than in any of the other five communities where he has served. He added that the Town is also blessed with a Finance Director who is a CPA, something many communities the size of Waynesville do not have, and that certainly makes the entire process go so much better.

During the past three year period, the accounting firm has been involved in implementing many new accounting standards which fall under the Governmental Accounting Standards Board. A tremendous amount of work has gone into this process, as more and more of our infrastructure had to be valued and reported in the annual audit. During the next few years, there will be more details added to the audit, such as accounting for hospitalization costs for retirees and some type of details of pension liability. These continual changes should best be handled by a firm in which you have a great deal of confidence, and Manager Galloway said he has that confidence and trust

in Ray, Bumgarner, Kingshill and Associates. Manager Galloway and Finance Director Eddie Caldwell recommended that the Town employ Ray, Bumgarner, Kingshill and Associates to perform the annual audit for the fiscal years ending June 30, 2006, June 30, 2007 and June 30, 2008.

Alderman Feichter moved, seconded by Alderman Moore, to authorize Mayor Foy to sign a three year agreement with Ray, Bumgarner, Kingshill and Associates to perform the annual audit for the fiscal years ending June 30, 2006, 2007 and 2008. The motion carried unanimously. (Cont. No. 4-06)

Public Art Commission

For several years, the Town and the Downtown Waynesville Association conducted an Art on the Street Program in which a number of pieces of art were located in the downtown area for a year or more. After running that program for several years, the organizers felt it was stale and needed a new program and emphasis.

After much consideration and discussion, a Public Art Commission is proposed under the terms of an ordinance which was distributed to the Board. This Commission would be an advisory group, only making suggestions to the Town Board on art which might be placed on the street. The group would also help the town in administering donations made by private or other sources to assist with purchasing, installing and maintaining public art.

Ron Huelster, DWA Director attended the meeting to provide more information or answer questions about the proposal. Mr. Huelster said in 1999 the Town of Waynesville, Haywood Arts Council and Downtown Waynesville Association created Streetscape, a year long competition with artwork installed during the month of May followed by a reception. Due to limited funds, fewer and fewer pieces of artwork were received. In 2004 the Committee decided to disband. A \$5,000 grant has now been received from the Ned Hildreth Estate. A draft ordinance was presented to create a Public Art Commission. A public art fund would be maintained by the Town.

Alderman Brown recommended that the same attendance requirements be applied for this Commission as the other Boards and Commissions of the Town, that members must attend at least 75% of the meetings during a calendar year and not miss more than three consecutive meetings.

Alderman Brown moved, seconded by Alderman Feichter, to adopt an ordinance to establish a Public Arts Commission, with the addition of the attendance requirements as recommended by Alderman Brown, and that names for appointment be submitted to the Board for their consideration. The motion carried unanimously. (Ord. No. 4-06)

Reappointment of Members Historic Preservation Commission

The terms of two Historic Preservation Commission members expire on January 31, 2006. Mr. Peter Sterling was appointed to fill an unexpired term as was Ms. Malinda Messer. Mr. Sterling

and Ms. Messer have been good members and faithful in their attendance. It is recommended that they be reappointed to full four year terms to expire on January 31, 2010.

Alderman Caldwell moved, seconded by Alderman Feichter, to reappoint Ms. Malinda Messer and Mr. Peter Sterling to serve four year terms on the Historic Preservation Commission, ending on January 31, 2010. The motion carried unanimously.

Evaluation of the Town Manager

It has been a few years since the Town Board performed a formal evaluation of the Town Manager.

Manager Galloway said a few years ago, the Board asked him to research the matter and collect some evaluations of managers used in other communities. This was done and a form was developed for use by the Waynesville Town Board. He added that he still has the form on his computer, which can be distributed and used again if the Board desires. At the same time, Manager Galloway did a self evaluation, which he would like to do again as well.

Evaluation forms will be distributed to the Mayor and Board of Alderman. Upon completion they will be compiled by Human Resource Director Margaret Langston. The Board will then discuss the evaluation at the February 28, 2006 meeting.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Feichter, to adjourn the meeting at 8:05 p.m. The motion carried unanimously.

Phyllis R. McClure, Town Clerk
Henry B. Foy, Mayor