

REGULAR MEETING
TOWN OF WAYNESVILLE
BOARD OF ALDERMEN
TOWN HALL – 9 SOUTH MAIN STREET
MARCH 13, 2012
TUESDAY - 7:00 P.M.

The Board of Aldermen of the Town of Waynesville held a regular meeting on Tuesday, March 13, 2012. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Julia Freeman, J. Wells Greeley and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Assistant Town Manager Alison Melnikova, Town Clerk Phyllis McClure, Town Attorney Woodrow Griffin, Planning Director Paul Benson and Tax Collector James Robertson. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of February 28, 2012

Alderman Caldwell moved, seconded by Alderman Roberson, to approve the minutes of the February 28, 2012 meeting as presented. The motion carried unanimously.

Public Hearing Consideration of Adoption of Revised Flood Damage Prevention Ordinance

At the conclusion of the meeting of February 28, 2012, Planning Director Paul Benson distributed copies of the proposed, revised Flood Damage Prevention Ordinance. He explained that new flood maps have been developed by the federal government and he shared the revised maps at the meeting.

Mr. Benson explained that the program began in 1981 and the maps were adopted in 1983. The new maps have more detail, he pointed out, but the same regulations. Buildings may be constructed in the 100 year flood plain but must be elevated so that the floor level is above the projected flood level. Non-residential buildings may be constructed below the flood level, but the structure must be flood-proofed which is often quite expensive. The Planning Director noted that in reviewing the document, he did not detect any significant changes. The flood plain area did increase, but as he pointed out, this is not something the Town controls. He also suggested that homeowners consult with their insurance agents to secure answers to specific questions about flood insurance.

Mr. Benson said a letter was received that the new maps would become effective on April 3 and the Town should make sure that everything is in compliance and adopt a new model ordinance before that time. The ordinance has been reviewed and unanimously recommended for approval by the Planning Board at their February meeting. Waynesville will be the last community in the State to adopt the new mapping. Mr. Benson recognized Mr. Terry Fox, Flood Insurance Planner with the Western Branch of the North Carolina Department of Public Safety and Mr. Randy Mundt, Outreach Coordinator and Technology Manager.

Mr. Fox said involvement began with the Hurricane Mapping Program after Hurricane Floyd. 155 communities have received new flood maps. He explained that the purpose of the

Emergency Management is to protect community citizens and property from risk. The 1981 map allows for development to certain minimum standards and identifies flood hazard areas. Some areas have less pervious areas and water rises faster since that time, so there have been a lot of changes since the maps were adopted. Some areas that were not included in flood hazard areas before are included in those areas now and residents can purchase flood insurance. Mayor Brown asked how those property owners are notified. Mr. Fox said if those property owners have federally backed mortgages, the mortgagee will make sure that flood insurance is placed on the property, and FEMA representatives make sure that the best rates are received. Property owners will first be given the opportunity to shop for their own flood insurance if they prefer. Mayor Brown expressed concern that property owners without mortgages on their property may not know that their property is now within that area and may not be familiar with how the process works. Mr. Fox said if people own property and do not have a mortgage they will also have an option to purchase flood insurance if they desire, but are not required to do so.

Mayor Brown thanked Mr. Fox and Mr. Mundt for attending the meeting and explaining the program to the Board.

Mr. Fox pointed out one minor change in the ordinance. The date of the map in Article 3, Section D should read April 3, 2012 rather than October 9, 2011.

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

Alderman Greeley moved, seconded by Alderman Freeman, to adopt the Flood Damage Prevention Ordinance as presented with the date change as recommended by Mr. Fox. The motion carried unanimously. (Ord. No. 6-12)

Jack Ewing and Buddy Young – Presentation of Preliminary Report on the Municipal Status of Lake Junaluska

Jack Ewing, Executive Director of Lake Junaluska, thanked the Board and Town of Waynesville for the relationships they have had throughout the years. Mr. Ewing said when he became Executive Director in January 2011, he approached his senior staff about the future they saw in Lake Junaluska and they have taken an aggressive effort to develop a strategic plan for Lake Junaluska. A series of plans have been added to their web site and on Friday, March 9, the Board of Directors received the report prepared by Andrew d'Andesky with the assistance of Buddy Young and the UNC School of Government. The report was then released to the residents on Friday evening, March 9. Mr. Ewing said once the report was released, he wanted to discuss the report with the Waynesville Board of Aldermen as soon as possible because of the relationships outlined between the Lake and the Town of Waynesville in two of the options. Mr. Ewing said it was important for the Board to know that the report was not prepared out of urgency or fear, but rather to be proactive. As they approach their 100 year anniversary, they wanted to think about what the next 100 years will look like. Options to be considered include incorporation as a separate town, voluntary annexation by Lake Junaluska into the Town of Waynesville corporate limits, transferring control of water and sewer or remaining unincorporated with no changes. During the next three to six months, there will be opportunities for the residents of Lake Junaluska to share their input about the various options. At tonight's meeting Mr. Ewing said they would simply like to inform the Board that these conversations are

taking place and they would like for Waynesville and its residents to be involved as well, since they are committed to being an organization that is transparent.

Mr. Ewing said the hotels, meeting spaces, Shackford Hall, Retreat Center, lake, dam and recreation spaces are owned by the Southeastern Jurisdiction of United Methodist Churches (SEJUMC). The SEJUMC meets as a conference every four years. This year's conference is scheduled in July.

Mr. Ewing said the decision makers in this process will be the residents, directors of Lake Junaluska Assembly, governing body of the Town of Waynesville and the Legislature.

Mr. Andrew d'Andesky explained that his report is based upon response from the School of Government, adding that even though the laws of annexation have changed there is an element of public support. The other Legislators will go along with the Legislators representing this area if the residents are in support. A referendum on public opinion would be appropriate.

Mayor Brown asked if there had been other incidents where a religious community has found it difficult to maintain itself and merged with a neighboring community. Mr. Ewing said Montreat is a similar community that became incorporated about 20 -25 years ago. Mr. Young said Montreat is located within Buncombe County's water system area. Alderman Roberson asked if additional fees would need to be charged in order to upgrade the Lake's utility system. Mr. d'Andesky said when certain systems merge and a system has to be brought up to code, a higher rate can be charged to that area until the system is upgraded. Once the utilities have been upgraded, the higher rate can then be reduced. Alderman Greeley asked about plans for public forums. Mr. Ewing said the Junaluska Center Community Council (advisory body – elected from areas within the community) has assumed and agreed to be involved in the creation of public forums for discussion of this issue. One of the questions that will be asked is what the impact will be on the property owners. The report does not contain financial information, because they did not want the residents to concentrate on the financial impact at this time, but rather the fundamental purpose of determining what is best for Lake Junaluska and its residents. Alderman Roberson asked how many people have Lake Junaluska as their primary residence. Mr. Ewing said there are nearly 800 homes on the grounds and approximately one half were identified as seasonal residents and the other half as permanent residents.

Mr. Ewing said he appreciated the comment that they are a religious community, but there were no requirements that residents be members of a religious community. They were founded by and continue to hold the values of their predecessor.

Mayor Brown asked if there were other contractual agencies that would need to be involved. Mr. Ewing said Langford Security provides police protection, but would probably be maintained by the Conference Center. The Lake also has a contract with the Town of Waynesville for fire protection. Mayor Brown asked how many people were employed by Lake Junaluska. Mr. Ewing said there were 151 employees, which includes the Conference and Retreat Center, Assembly and Public Works.

Mayor Brown said the community involved in these discussions would also include the citizens of Waynesville.

Alderman Caldwell asked if extra taxes are paid by Lake Junaluska residents. Mr. Ewing said the fees paid by the residents are service fees to include improvements for pavement, parks, sewer and other services. If the area is annexed, the residents would pay the same tax rate as other residents inside an incorporated area. One of the issues to be discussed by residents is the importance of their independence. There may be a desire to remain unincorporated, with the understanding of the costs of upgrading the infrastructure. They will also discuss eligibility for some Federal and/or State Funds.

Mayor Brown said a little over four years ago, the Town of Waynesville residents approved liquor by the drink and he felt that this is one of the issues that would need to be “on the table” for discussion. It was added that there may be restrictive covenants that would remain in effect.

Manager Galloway asked if the area was annexed if the residents would continue to be charged a service fee. Mr. Ewing said that is possible, the service fee is also a fee for living in the area.

Mayor Brown added that if Lake Junaluska chooses to incorporate themselves, permission would need to be granted by the Town of Waynesville. Mr. d’Andesky added that it would aid the area if the Town approves an incorporation of the area since it is located within three miles of the corporate limits of the Town of Waynesville.

Mr. Ewing said there is no preset time frame to make any decisions, but they also do not want to continue the discussion for years. Forums will be held to give everyone opportunities for discussion. If there is a feeling that they are moving in a particular direction before their October Board Meeting, this will be brought before their Board for discussion at that time. They would like to move carefully and appropriately because this will affect Haywood County for years and beyond.

Mayor Brown and the Board of Aldermen thanked Mr. d’Andesky for his report and attendance, along with Mr. Ewing and Mr. Young, and for their presentation of information to the Board.

Tax Collector James Robertson – Request for Authority to Advertise Delinquent Taxes

Tax Collector James Robertson attended the meeting to request approval from the Board to advertise delinquent taxes in the local newspaper. Mr. Robertson said the tax collection rate at the present time this year is 94%, which is close to the rate at this time last year.

Alderman Greeley moved, seconded by Alderman Roberson, to authorize Tax Collector James Robertson to advertise delinquent taxes in the local newspaper. The motion carried unanimously.

Adjournment

With no further business, Alderman moved, seconded by Alderman to adjourn the meeting at 8:05 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor