

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

The Board of Aldermen held a regular meeting on Tuesday, December 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, Town Clerk Phyllis McClure, Assistant to the Town Manager Alison Melnikova and Town Attorney Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of November 13 and November 27, 2007

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the November 13 and November 27 meetings as presented. The motion carried unanimously.

Comments by Outgoing Mayor Henry Foy

Outgoing Mayor Henry Foy thanked the people of Waynesville for allowing him to serve as Mayor for the past sixteen years. Mr. Foy said he has enjoyed serving Waynesville and feels good that he is leaving it in good hands. He said this is an exciting term ahead with a new fire station almost complete, a new police station to begin soon, and projects such as the Waynesville Overlook started in the near future. Many other projects will happen during the next four-year term and he asked that the Board continue to support the Land Use Plan. Mr. Foy said Waynesville is a wonderful town, adding that we don't want everyone to come to Waynesville, we just want to make them want to come to Waynesville.

Administration of Oaths to Board Members

Mr. Foy called on Judge Marlene Hyatt to administer the Oaths of Office for the Mayor and Board of Aldermen. Mr. Foy thanked newly elected Mayor Gavin Brown for the time they have served together and for his friendship, adding that Mayor Brown's mother and father were both good friends of his.

As Mayor Gavin Brown and Aldermen Gary Caldwell, Libba Feichter, Kenneth Moore and LeRoy Roberson were sworn in, a spouse or other family member held the Bible with the newly elected official. The Board was seated and Mayor Brown called the meeting to order.

Special Recognition for Outgoing Mayor Henry Foy

Mayor Brown asked Town Manager Galloway to read a resolution of appreciation and gratitude honoring the years of service of Henry B. Foy.

Alderman Feichter moved, seconded by Alderman Caldwell, to adopt the resolution as presented. The

motion carried unanimously. (Res. No. 20-07)

Mayor Brown presented an official framed gavel to Henry Foy engraved with his years of service as Mayor. Town Manager Galloway presented a gift certificate for Lomo Grill to Henry Foy and his wife Marylu. Town Manager Galloway presented a lifetime membership to Henry Foy for the Town of Waynesville Parks and Recreation Center.

Mayor Brown called for a brief recess at 7:17 p.m. in order for approximately 50 people attending the meeting to enjoy some refreshments. The meeting reconvened at approximately 7:45 p.m.

### Organization of the New Board

Mayor Pro-Tempore - Alderman Moore moved, seconded by Alderman Feichter, to nominate Alderman Caldwell to serve as Mayor Pro-Tempore. Alderman Caldwell accepted and the motion carried unanimously.

### Appointments of Town Manager and Town Attorney

Town Manager - Alderman Moore moved, seconded by Alderman Feichter, to appoint Lee Galloway as Town Manager. The motion carried unanimously.

Manager Galloway said it has been a pleasure serving with the previous Board and he looks forward to serving with this Board.

Town Attorney - Alderman Caldwell moved, seconded by Alderman Moore, to appoint Woodrow Griffin as Town Attorney. The motion carried unanimously.

Attorney Griffin said he appreciated working with the Board.

### Award of Bids - Brad Street Water Project

One of the oldest portions of the Waynesville Water System is in the area at the end of Brad Street off Country Club Drive. At one time, the Town operated a water treatment plant at this location and there are still some critically important elements of the existing water system located on this site.

For some time, Public Works Director Fred Baker has had a goal of replacing the water valve and making various other water system improvements at this location. Funds were actually provided by the Board in the 2006-2007 Budget, but the work could not be completed in that time frame. So the funds have been carried over to the 2007-2008 fiscal year and the improvements have been bid out.

On Tuesday, December 4 at 2:00 p.m., bids were opened at the Town Hall by McGill Associates representative Jay Meliski. Upon tabulating the results and checking the calculations, McGill found that the lowest base bid for the work was \$99,675 and came from Wolfpen Associates of Waynesville. There was also an alternate bid by the five firms interested in this project a 14 inch line stop, and Wolfpen Associates was still the low bidder with a total of \$128,675.

Mr. Meliski of McGill Associates has submitted a record of the bids and a letter in which he

recommends that Wolfpen Associates of Waynesville be awarded the base bid on the work as well as the alternate bid for a grand total of \$128,675. Public Works Director Fred Baker and Manager Galloway concur with the recommendation and request that the Board approve the bid of Wolfpen Associates for \$128,675.

Alderman Feichter moved, seconded by Alderman Caldwell, to award the bid to Wolfpen Associates of Waynesville as recommended. The motion carried unanimously.

#### Annual Certification of Firemen

In North Carolina, firefighters who maintain a certain number of training hours each year and remain active in a recognized fire department may become eligible for retirement benefits after 20 years of service. In order to assure that firefighters are eligible, each year, the Fire Chief of each Fire Department must certify that the annual training has been done and that the individuals are eligible for another year's credit in this system.

A list of the firemen who have maintained the requirements during the past year was approved by Fire Chief Bill Fowler and presented to the Board. Once approved, the list is submitted to the North Carolina Department of Insurance which maintains the records of eligibility for the retirement benefits.

Alderman Moore moved, seconded by Alderman Feichter to approve the Certified List of Firemen as submitted by Chief Fowler. The motion carried unanimously.

#### Petitions for Voluntary Annexation - 244 Acres off Phillips Road and Hall Top Road

Petitions for voluntary annexation have been submitted for two tracts of land off Phillips Road and Hall Top Road north of the U. S. 23/74 Bypass.

The first petition came from Samuel Carver and David Stubbs for a large tract and a smaller tract comprising a total of 204.6127 acres.

The second petition came from Furman Milburn Stinnett and Clara Howell McConnell for a tract comprising 39.482 acres and a second smaller tract comprising .028 acres.

These two tracts are under contract to be purchased for a major residential housing development known as the Overlook. This property is presently located outside of the Town's Urban Services Boundary. However, the Planning Board has recommended that it be added to the Urban Services Boundary. If the Town Board makes a decision to annex this property the boundary would have to be extended. If the Town Board declines to annex the property then it would not necessarily have to extend the boundary, but it could. The Town Board could make this decision now or at the time that the issue of annexation is decided.

Ricky Beauchamp, Torchlight Properties, said he and his wife have a sincere interest in Waynesville at heart working on this project with town staff for the past six months to make sure that the ordinances are complied with. Mr. Beauchamp said he and his wife along with their 15-year-old son plan to move here and be the first residents of this project. He said he and his wife both grew up in a small town in Georgia and knew when they came to Waynesville that this is where they wanted to move.

Alderman Feichter said she was thrilled and excited about this project and trusts that this will be an example of how a development should be done.

Alderman Roberson asked for information about how close to the ridge line the project would be located. Mr. Beauchamp said the ridge line is about 3,700 - 4,000 feet. In most cases the houses will be below the ridge line. The project will have a 13.7% disturbance area, with more than 80% of the area undisturbed above the 2,900 contour. The project consists of 102 homes, with forty-eight of those homes located above the 2,900 foot level. Lot prices in the village area will range from \$80,000 - \$130,000 with homes ranging from the high \$200,000 to high \$500,000. Above the 2,900 contour lots will range from \$200,000 - \$400,000 with houses beginning in the \$600,000 range.

Alderman Caldwell moved, seconded by Alderman Feichter, to adopt a resolution directing Town Clerk Phyllis McClure to investigate the sufficiency of the petitions submitted. The motion carried unanimously. (Res. No. 21-07)

#### Meeting of Tuesday, December 25, 2007

The second meeting of the Town Board during the month of December typically falls close to Christmas Day. This year, Christmas Day is actually the fourth Tuesday of the month.

Alderman Moore moved, seconded by Alderman Feichter, to cancel the meeting of Tuesday, December 25, 2007. The motion carried unanimously.

#### Report by Town Manager Regarding Eagle Nest Water System Project

Manager Galloway said the Town received notification from the Local Government Commission that the \$300,000 no interest loan for the Eagle Nest water system project had been approved. The Town will require that the thirty-one property owners participate in the system over a ten-year period. The Town can charge up to a 4% interest rate to the users, which is a minimal amount to cover staff time. The loan from the State to the Town will have a 0% interest rate. The Town agreed to pursue this grant because the State cannot award the grant to a private individual, it has to be a local entity. Manager Galloway said the Town currently has a reservoir at the top of Gaddis Branch. The project will require the addition of the fifth and sixth tanks and users will be required to pay a pumping fee for each pump.

#### Adjournment

With no further business, Alderman Caldwell moved, seconded by Alderman Roberson to adjourn the meeting at 8:04 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Gavin A. Brown  
Mayor