

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
TOWN HALL – 9 SOUTH MAIN STREET  
JULY 13, 2010  
TUESDAY – 7:00 P.M.

The Board of Aldermen of the Town of Waynesville held a regular meeting on Tuesday, July 13, 2010. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, J. Wells Greeley, Libba Feichter and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of June 22, 2010

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the June 22, 2010 meeting as presented. The motion carried unanimously.

Shelby Moore – 1102 South Main Street Storm Drainage Issues

Ms. Shelby Moore requested time on the Board's agenda to discuss storm drainage issues affecting her property at 1102 South Main Street.

For a number of years, Ms. Moore has been in contact with the Town regarding issues which stem from storm water collected on South Main Street (U. S. 23-74 Business) and being deposited on her property. When she has contacted the town, Public Works personnel have advised that the water comes from Main Street which is under control of the N. C. Department of Transportation. Ms. Moore has made contact with the N. C. DOT on more than one occasion, and they advise that they have no plans to make changes in the flow of the storm water. In the past the N. C. DOT has taken the position that once it leaves the street rights-of-way, they have no further responsibility for that storm water.

Misty Brown, said she owns a duplex and is also affected by the water that runs underneath her house and is concerned that this could cause the house to collapse. Ms. Brown said tenants are complaining because the water is coming up into the yard.

Mayor Brown said if the affected property owners would be willing to grant the necessary easements, the Town would provide the labor to install the line from South Main Street to Kentucky Avenue. The property owners would need to provide the materials needed for this project, at an estimated cost of \$3,500 to \$4,000. The Town of Waynesville would then own and maintain the line.

Rusty Moore, son of Ms. Shelby Moore, said he has lived on Kentucky Avenue for the past 14 – 15 years. Mr. Moore said since he moved out of his parent's house, a clean out pit and repairs

have been made in his mother's back yard by the Town and he felt that the Town of Hazelwood may have installed the line originally.

There was discussion regarding the need for an easement and why the Town of Waynesville can't make improvements on private property.

Another gentleman in the audience said the original drain was installed in the early 1960's before the apartments were built by Bobby Joe McClure. The apartments are now owned by Misty Brown. The gentleman said he remembered this because the pipe had to be moved because Bobby Joe McClure set the posts for the apartments on the pipe.

Mayor Brown said years ago people did things on a "handshake" and easements weren't necessary. Easements are necessary today and obtaining these easements is the first issue in resolving this problem. The second issue is this is a private line – it is not on a town street. Mayor Brown told Ms. Moore if the property owners are willing to give an easement for this line along the area of the map as drawn by Public Works Director Fred Baker, Attorney Woodrow Griffin can prepare the easements. Once this is done, the Town can approach the NC Department of Transportation regarding the project to see what they can do. It was the consensus of the Board that the steps outlined by Mayor Brown are necessary to resolve this issue.

#### Reappointment - Alcoholic Beverage Control Board

The term of Mr. Earl Clark on the Alcoholic Beverage Control Board will be expiring on August 15, 2010. Mr. Clark has served on this Board for several years and is currently holding the position of Chairman of the Board. He has completed an application and expressed an interest in continuing to serve on this Board. If the Town Board chooses to reappoint Mr. Clark, it will be for a three year term that would expire August 15, 2013.

Alderman Feichter moved, seconded by Alderman Caldwell, to reappoint Earl Clark to serve another three year term on the Alcoholic Beverage Control Board. This term expires August 15, 2013. The motion carried unanimously.

#### Recommendation to Cancel Town Board Meeting of August 10, 2010

Manager Galloway said when he and his wife began planning their annual vacation last winter, he knew it would be in conflict with the Board meeting of August 10; however, he had full confidence that Assistant Town Manager Alison Melnikova could handle the managerial duties at that meeting.

Later, in speaking with Alison he encouraged her to apply for the Public Executive Leadership Academy training sessions in Chapel Hill for the educational benefits. It was then that they learned that the sessions would be held in two parts, the first being the week of July 12 and the second being the week of August 9. Alison was accepted to attend the PELA program, meaning that both he and Alison would be out of the office the week of August 9 and unavailable for the

Board meeting of August 10. For this reason, they asked that the Board consider cancelling the scheduled board meeting of August 10.

Alderman Roberson moved, seconded by Alderman Greeley, to cancel the board meeting of August 10, 2010. The motion carried unanimously.

Philan Medford – Public Art Commission Membership

Philan Medford asked to speak to the Board about the membership of the Public Art Commission. There is currently one vacant position on this commission and the commission would prefer to have the new member appointed before they elect new officers. Mayor Brown told Ms. Medford that one application has been received and this issue will be addressed at the next regular meeting on Tuesday, July 27, 2010.

Ms. Medford asked that one additional application be kept in case another vacancy occurs. Mayor Brown said he has asked the aldermen to ask those citizens that may be qualified to apply for this commission. Mr. Medford recommended that the new applicant attend the next meeting as a citizen.

Ms. Medford said the two newly appointed members, Bill King and Jan Griffin, both have life experiences and skills that bring a lot to the Commission. They were both involved with the Shelton House, have lots of energy and are valuable additions to the Commission.

Adjournment

With no further business, Alderman Feichter moved, seconded by Alderman Greeley, to adjourn the meeting at 7:40 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Gavin A. Brown  
Mayor