

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JULY 14, 1998 - TUESDAY
RECEPTION FOR RETIREE - 6:45 P.M.
REGULAR MEETING - 7:00 P.M.
TOWN HALL

A reception was held at 6:45 p.m. to recognize Charles Newton (John) Cutshaw upon his retirement. Mr. Cutshaw retired after almost thirty (30) years of service with the Town of Waynesville.

The Board of Aldermen held a regular meeting on Tuesday, July 14, 1998. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, Sam Wiggins, and James Williamson. 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 June 10 and June 22, 1998

Alderman Wiggins moved, seconded by Alderman Caldwell, to approve the minutes of the June 10 and June 22, 1998 meetings as presented. The motion carried unanimously.

Recognition of John Cutshaw Upon His Retirement

Mayor Henry Foy presented a watch to Charles Newton (John) Cutshaw for his service to the Town. Mr. Cutshaw retired June 1, 1998 after almost thirty (30) years of service. Mayor Foy said that John served the Town well, being a friend to everyone at all times, and that this has given the Town a good name. Mayor Foy read a resolution of appreciation for John Cutshaw. Alderman Williamson said that the Town of Waynesville will certainly miss John Cutshaw. Alderman Williamson said that no matter if it rained, snowed or any other weather condition, John Cutshaw made the Town look good, always taking care of every problem that came along. Board members wished John Cutshaw a happy retirement. (Res. No. 13-98)

Proposed Change to Personnel Policy Regarding Health Insurance for Retirees

Town Manager Galloway said that the Town has been reviewing their Personnel Policies as part of the Pay and Classification Study. Manager Galloway said that at the present time the Town pays health insurance for an employee who has at least ten (10) years of service and is at least 55 years of age, until the age of 65. Upon the retirement of John Cutshaw it was realized that he had almost thirty (30) years of service with the Town but was not at least 55 years of age, therefore not qualifying for the health insurance. In order to create a more fair method the following amendment was recommended:

Section 2. Health Insurance for Retirees

Employees who retire from employment with the Town under either the Local Governmental Employees Retirement System or Law Enforcement Officers Retirement System shall receive health insurance coverage under the following conditions:

- 1) A retiree who has achieved ten (10) or more years of service with the Town of Waynesville and has reached 55 years of age shall receive health insurance coverage. Such coverage shall be provided, at no expense to the retiree, until the retiree reaches age 65 or until employee becomes eligible for Medicare through disability retirement at an earlier age.
- 2) A retiree who has achieved at least 25 years of service with the Town of Waynesville, not including accumulated sick or vacation time, shall receive health insurance coverage for a period of ten years from their official retirement date, regardless of the age at which that employee retires. This shall be at no expense to the retiree. At the conclusion of the ten (10) year period, the retiree will be allowed to pay the required insurance premium and maintain coverage in the Town's health insurance program until age 65 or until employee becomes eligible for Medicare through disability at an earlier age.
- 3) A retiree who has achieved at least thirty (30) years of service with the Town of Waynesville, not including accumulated sick or vacation time, regardless of the age at which that employee retires, shall receive health insurance coverage from their official retirement date until the retiree reaches the age of 65 or until said employee becomes eligible for Medicare through disability at an earlier age. Said health insurance shall be provided at no expense to the retiree.

Retirees may obtain coverage for eligible dependents from the Town by paying the full premium for the dependents as established by the insurance carrier. Employees who retire under conditions set forth in Subsection 1, 2 or 3 above, may purchase coverage for their spouse, at their expense, until the spouse reaches the age of 65.

When the employee and/or spouse reach the age of 65 and the Town's regular health insurance coverage terminates, the retiree will have the option of purchasing a medicare supplement insurance, if one is available through the Town's insurance program. The retiree and/or spouse would be responsible for the full payment of the supplemental policy premium.

Alderman Williamson moved, seconded by Alderman Caldwell, to amend Section 2 regarding Health Insurance for Retirees, retroactive to June 1, 1998. The motion carried unanimously.

Public Hearings

Amendment to Sections 154.012 and 154.006 - Grading and Land Filling Permit/Definitions

Town Attorney Bonfoey opened the public hearing regarding proposed amendments to Sections 154.012 and 154.006, recommended by the Planning Board as follows:

Section 154.012 GRADING AND LAND FILLING PERMIT REQUIRED

- (A) In addition to the requirements of the State Sedimentation Control Commission, property owners, grading contractors, and developers intending to conduct any land disturbing activities involving grading or filling of the land within the jurisdiction referenced in Section 154.003 shall be required to obtain a Grading and Land Filling Permit from the Town of Waynesville Planning and Zoning Office. The purpose of this permit is to assure that all grading and filling activities are not detrimental to Town infrastructure improvements (street and utilities), adjacent properties, community appearance, and floodplain areas. Any grading and filling activities conducted in a floodplain area shall comply with the requirements of Chapter 151, Flood Damage Prevention Ordinance.
- (B) *This section shall not apply to the following land-disturbing activities:*
- (1) *Activities, including the breeding and grazing of livestock, undertaken on agricultural land for the production of plants and animals useful to man, including, but not limited to:*
 - (a) *Forages and sod crops, grains and feed crops, tobacco, cotton, and peanuts.*
 - (b) *Dairy animals and dairy products.*
 - (c) *Poultry and poultry products.*
 - (d) *Livestock, including beef cattle, sheep, swine, horses, ponies, mules, and goats.*
 - (e) *Bees and apiary products.*
 - (f) *Fur producing animals.*
 - (2) *Activities undertaken on forestland for the production and harvesting of timber and timber products and conducted in accordance with best management practices set out in Forest Practice Guidelines Related to Water Quality, as adopted by the Department of Environment, Health, and Natural Resources. If land disturbing activities undertaken on forestland for the production and harvesting of timber and timber products is not conducted in accordance with Forest Practice Guidelines Related to Water Quality, the provisions of this section shall apply to such activity and any related land disturbing activity on the tract.*
 - (3) *Activities for which a permit is required under the North Carolina Mining Act of 1971, codified in Article 7 of Chapter 74 of the North Carolina General Statutes.*
 - (4) *For the duration of an emergency, activities essential to protect human life.*
 - (5) *Land-disturbing activities conducted by the State of North Carolina; by the United States; by persons having the power of eminent domain; by local governments; or which are licensed or bonded, in whole or in part, by the State of North Carolina or the United States; all of which are under the exclusive regulatory jurisdiction of the State of North Carolina;*
 - (6) *Those done for the purpose of fighting fires;*

- (7) *The stock-piling of fill dirt, raw or processed sand, stone, or gravel in material processing plants and storage yards, provided that sediment control measures have been utilized to protect against off-site damage;*
 - (8) *Individual gravesites;*
 - (9) *Lawns, gardens, and similar horticultural activities; and*
 - (10) *Activities undertaken on agricultural lands which do not exceed 1,000 square feet in surface area. In determining the surface area, lands under diverse ownership being developed as a unit shall be aggregated.*
- (C) *Graded areas shall be hydroseeded, mulched, and landscaped within thirty (30) calendar days of achieving final grade. Cut slopes shall not be steeper than one (1) foot vertical rise to one and one half (1 ½) feet horizontal run; and, fill slopes shall not be steeper than one (1) foot vertical rise to two (2) feet horizontal run.*
- (D) *No grading activity or land disturbance may be conducted within fifteen feet (15') of any property line or public right-of-way unless written permission of the adjacent property owner and approval of the Planning and Zoning Director is given.*
- (E) All applicants shall *submit grading plans and* complete the appropriate forms in the Planning and Zoning Office. Upon review of the application by the Zoning Director/Planning Officer and upon a finding that the grading or filling activity will not be detrimental, a Grading and Land Filling Permit shall be issued, provided other applicable local and state regulations will not be violated.

Add the following definition to Section 154.006.

“Grading.” *Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades. Grading shall also mean any manipulation of the ground forms and the natural vegetation growing upon it.*

The following persons spoke:

John Burgin, 275 Wildcat Mountain Road, Waynesville, said that he was a member of the Land Use Task Force Committee, but that he also attended the meeting as a citizen, developer and contractor. Mr. Burgin said that when this amendment was reviewed by the Land Use Task Force Committee it did not contain the slope requirements which were added upon reviewal by the Planning Board. Mr. Burgin stated that he felt that although developers wanted to preserve the mountains in this area, this amendment would stop a lot of the development in the Town of Waynesville, which would be detrimental to the Town’s tax base. Mr. Burgin presented a wooden display demonstrating a 2:1 slope, adding that this slope would render a lot of land useless. Mr. Burgin said that with this requirement many homes would have to be built on stilts and more dirt and trees would have to be

removed on land which has marginal slopes. Mr. Burgin said that he was opposed to the requirement of a 15' buffer zone. Mr. Burgin said that if this amendment was in existence when K Mart, Advanced Auto Parts, McDonalds, Ingles, Kentucky Fried Chicken, Arby's and the house that he lives in at 275 Wildcat Mountain Road were built, they may not have been built or would have been built differently. Mr. Burgin asked that the Board look carefully at these amendments and how they would affect the tax base and jobs in this area.

Attorney Jack Kersten, representing Piedmont Golf Development Corporation, said that Laurel Ridge has put thirty million dollars on the Town's tax scrolls. Attorney Kersten said that this proposed amendment would stop any further development in Laurel Ridge, leaving the several hundred acres left available for development rendered useless. Attorney Kersten was opposed to the 15' buffer requirement which he said would not allow for a tree to be cut within 15 feet of the property line. He also said the proposed amendment requires that graded property be hydro seeded and landscaped within thirty (30) days, and that this would be too expensive and sometimes impossible during the winter months, stopping construction during that time.

Bob Davis, 138 Redbud Lane, Waynesville, said that the City of Asheville developed a Comprehensive Land Use Package over a period of years. Mr. Davis said that the proposed amendment would greatly increase the number of trees which would be destroyed by development. Mr. Davis also said that this amendment would favor the creation of homes built on stilts. Mr. Davis asked the Board to look at the impact of this ordinance, to redirect their efforts and take time to create a comprehensive land use plan.

Bill Burgin, 209 Forest View Drive, Waynesville, said that he owns some acreage in Laurel Ridge and there would be no way that developers could develop 9/10 of the property at Laurel Ridge if the proposed amendment is adopted. Mr. Burgin said that Laurel Ridge is the only residential area in Waynesville being developed at this time. Mr. Burgin asked that the Board reconsider this amendment and to establish a committee to develop a plan that everyone could live with.

Ron Muse, a builder in Waynesville, said that the intentions of the Board of Alderman are good, however, this amendment was not good. Mr. Muse said that there was a problem with the 15' buffer requirement between properties in that a developer could not smooth out and blend two lots together, possibly leaving a thirty-foot mound of dirt between the two lots.

Gary Cochran, 45 Mast Court, Clyde, President of the Home Builders, said that he was not opposed to ordinances or regulations, however this ordinance is a detriment with the slope requirements as proposed. Mr. Cochran asked the Board to reconsider the amendment.

Ron Fleenor, 31 Seyeta Park Drive, Waynesville, spoke in favor of the proposed amendment. Mr. Fleenor presented some pictures that he had taken showing situations which can occur without a slope requirement. Mr. Fleenor said that he was in favor of the amendment as written, with a 2:1 cut slope and 1 ½ fill slope requirement.

Richard Lanning, 307 Viewmont Drive, Canton, said that he has built a lot of homes in Laurel Ridge. Mr. Lanning said that he currently employs 25 people who would probably be without a job

if this amendment is adopted because a lot of development will be stopped.

Tim Welch, 471 Cardinal Drive, Waynesville, said that his daughter currently has a house plan on a lot in Laurel Ridge. In order to comply with this amendment the three bedroom house would be reduced to a one bedroom house, retaining walls would have to be built and the two car garage would be reduced to a one car garage.

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

Aldermen Williamson, Wiggins and Caldwell expressed concern with the proposed amendment and did not feel comfortable with adopting the amendment without further study. Mayor Foy said that he felt that this is a good ordinance, and he did not believe that it would stop all the development in Laurel Ridge.

Alderman Williamson moved, seconded by Alderman Caldwell, to request that the Planning Board call a special meeting, in conjunction with the Land Use Task Force, Board of Aldermen, and anyone else that the Planning Board feels necessary, in order to review the proposed amendments to Section 154.012 and 154.006. This review will be in order for everyone to have a complete understanding of the amendments and to determine their impact on development. The motion carried unanimously.

Amendment to Section 154.118 - Mini-Warehouses and Mini-Storage Buildings

Attorney Bonfoey opened the public hearing regarding an amendment to Section 154.118 - Mini-Warehouses and Mini-Storage Buildings. With a growing demand for mini-warehouses and mini-storage buildings in the Waynesville area, it was felt that the Town's regulations controlling the location of the units was not sufficient. The Planning Board has spent considerable time evaluating the various areas in our community where they felt mini-warehouses and mini-storage buildings would be detrimental to the historical, cultural and architectural qualities of Downtown Waynesville and the surrounding residential areas. The amendment has been recommended by the Planning Board for approval as follows:

154.118 MINI-WAREHOUSES AND MINI-STORAGE BUILDINGS.

Mini-warehouses and mini-storage buildings may be permitted as a conditional use in the C-2, C-3 and C-4 zoning districts, provided the following conditions and standards are met:

(A) *In order to preserve the historical, cultural and architectural qualities of downtown Waynesville and surrounding residential neighborhoods, mini-storage facilities shall not be located in certain areas of the C-2 and C-3 districts as listed below:*

(1) *Storage units shall not be located on Main Street parcels from the intersection of South Main Street and Balsam Drive to the intersection of North Main Street and East Street (beside the Board of Education Building).*

(2) *Storage units shall not be located on Pigeon Street parcels from the intersection of*

Pigeon Street and South Main Street to the intersection of Pigeon Street and McCracken Street.

- (3) *Storage units shall not be located on Legion Drive parcels from the intersection of Legion Drive and South Main Street to the intersection of Legion Drive and Pigeon Street.*
- (4) *Storage units shall not be located on Haywood Street parcels from the intersection of South Main Street and Haywood Street to the intersection of Haywood Street and Depot Street.*
- (5) *Storage units shall not be located on Branner Avenue parcels from the intersection of Branner Avenue and Depot Street to the intersection of Branner Avenue and Boundary Street.*
- (6) *Storage units shall not be located on Wall Street parcels from the intersection of Wall Street and Pigeon Street to the intersection of Wall Street and North Main Street.*
- (7) *Storage units shall not be located on Walnut Street parcels from the intersection of Walnut Street and North Main Street to the intersection of Walnut Street and North Main Street.*
- (8) *Storage units shall not be located on Church Street parcels from the intersection of Church Street and Main Street to the intersection of Church Street and Haywood Street.*
- (9) *Storage units shall not be located on Miller Street parcels from the intersection of Miller Street and North Main Street to the intersection of Miller Street and Haywood Street.*
- (10) *Storage units shall not be located on Depot Street parcels from the intersection of Depot Street and North Main Street to the intersection of Depot Street and Haywood Street.*
- (11) *Storage units shall not be located on Montgomery Street parcels from the intersection of Church Street and Montgomery Street to the intersection of Depot Street and Montgomery Street.*
- (12) *Storage units shall not be located on Academy Street parcels from the intersection of Academy Street and South Main Street to the intersection of Academy Street and Haywood Street.*
- (13) *Storage units shall not be located on East Street parcels from the intersection of East Street and Main Street to the intersection of East Street and Welch Street.*

- (14) *Storage units shall not be located on the Old Asheville Highway parcels from the intersection of the Old Asheville Highway and North Main Street to the intersection of the Old Asheville Highway and Ratcliff Cove Road.*
- (B) A storage building shall contain a minimum of six storage units.
- (C) The minimum size per storage unit shall be 5 feet by 5 feet by 8 feet; the maximum size per storage unit shall be 18 feet by 30 feet by 15 feet. (The height is measured from grade level to the highest point of the roof.)
- (D) The construction standards of mini-storage buildings shall meet or exceed the construction standards required by insurance companies when insuring such buildings for mini-storage insurance. The construction standards shall also meet or exceed the standards set forth in the North Carolina Building Code, Volume I *and Plumbing facilities as required by the North Carolina Plumbing Code must be constructed.*
- (E) Mini-storage buildings shall carry the following types of insurance coverage:
- (1) Fire insurance.
 - (2) Vandalism insurance.
 - (3) Liability insurance.
 - (4) Mini-storage insurance.
- (F) A minimum distance of 20 feet is required between each storage building; except the ends of storage buildings where a 45-foot distance is required. Mini-storage buildings shall be set back 25 feet from the rear and side yard lot lines. The front yard setback shall comply with Section 154.034.
- (G) If a mini-storage lot abuts any residential lot at the side or rear lot line, a buffer strip shall be provided along those areas.
- (H) Mini-storage buildings shall not be used for the storage of any flammable, hazardous or fissionable materials, liquids, solids, gasses or compounds. Storage buildings shall not be used for the storage of any species of animal, reptile, bird or fish whether living or dead; nor, shall such buildings be used for storing anything that is considered to be a threat to the health, safety and welfare of the general public.
- (I) Mini-warehouse premises shall be maintained in such a manner that will not detract from the aesthetic quality of the neighborhood or the values of surrounding properties.

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

Alderman Caldwell moved, seconded by Mayor Foy, to approve the amendment to Section 154.118 regarding mini-warehouses and mini-storage buildings. The motion carried unanimously. (Ord. No.

20-98)

Clean Water Management Trust Fund Agreement and Conservation Easement on Watershed

Town Manager Galloway said that the Town was awarded a \$500,000 grant from the Clean Water Management Trust Fund to assist the Town with the purchase of the privately held property in the Allens Creek Watershed. As part of the process of receiving this grant money, the Town must enter an agreement with the Clean Water Management Trust Fund regarding the use of these funds and the future use of the property. Town Manager Lee Galloway, Town Attorney Michael Bonfoey, and Town Engineer Fred Baker are continuing to review a sample document presented to the Town by the Clean Water Management Trust Fund. Town Manager Galloway said that this agreement is still in discussion. It was the consensus of the Board to delay this item until the next meeting.

Release of Escrow (Bond) on Smoky Mountain Sanctuary

In March, 1997, Mr. Emil Massaro provided a bond of \$58,000 to guarantee the required public improvements to Smoky Mountain Sanctuary. Mr. Massaro has now requested that a major portion of this bond be returned to him as the utility lines have been completed and payment needs to be made to the contractor.

Town Engineer Fred Baker has inspected the improvements during June, and he has recommended that \$34,000 of the bond be returned to Mr. Massaro. The remaining balance of the bond with the Town would be \$24,000, and this is necessary to assure that the paving of the subdivision is completed in a satisfactory manner.

Alderman Williamson moved, seconded by Alderman Wiggins, to approve returning \$34,000 of the bond on Smoky Mountain Sanctuary for Mr. Massaro. The motion carried unanimously.

Agreement With Clyde Savings Bank Concerning Financing of the New Multi-Use Recreation Center

Town Manager Galloway said that in May, 1998, the Board tentatively approved the financing terms offered by Clyde Savings Bank for financing the new multi-use recreation center. Clyde Savings offered to provide financing of up to \$5,000,000 for a twenty year period with a 5.1% interest rate. The Board could not officially approve the financing terms at that time since the N.C. Local Government Commission had not yet approved the lease-purchase financing agreement between Clyde Savings and the Town. On June 2, 1998, the Local Government Commission did approve the financing agreement between Clyde Savings and the Town of Waynesville.

Alderman Wiggins moved, seconded by Alderman Caldwell, to approve the agreement with Clyde Savings Bank for financing the new multi-use recreation center in an amount of up to \$5,000,000 for a twenty year period with a 5.1% interest rate. The motion carried unanimously. (Cont. No. 7-98)

Award of Bids - Multi-Use Recreation Center

Town Manager Galloway said that the Town has also been unable to approve the construction contracts with the various contractors on the multi-use recreation center until the Local Government Commission approved the financing agreement. The Town also delayed action on awarding any bids until it could be determined whether the recreation project would be selected for funding under the North Carolina Parks and Recreation Trust. Funding from the grants available through the trust would determine whether the Town could include the alternates offered in the construction bids or whether some items would have to be deleted from the project.

The Town has now been selected to receive a \$250,000 grant from the Parks and Recreation Trust. Town Manager Galloway said that this grant will allow the Town to include most of the alternates from the construction bids, which will make the recreation center much more valuable to the citizens of our community. A meeting was held with the contractors to determine which of the alternates would be accepted. Those alternates include 1) an upgraded dehumidification system, 2) elimination of the outside walking track, and 3) roof and grading modifications.

The bid tabulation report from Lee Architectural was received as follows:

Alderman Wiggins moved, seconded by Alderman Williamson, to award the bid for the multi-use recreation center to the low prime contractor, McCarroll Construction, in the total bid amount of \$5,652,253. The motion carried unanimously. (Cont. No. 8-98)

Budget Ordinance Amendment - Adoption of Project Budget

Finance Director Eddie Caldwell said that a budget ordinance amendment is necessary since the construction project of the multi-use recreation center will be spread over two fiscal years. This project ordinance allows funding and expenditures to spread beyond a single fiscal year.

Alderman Caldwell moved, seconded by Alderman Wiggins, to adopt the Multi-Use Recreation Center Project Ordinance. The motion carried unanimously. (Ord. No. 21-98)

Extension of Moratorium Regarding Cellular Towers

Town Manager Galloway said that a moratorium was established on any cellular towers while an ordinance was being developed. During that time representatives of the major providers of cellular telephone service have presented Town Attorney Bonfoey with a number of ordinances used by other localities in dealing with cellular towers. Attorney Bonfoey has reviewed these ordinances in an attempt to develop one suitable for Waynesville. This draft ordinance will be reviewed by the Planning Board and it is possible that the ordinance could be adopted by the Board of Aldermen at their meeting of August 25. The moratorium expired on June 30, 1998, and it is recommended that it be extended until August 31, 1998.

Alderman Williamson moved, seconded by Alderman Wiggins, to extend the moratorium regarding cellular towers until August 31, 1998. The motion carried unanimously.

Annexation - Emil Massaro - Lots 17-36 Whispering Woods at Sanctuary Cove

At the meeting of June 30, 1998, the Board received an annexation petition from Mr. Emil Massaro for Lots 17-36 of Whispering Woods at Sanctuary Cove. The Board adopted a resolution directing Town Clerk Phyllis McClure to investigate the sufficiency of that petition for annexation. Ms. McClure has found that the petition meets the requirements of State Law.

Alderman Caldwell moved, seconded by Alderman Williamson, to adopt a resolution to set the date of the public hearing regarding annexation of the property owned by Emil Massaro, Lots 17-36, Whispering Woods at Sanctuary Cove, for Tuesday, July 28, 1998. The motion carried unanimously. (Res. No. 14-98)

Minor Subdivision - Laurel Ridge Country Club - Lots 219, 309 and 317

Attorney Kersten attended the meeting to represent Piedmont Golf Development Corporation and request approval of a three lot minor subdivision for Laurel Ridge Country Club.

Piedmont Golf Development Corporation is creating a three lot subdivision from two tracts of property located near the hairpin curve on Eagle Nest Road. The lots meet or exceed Town standards, and Town Staff recommends approval with the following condition:

- A. The remaining portion of land for parcel #8606-30-3934 that is not shown as a new lot of record shall be combined to parcel #8606-21-7758 prior to the issuance of a building permit for lots 219, 309 and 317.

Alderman Williamson moved, seconded by Alderman Wiggins, to approve the minor subdivision subject to the condition recommended by Town Staff. The motion carried unanimously.

Request for Town Sewer by Bible Baptist Church - Frazier Street

Reverend Dwight Banks attended the meeting to request that the Town install a sewer line to serve the Bible Baptist Church located on Frazier Street. Mr. Banks said that his church purchased property from the Town in 1980. They now plan to build on this property, however their septic tank is inadequate.

Town Manager Galloway said that the nearest manhole to this property is almost 1,500 feet away and that installation of a sewer line costs approximately \$30 per foot. The Town's cost to extend sewer to the Bible Baptist Church would be approximately \$45,000. Town Manager Galloway said that the Town would be willing to grant an easement if needed across their property for the church to install a new septic tank.

Reverend Banks said that the church has already ordered the metal building and cannot obtain the necessary building permit without approval of the sewer. Town Manager Galloway said that since this request was not on the agenda, the Town's Staff has not had sufficient time to investigate the request. It was recommended that the item be placed on the agenda of the July 28, 1998 meeting. In the meantime it was recommended that Mr. Banks speak with the Town's Director of Public Works, Fred Baker, and contact the Haywood County Health Department to see if the installation of a new septic tank is possible and where it must be located.

It was the consensus of the Board that the Town grant an easement across the Town's property, if needed, for the installation of a new septic tank for Bible Baptist Church located on Frazier Street.

Thermal Products - Request for Approval of Bonds

Attorney Steve Lusk, representing Thermal Products, attended the meeting to renew their request that the Board consider adopting a resolution in support of ten million dollars in bonds for Thermal Products. Attorney Lusk said that he has had an opportunity to review the Town's letter presented at the last meeting and that his interpretation was that the Local Government Commission did not tell the Town that they could not adopt this resolution and that the Local Government Commission did not say that the Town's credit rating would be affected.

Mayor Foy said that the Board's position remains the same. The Board suggested at the last meeting that Thermal Products go back to the Haywood County Industrial Board where the process had been left off, to seek approval of the bonds.

Request to Amend Priority List Regarding Housing

Alderman Caldwell suggested that the priority list for improved appearance, established by the Board of Aldermen at their meeting of April 1, 1998, be amended to move the vacant store building located at the intersection of Chestnut Park Drive and Dellwood Road and owned by Mr. Mike Miller, from #5 to #2. It was the consensus of the Board to approve this change.

Resolution - Fire Truck Financing Through Rural Housing Service

Town Manager Galloway said that the adoption of a resolution is necessary in order for the Town to finance a new fire truck through Rural Housing Service, United States Department of Agriculture. Manager Galloway said that the interest rate for this financing is 4.75%.

Alderman Williamson moved, seconded by Alderman Caldwell, to adopt the loan resolution for Rural Housing Service. The motion carried unanimously. (Res. No. 15-98)

Concerns of Aldermen

Alderman Caldwell requested that new United States and North Carolina flags be placed at the Hazelwood Branch Office. Town Manager Galloway said those new flags were available at Town Hall and would be given to the Fire Department.

Alderman Caldwell said that the residents of the apartments (owned by Mr. Charlie Burgin and located beside the Hazelwood Post Office) continually place household items and other items out for collection and this continues to be an eyesore. Alderman Caldwell asked if the Town could require dumpsters. Town Manager Galloway said that he had spoken with Mr. Burgin the week before regarding this situation, and that at this time the Town does not have a requirement for dumpsters.

Alderman Wiggins asked who owned the trailers which were lined up at the Hazelwood Exit. Town Manager Galloway said he thought the trailers belonged to Taylor Murphy Construction Company.

Request for Town Attorney to Draft Ordinance Regulating Parking in the Wall Street Parking Lot

Mayor Foy asked about the bus which remains parked in the Wall Street parking lot. Town Attorney Bonfoey said that a letter was sent to the owner asking that the bus be moved, and that he did move the bus approximately 100 feet. However, the Town does not have an ordinance regulating parking in the Wall Street parking lot. It was the consensus of the Board to instruct Town Attorney Bonfoey to draft an ordinance regulating parking in the Wall Street parking lot.

Adjournment

With no further business, Alderman Williamson moved, seconded by Alderman Caldwell, to adjourn the meeting at 9:10 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor