

AGENDA  
REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
TOWN HALL  
MAY 26, 2009  
TUESDAY - 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, May 26, 2009. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Libba Feichter, J. Wells Greeley and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure, Attorney Woodrow Griffin, Assistant Town Manager Alison Melnikova and Finance Director Eddie Caldwell. Mayor Brown called the meeting to order at 7:05 p.m.

Approval of Minutes of May 12, 2009

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the May 12, 2009 meeting as presented. The motion carried unanimously.

Public Hearing Amendment to Section 154.233(F) Building Setback Requirements for Inns

The Planning Board received a request from a property owner that the Town's Land Development Standards pertaining to Bed and Breakfast establishments be amended to allow five rented rooms rather than four. This request was heard by the Planning Board on April 20, and the Planning Board voted to recommend to the Town Board that this request be denied.

The Planning Board discussed the matter and considered an alternative suggested by the Director of Planning. It was noted that the Supplemental Use Standards could be amended to permit inns within historic properties to waive the fifty (50') feet setback from side and rear property lines. In doing so, it would promote the preservation of larger, historic structures by permitting more rooms to be used by guests. In addition, it would affect far fewer properties through the Town. The Planning Board then agreed to recommend that the Town Board consider an amendment to the Land Development Standards that would change the conditional use standards for "inns" to reduce the required setbacks from fifty (50) feet to twenty-five (25) feet for inns located in historic structures. Buffers of at least 10 feet would be required. This passed by unanimous vote of the Planning Board.

Attorney Griffin opened the public hearing.

Attorney John C. Kersten, represented Mr. and Mrs. Shell Isenberg, owners of Oak Hill Bed and Breakfast located at 224 Love Lane. Attorney Kersten outlined the history of bed and breakfast homes in Waynesville and how the original request to amend the Town's ordinance to increase the number of rooms for a bed and breakfast from four rooms to five rooms was changed to a request to reduce the requirement setback of fifty feet to twenty-five feet for inns which must be located in historic structures. Attorney Kersten added that new buildings cannot be constructed to serve as inns. Inns are also subject to approval processes of the Community Appearance Commission, and approval of a condition use permit by the Planning Board and Board of Adjustment.

No one else spoke; Attorney Griffin closed the public hearing.

Alderman Greeley moved, seconded by Alderman Feichter, to amend the ordinance to reduce the

required setback from fifty (50) feet to twenty-five (25) feet for inns located in historic structures. The motion carried unanimously. (Ord. No. 6-09)

### Budget Amendments - Fiscal Year 2008-2009

During the budget work sessions, Finance Director Eddie Caldwell advised the Town Board that he would need to request a number of budget amendments to the 2008-2009 budget. For the most part, these are items that have been presented to the Board throughout the current fiscal year and in some cases, specific items that have been approved by the Board. These items were all discussed during the budget work sessions, with explanations provided as to why certain accounts exceeded the budgeted revenues or expenditures.

Under the guidelines of the North Carolina Local Government Commission, when a department exceeds the expenditure levels budgeted to that department, additional funds must be appropriated to cover that excess expense. To cover the increase, money may need to be moved from the reserves of a particular fund to cover the overage from the revenue side.

Finance Director Eddie Caldwell explained the budget amendments that are needed at this time along with a brief explanation as to what the amendments cover. These include transfers of funds for the Greenway Trail, various donations, 5 percent of the Alcoholic Beverage Control funds to the Haywood County Library; taxes for the Downtown Waynesville Association, funds to the Capital Projects Fund for the Police Department/Development Office, to the water fund for roof repair and chemical over expenditures, and to the electric fund for increased power purchases.

It is possible that additional amendments may be needed before the end of the fiscal year, because several departments are running very close and could possibly exceed expenditures budgeted for those departments.

Alderman Feichter moved, seconded by Alderman Roberson, to adopt the budget amendments for fiscal year 2008-2009 as presented. The motion carried unanimously. (Ord. No. 7-09)

### Audit Contract

For many years, the Town of Waynesville has hired the firm of Ray, Bumgarner, Kingshill & Associates to perform the annual audit on the Town's financial records. The Town has always been pleased and satisfied with the work of this firm, and it has been our observation that the audits they send to the Local Government Commission are approved without critical comment or the necessity to make corrections. Manager Galloway said in his 36 years of experience in finance and management of six municipalities, he has had the opportunity to work with a number of different accounting firms. There have been none that provided the expertise and skills that Ray, Bumgarner, Kingshill & Associates provides to the Town of Waynesville.

During the current fiscal year of 2008-2009, which is the third under a three-year contract, this firm performed the Town's audit for a fee of \$27,500. For the next three-year period, the firm has offered a fee as follows:

2009-2010	\$27,000
2010-2011	\$27,500
2011-2012	\$28,000

Manager Galloway said town staff is grateful that the audit firm has proposed a new three-year contract which has an average fee equal to the fee paid in the final year of the current contract. The proposal includes preparing any Single Audits which are required, and one will be required of the Eagle Nest Water Project because of the amount of money involved in that project. Finance Director Caldwell and Manager Galloway recommended that the Town Board approve the three-year contract offered by Ray, Bumgarner, Kingshill & Associates.

Alderman Feichter asked what the advantages and disadvantages were of hiring a new firm versus hiring the same firm that has conducted audits for several years. Finance Director Eddie Caldwell said a new firm would have to start from scratch. A firm that has conducted audits for several years is familiar with Waynesville and can easily identify obvious changes. Mr. Caldwell said this is a great firm and anytime there are questions town staff can call them for the answers.

Mayor Brown pointed out that the owners of this firm, Ray, Bumgarner and Kingshill are all residents of the Town of Waynesville and he feels comfortable in dealing with them.

Alderman Roberson moved, seconded by Alderman Caldwell to approve the three-year audit contract with Ray, Bumgarner, Kingshill & Associates as presented. The motion carried unanimously. (Cont. No. 6-09)

#### Request for Funding - NAMI

Suzanne Gernandt and Patricia Meyer, Representatives of the NAMI organization, requested time before the Town Board to make their request for funding in the 2009-2010 fiscal year. This matter was discussed during one of the budget work sessions. The group attended a Town Board meeting in February 2009, and at that time, they indicated they would be seeking a \$2,000 grant from the Town to fund their \$3,500 budget.

Suzanne Gernandt said the group recently received their 501(C)(3) status and is working to spread awareness of mental illness to the community, doctor's offices, schools, first responders and police departments and others. Money is needed to purchase brochures. She said the organization is grateful for any contribution the Town of Waynesville can make. Ms. Gernandt said this organization represents the mentally ill because they cannot speak for themselves. Monthly support group meetings are held and the group is working with the Macon County Chapter of NAMI. Mental Health Awareness Week in October helps bring attention to the issue of mental health. Patricia Meyer said the group is working to change the stigma regarding mental health.

Alderman Feichter suggested that the NAMI group speak with someone from Haywood Connections or its Executive Director Victoria Young. Alderman Feichter said Haywood Connections is funded by the Robert Wood Johnson grant, with people working within each community in Haywood County and this may be a good way to spread this information.

Alderman Roberson asked if NAMI has worked with Churches in the area. Suzanne said their meetings are held at the First United Methodist Church. They have also spoken with some civic clubs in the area. Ms. Gernandt said NAMI began in Madison, Wisconsin with Chapters now in every State. Alderman Feichter asked where the organization's funds come from. Ms. Gernandt said they come from membership dues. Alderman Feichter asked if the group has requested funding from other municipalities or from Haywood County. Ms. Gernandt said they have not yet, but plan to request funding from others. Ms. Gernandt said last year they taught a family to family class in connection

with Smoky Mountain Mental Health. Their organization received money for this class since Smoky Mountain Mental Health has an alliance with NAMI and money is available if classes are taught in this area.

The Board of Aldermen will consider the request for funding by NAMI and a public hearing on the budget will be held on June 9.

#### Report from Manager Galloway

Manager Galloway said bids will be opened on May 27 at 2:00 p.m. at Town Hall for the Police Department/Development Office furniture. A special meeting may be held next week to award the bid for this furniture.

A pre bid meeting regarding the Hendrix Street Bridge project will be held on May 27 at 2:00 p.m. at Town Hall.

The letter was received from the State approving the bid from Buckeye Construction Company for the Eagle Nest Water project. Construction is scheduled to begin June 15.

Waynesville did not receive the stimulus money that was applied for. The Town of Maggie Valley was approved for a pump station, but the line behind Ammons Drive-Inn will need to be upgraded for the pump station to work. McGill Engineering firm has been hired by Waynesville to design the system. Waynesville has been working with Pam Hysong with Rural Development regarding funding for public safety projects. The State office has encouraged Waynesville to apply and Waynesville will be completing applications for this funding in the near future.

#### Alderman Feichter - Visual Obstructions on South Main Street

Alderman Feichter said there are Cedar bushes that obstruct vision on South Main Street close to the Credit Union. There are also some red tipped bushes close to Rolling Drive that obstruct vision. Manager Galloway will ask town staff to look at these areas.

#### Alderman Caldwell - Railroad Street

Alderman Caldwell said progress has been made on the clean up on Railroad Street. The area looks much better.

#### Adjournment

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

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Phyllis R. McClure  
Town Clerk

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Gavin A. Brown  
Mayor