

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
AUGUST 22, 2000
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, August 22, 2000. Members present were Mayor Henry Foy, Alderman Gavin Brown, Gary Caldwell, Libba Feichter and Kenneth Moore. 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 August 8, 2000

Alderman Feichter moved, seconded by Alderman Caldwell, to approve the minutes of the August 8, 2000 meeting as presented. The motion carried unanimously.

Welcome to Boy Scout Troop 318

Mayor Foy and the Board of Aldermen welcomed several Boy Scouts and their leaders from Troop 318 to the meeting. The Boy Scouts are working on several badges for citizenship in the community, and attending a public meeting gives credit toward receipt of these badges.

Public Hearing - Submission of Application for Redesignation of Census Tract Numbers 9809 and 9812 as N.C. Department of Commerce Development Zones

Under the General Statutes of the State of North Carolina, there is a means of gaining special economic development status for areas (Census Tracts) where the poverty level exceeds a certain level. By doing so, industries located within these areas are eligible for certain economic development considerations which are not available to those located in areas where the poverty level is not as high. These firms receive extra tax credits for jobs created and machinery and equipment purchased in these zones.

In addition to economic benefits, the Town's Community Development Block Grant applications receive priority status when the zone is designated. This designation was first done in 1998 and must be renewed every two years.

The areas which have been requested for redesignation include Tract Number 9809, which includes the area bordered by the Bypass on the West, the downtown on the East, Depot Street on the North and the old city limits line between Waynesville and Hazelwood on the South. It also includes Tract 9812, which covers what was the Town of Hazelwood as well as the Allens Creek area, the Saunook area on the east side of the Bypass and the Allens Creek Watershed. The figures and Census Tracts are based on the most recent Census data in 1990.

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

Alderman Moore moved, seconded by Alderman Caldwell, to endorse the Census Tracts 9809 and 9812 for special consideration. The motion carried unanimously.

Public Hearing - Annexation Request of Keith and Ollie Gibson - .84 Acre Tract Located on Russ Avenue

At the meeting of the Board on August 8, 2000, Town Clerk Phyllis McClure made a report on her investigation of the sufficiency of the annexation petition received from Keith and Ollie Gibson for a .84 acre tract located on Russ Avenue a few hundred yards north of the Barberville Baptist Church. A public hearing was then scheduled for tonight's meeting.

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

Alderman Moore moved, seconded by Alderman Caldwell, to annex the .84 acre tract of property located on Russ Avenue, as requested by Keith and Ollie Gibson. The motion carried unanimously. (Ord. No. 20-00)

Request of Haywood Mountain Home Regarding Utilities

Ms. Diane Kornse, Chairman of the Community Advisory Board for Haywood Mountain Home, attended the meeting requesting that the Town reconsider the decision on placing caps on the "Free" utilities for Haywood Mountain Home.

There are three agencies for which the Town makes contributions in the form of free electric service. These include The Soup Kitchen, the Rescue Squad and Haywood Mountain Home. In the 2000-2001 budget, the Board and Staff felt it would be wise to set a limit on the amount of "free" electricity, in order to encourage some energy conservation. It was also decided that these limits would be set so that the total amount of contributions would fit within the \$55,500 allotted for contributions.

The amount allotted for Haywood Mountain Homes during the 2000-2001 fiscal year was set at \$3000, which is a 15.4% increase over last year's amount of \$2,600.

Ms. Kornse explained the work done by Haywood Mountain Home, as a temporary shelter for undisciplined, neglected and abused children. Haywood Mountain Home was established in 1998. Before that time it was necessary for these children to be sent to other areas outside of Haywood County. Since its establishment, the number of children housed at this location has grown to almost its capacity. During 1999, 2,094 bed nights were provided. 41% of those residents lived inside the Town of Waynesville and 45% were from unincorporated areas. Mr. Kornse explained that contributions received from the Town of Waynesville can be used as local matches for Federal or State grants. This year Haywood County contributed \$32,000 subsidy. However, no other

municipalities in Haywood County contribute at this time.

Alderman Feichter asked Ms. Kornse if she would be willing to accept what the Town has offered and to let the Town know if it becomes a problem. Alderman Moore suggested that Haywood Mountain Home begin to practice energy conservation measures. Alderman Feichter pointed out that with an unlimited amount of utilities, there is usually not an incentive to conserve electricity. Over the past five years, the utility consumption for all those organizations who receive free utilities has increased considerably. It was a consensus of the Board that the Town keep Ms. Kornse informed of the balance available for Haywood Mountain Home's utility account during the year, and if it does become a problem the matter will be reconsidered at that time.

Presentation on Siltation Problems From Richland Creek at Lake Junaluska

Mr. Jimmy Carr, Executive Director of the Southeastern Jurisdictional Administrative Council (SEJAC), attended the meeting to request a \$50,000 contribution from the Town of Waynesville to help remove silt from Lake Junaluska. This silt is carried into Lake Junaluska from upstream erosion in the Lake Junaluska watershed. A video prepared by Haywood Waterways was shown explaining the crisis being experienced at Lake Junaluska. Also attending the meeting were Joetta Rinehart (Personnel), Wilford Altman (resident and local developer), Don Ebaugh (Maintenance Director) and Jeff Hoffman (Legal and Governmental Matters Consultant).

Mr. Carr said that in 1964 between 400,000 and 500,000 cubic yards of sediment were removed. In 1973, another 391,000 cubic yards were removed. In 1992, 400,000 cubic yards were removed and used to build up the Junaluska Golf Course. The Assembly currently spends \$25,000 per year to remove some of the more recent sediment at the mouth of Richland Creek. However, the upper 45 acres of the lake are in danger of being turned into wetlands within the next 16 months unless substantial quantities of silt are removed. This project, which will remove silt from the most threatened portion of the lake, is estimated to cost \$750,000. The Southeastern Jurisdictional has committed \$200,000 and private property owners have donated \$100,000. Other municipalities within Haywood County have been asked to contribute and Waynesville is being asked to contribute \$50,000, or a substantial portion if possible, and adopt a resolution of support for this project.

Mr. Carr pointed out that Lake Junaluska is a "unique public jewel", enjoyed by Haywood County residents who use its walking trail, pool, Fourth of July Celebration and various concerts.

Don Ebaugh, Maintenance Director, said that the ultimate goal is to stop the sedimentation before it comes into the Lake and reported that they have been working with TVA and Haywood Waterways to resolve this problem. Haywood Waterways recently received \$265,000 from TVA for stream bank stabilization.

Joetta Rinehart, Personnel Director at SEJAC, felt that education is vital to inform people on methods to correct the problem. Grant money has been requested for educational kiosks to be placed along the walking trail at the Lake.

Alderman Brown asked if the assessments have been raised by SEJAC to cover the costs of this

project. Mr. Ebaugh said that they have been raised to cover improvements to water and sewer infrastructures. Mr. Carr said he did not feel that raising assessments to the residents is the way to deal with this at the present time. Alderman Brown suggested the possibility of increasing building permit costs for developers in Waynesville's land use jurisdiction as a means of helping to control sedimentation problems in the future, but he did not feel that the Town could contribute \$50,000 of the taxpayer's money for a project located in an area outside of Waynesville's corporate limits. Alderman Brown said that he serves on the Board of the Haywood County Chamber of Commerce and would not have a problem adopting a resolution of support, similar to the one recently adopted by the Chamber, which does not involve money contributions.

Alderman Brown moved, seconded by Alderman Moore, to adopt a resolution of support for Lake Junaluska's efforts to clean up the Lake and control sedimentation problems. The motion carried unanimously. (Res. No. 16-00)

Edna Davis Regarding Plans to Close the Outdoor Pool

Ms. Edna Davis said that a group of citizens feel that some alternate plan should be established before a decision is made to close Waynesville's outdoor pool. Ms. Davis said that years ago, citizens pledged money from payroll deduction and many of those people did not live inside the corporate limits of the Town of Waynesville. Ms. Davis said that those people were given a lifetime membership to the new pool and she asked if that would give them a lifetime membership to the new Recreation Center. Ms. Davis is to provide one of the memberships in order that Attorney Bonfoey can investigate.

Ms. Davis presented a petition with approximately 1,000 signatures of persons who were opposed to closing the outdoor pool. Approximately five to seven people attended the Board Meeting. Ms. Davis said that children need an outdoor pool and her children grew up going to the pool and have fond memories of that time. She criticized the Board for allowing the pool to be in rundown condition and for considering the construction of a skateboard park at this location, adding that the Town should not spend a lot of money for the few children who skateboard, and especially for a sport which is dominantly boys and would exclude girls.

Mayor Foy said that the Recreation Center plans were drawn up in three phases and the Board decided to go with the first two phases. The third phase, which the Board plans to do at a later time, includes an outdoor pool. Mayor Foy said that the Town needs to operate the new Recreation Center for at least one year in order to make comparisons and make future decisions based upon its effect. Alderman Brown pointed out that the Board has not funded the depreciation of the outdoor pool in past years. Alderman Feichter pointed out that when the decision to build a new Recreation Center was made, two of the present Board Members were not on the Board. However, the fact that the new Recreation Center is being built and will need to be funded and operated will need to be accepted.

Patricia Meyer suggested that the Board consider increasing the amount charged for membership to keep the outdoor pool open. Ms. Meyer was concerned that the new facility would not allow families to take their coolers, snacks, etc., and enjoy the outdoor pool. She said that many parents

use the outdoor pool as a babysitting service, dropping their children off and leaving them during the day, and was concerned with what would happen to these young people if they did not have this facility.

Town Manager Galloway said when the previous Board made the decision for a new facility the decision was made to close the outdoor pool. Again, at the Board's retreat the Board reaffirmed this decision. The Town chose to complete phases one and two of the three phase project. The third phase will be to build a new outdoor pool at the new facility. The Town is currently paying \$405,000/year for the debt on this facility. Manager Galloway pointed out that in his twenty-seven years in Local Government he has never seen an outdoor pool make money. The Town is paying 6.5 million dollars for one of the finest recreation facilities anywhere. Other municipalities have called to look at this facility. It will cost the Town \$500,000 to operate this facility. Haywood County Commissioners have been asked to participate in this project. They participated one year, but the next year they backed out of participation. Upon completion of the new facility, the Board plans to charge \$3/day admission for all those attending. However, after the first year, if the Haywood County Commissioners do not participate, it may be necessary to charge a higher fee to those people who are not residents of Waynesville.

One of the mothers attending with the Boy Scout Troop 318 said that mothers should not use the recreation facilities as a day care facility. She also pointed out that the new facility offered a swimming pool which will be open twelve months out of the year, rather than the three months available for the outdoor pool.

Alderman Feichter said that the decision to close the outdoor pool was never a reason to consider using the area as a skateboard park. The decision for the location of the skateboard park has not been made at this point. Alderman Caldwell said that Josh Pearman has worked with the owners of the property of the old Dayco Plant, allowing skateboarding equipment to be placed at this location temporarily. Alderman Caldwell said that there have been as many as 50 - 60 skateboarders taking advantage of the opportunity to skateboard at this location. No action was taken.

Minor Subdivision Plat - Piedmont Golf Development Corporation - Lot #90

Piedmont Golf Development Corporation is subdividing a 21.41 acre tract to create a new 3.016 acre lot at Glen Eagle Drive. The property is zoned "R-1" low density residential district and the lot meets or exceeds town standards. Town Staff recommends approval of lot 90 with the following condition:

1. Provide a soil evaluation report for a septic tank.

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minor subdivision, subject to the condition of the soil evaluation report for a septic tank. The motion carried unanimously.

Appointment of Community Appearance Commission Member

In February 2000, seven members were appointed to serve on the Community Appearance Commission. It was later discovered that one of those members, Karen Ferguson, lived outside of Waynesville's land use jurisdiction and would need to be replaced. Mr. Jerry Yates is willing to serve on this Commission and lives within the land use jurisdiction. It is recommended that he be appointed to replace Ms. Ferguson. Mr. Yates' term will expire at the end of February, 2002.

Alderman Moore moved, seconded by Alderman Feichter, to appoint Mr. Jerry Yates to serve the remainder of a three-year term on the Community Appearance Commission, replacing Ms. Karen Ferguson. This term will expire at the end of February 2002. The motion carried unanimously.

Consideration of Resolution Regarding Public Transportation Service

A letter was received from The Land-of-Sky Regional Council requesting that the Waynesville Board of Aldermen consider adoption of a resolution requesting funding for intercity public transportation services for citizens in Buncombe, Haywood, Henderson, Madison and Transylvania Counties.

Land-of-Sky Regional Council is coordinating a regional project, Transportation Options for Western NC, which is focused on planning for more and better connections between places and between modes of transportation, identifying intercity transportation as a high priority need for this region.

Philan Medford, who currently serves on this transportation board, requested that the Board approve this resolution, emphasizing the importance of providing a plan for transportation choices in Western North Carolina.

Alderman Feichter moved, seconded by Alderman Brown, to adopt a resolution requesting funding for intercity public transportation services. The motion carried unanimously. (Res. No. 17-00)

Reappointment of Alcoholic Beverage Control Board Member

The term of Alcoholic Beverage Control Board Member John Summerrow expired on August 15, 2000. He was appointed to serve the unexpired term of Bill Plott a few months ago. It is recommended that Mr. Summerrow be reappointed to serve a three-year term to expire August 14, 2003.

Alderman Caldwell moved, seconded by Alderman Moore, to reappoint Mr. John Summerrow to serve a three-year term on the Alcoholic Beverage Control Board. This term will expire August 14, 2003. The motion carried unanimously.

Closed Session to Discuss Real Estate Matter

Alderman Moore moved, seconded by Alderman Feichter, to adjourn to closed session at 8:38 p.m. to discuss a real estate matter.

Alderman Brown moved, seconded by Alderman Caldwell, to return to regular session at 9:03 p.m.

Both motions carried unanimously.

Approval to Purchase Property at 50 Little Cove Road for Chlorine Contact Water Tank

Alderman Moore moved, seconded by Alderman Feichter, to approve the purchase of a tract of approximately 15 acres of land with one house at 50 Little Cove Road for \$140,000 from Marie Sharp and Heirs for the purpose of constructing a Chlorine Contact water tank. The motion carried unanimously.

Discussion Regarding the Haywood County Courthouse Remaining in the Downtown Area

In referring to recent newspaper articles on the subject of expansion and renovations to the Haywood County Courthouse, Board members expressed their support for keeping the Courthouse in the downtown area. There had been some indication that by moving the courthouse out of downtown, it would save ten million dollars. The Board noted that if the County could produce valid proof that there was a potential savings of that amount if the courthouse was relocated, it would be open to reviewing such documentation.

Discussion Regarding Staggered Terms for Board of Aldermen

Alderman Feichter had asked Town Attorney Bonfoey to investigate the process which would be required if the Board switched to a system of staggered terms rather than all five elected officials running at the same time. The Town Attorney sent the Mayor and Alderman a memorandum on this matter, noting that the Board could call for staggered terms after the election of November 2003, with the Mayor and two candidates for aldermen receiving the first and second highest number of votes earning a four-year term and the two candidates for aldermen receiving the third and fourth highest number of votes earning a two-year term. Discussion followed on this topic with Board members expressing the pros and cons of such a system.

Adjournment

With no further business, at 9:20 p.m., Alderman Brown moved for adjournment, seconded by Alderman Moore. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor