

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
SEPTEMBER 11, 2007  
TUESDAY - 7:00 P.M.  
TOWN HALL

The Board of Aldermen held its regular meeting on Tuesday, September 11, 2007. Members present were Mayor Henry Foy, Aldermen Gavin Brown, Gary Caldwell, Libba Feichter, and Kenneth Moore. Also present were Town Manager A. Lee Galloway, Deputy Town Clerk Freida Rhinehart and Town Attorney Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Alderman Brown called the Board's attention to the fact that the date was September 11 and that those who lost their lives six years ago should be remembered.

Approval of Minutes of August 28, 2007

Alderman Caldwell moved, seconded by Alderman Brown, to approve the minutes of the August 28, 2007 meeting as presented. The motion carried unanimously.

Resolution Authorizing Application for Grant/Loan for Eagle Nest Water System Improvements

During the latter part of 2006, representatives of the Eagle Nest Homeowners Association approached the Town Board about their need to eliminate their private water system and connect to a public water supply. At that time, the Town Board directed Town Staff to work with the Homeowners group in considering alternatives to the situation, but there seemed to be general consensus of the Board that the Town could not invest its own funds in this system which is outside of the corporate limits. There are approximately 31 homes on Eagle Nest which are on the private water system and there are another 30 to 35 lots which might be connected to water if it were available.

Since that time, we have worked with the engineering firm representing the Homeowners and with a number of the homeowners as well in looking at alternatives. There are federal funds available for situations such as this, and they are administered by the State of North Carolina. The State has been most cooperative in seeking a solution for the matter, and they are encouraged by the Town's efforts to assist the Homeowners. Grants for projects of this nature must be made to a governmental entity such as a Town, County or Special Water or Sewer district and cannot be made directly to a Homeowners group such as the one presently operating the water system on Eagle Nest. For that reason, we are recommending that the Town submit a grant/loan application for the work to be performed on Eagle Nest, and this is due in Raleigh by September 30.

The engineer for the Homeowners estimates that the water project, including water lines, water tanks, pump stations and all construction to install these items would cost in the range of \$1,264,000.

Included in this amount is a large sum for dealing with rock that may lie under the surface and which would be encountered during construction. The proposal that we present in the application to the State is for a grant of \$1,000,000 and a loan of \$300,000. While the final details have not been worked out, it is our plan to add a monthly charge to each water bill on the Eagle Nest system to raise the funds to make the payments on the loan. That amount could be assessed on each of the 31 homes and on any future connections to the system. There is also a possibility that lot owners who have not yet constructed a home could participate in the payments and gain access to the water system when they are ready to build. We have discussed a variety of alternatives, but all of those details will have to be worked out over the next few months.

Town Manager Galloway stated he has been led to believe that the chances of receiving the grant and the no-interest loan are very good. Ron Crew has advised the homeowners about their participation in paying back the \$300,000 loan. The revised resolution before the Board has wording which includes "current and future customers connecting" as parties responsible for operation, maintenance and administration of the system as well as repayment of principal and interest.

Alderman Brown urged the Board to think what might happen if the homeowners do not pay their share of the loan.

Town Manager Galloway explained that the only reason the Town is involved is because the State will not loan the money to a private entity. The loan must be made to another governmental body.

Alderman Brown moved, seconded by Alderman Feichter, to make application to the State for the grant and loan. The motion carried unanimously.

#### Appointments/Reappointments - Parks and Recreation Advisory Commission

There are three terms which will be expiring on the Recreation and Parks Advisory Commission on September 30, 2007. These three slots are presently held by Kenny Mull, Ed Moore and Michelle Schumacher. Mr. Mull has served on the Commission for many years and has held the position of Chairman for a goodly portion of those years of service. Mr. Moore has also been on the Board for many years. Ms. Schumacher was appointed to the Commission in 2006 when the number of members was increased from eight to nine. She was given a one year term so that each year, three terms on the Commission would be expiring.

A few years ago, the Town Board instituted certain attendance requirements for members of the various Boards and Commissions which it appoints.

During the past two years, Mr. Mull has attended 20 of the 21 meetings of the Recreation and Parks Advisory Commission, and has one excused absence. In that same time, Mr. Moore has attended 7 of the 21 meetings of the Commission, with 8 excused absences and 6 unexcused absences. During the 10 months since she was appointed, Ms. Schumacher has attended 5 of the 8 meetings held with excused absences for the 3 meetings she missed.

Alderman Feichter moved, seconded by Alderman Moore that Mr. Mull and Ms. Schumacher be reappointed to the Recreation and Parks Advisory Commission. Applications will be sought to fill the remaining position. The motion carried unanimously.

### Charles Miller - Request to Speak Regarding A Watershed Protection Ordinance

Mr. Miller asked if Waynesville has a Watershed Protection Ordinance on Allens Creek Watershed including the property adjoining the watershed and including the land on the west side of the reservoir coming down from Lickstone Ridge.

Town Manager Galloway pointed out this area is outside the ETJ and Haywood County should be responsible for the area Mr. Miller is asking about.

Mr. Miller had a copy of a Surface Water Classification Summary Sheet on a W-S 1 Watershed from the North Carolina Division of Environmental Management. He read from the Summary that “local governments are responsible for developing and enforcing watershed protection plans and ordinances for those watersheds on which they have land use jurisdiction”.

Town Manager Galloway responded that County ordinances apply to the area to which Mr. Miller is referring because the Town does not have land use jurisdiction in the Allens Creek watershed. It is outside the ETJ.

Mr. Miller said he has some other information attached which is the Watershed Protection Ordinance for the Rough Creek Watershed of Canton. They also have a 1 mile ETJ. The first page states that septic on-site disposal systems must be 100 ft. from the watershed property and houses must be 50 ft. away. Mr. Miller is concerned about the properties on the west and south sides of the watershed due to fractures created by new construction.

Mr. Miller also suggested that Board members review the Bio-Ecology of Rough Creek Watershed available at the Public Library.

### Philan Medford - Request to Speak Regarding Election Season

Ms. Medford expressed her gratitude to the Board for the steps they have taken with funding and policies to help sustain, maintain and enhance the Town of Waynesville for future generations. This is evidenced by attracting 50-60 applicants for the recent opening of Recreation Director, people have begun volunteering to be appointed to Town boards and people who live inside Town serve on both County and Town boards. She would like to see the next board continue these traditions.

### Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Caldwell to adjourn the meeting at 7:30 p.m. The motion carried unanimously.

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Freida F. Rhinehart

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Henry B. Foy

Deputy Town Clerk

Mayor