

Statement for the Record

TO: Waynesville Board Of Aldermen¹

From: Bryant And Linda Lindsey²

Date/Time: October 9, 2012/ 7:00 PM (Meeting Of Board)

Subject: (1) Support For Annexation Of (a) Lake Junaluska And/Or (b) The Neighborhood Of Our Residence³ And (2) Opposition To Separate Municipal Incorporation By The Lake Junaluska Assembly

- I. **Support For Annexation (Or "Merger")**: We really like Waynesville and we strongly support annexation of Lake Junaluska by Waynesville. In particular, we strongly support annexation of that part of Lake Junaluska which includes our residence at 595 Golf Course Road as well as the Lake Junaluska Golf Course and the Camp Adventure land⁴.

- II. **Opposition To Separate Municipal Incorporation**: We are opposed to separate incorporation as a municipality by Lake Junaluska under any scenarios which have been suggested⁵.

¹ There is no way for anything to be placed in the public record at Lake Junaluska, insofar as we are aware, because Lake Junaluska is not a public entity. We feel this information (including the footnotes) needs to be part of a public record; so, we are grateful that we can provide it to you tonight. We ask that you keep this document as part of the written public record from the public comments section of this meeting even though we do not have time to read it into your public record. Thank you.

² Our residence at 595 Golf Course Road, Waynesville, NC 28786 has been in our family since the 1950's. It is on the golf course side of the Lake Junaluska Assembly grounds diagonally across from the 18th tee of the Lake Junaluska Golf Course. Lake Junaluska Golf Course is in front of our little rock cottage; and, Lake Junaluska's Camp Adventure land is behind us. We presently are within the Extra-Territorial Jurisdiction (ETJ) of Waynesville even though we are part of the Lake Junaluska Assembly; we are grateful that we are included within Waynesville's ETJ. We bought our little cottage from my parents, Julian and Frances Lindsey, who both were ministers in the Western North Carolina Conference. My father still lives; but, he now resides happily at Arbor Acres Retirement Home in Winston-Salem, North Carolina. We will celebrate Dad's 100th birthday on May 23, 2013 during Lake Junaluska's Centennial Year. Dad is now the oldest minister of the Western North Carolina Conference of the United Methodist Church; and, incidentally, he may be one of the oldest – if not the oldest – living United States Armed Services Chaplains of WW II. At his direction, we express his sentiments today as well as our own. All of us in our family have been thinking about Lake Junaluska and Waynesville for a very long time. We like both Lake Junaluska and Waynesville very much. Always have.

³ We understand that Waynesville cannot individually select residential properties in separate Junaluska subdivisions for annexation; but, if sufficient numbers of residents and owners in separate subdivisions are favorably disposed to annexation, we hope that Waynesville might consider annexation of these separate subdivisions. This would not, necessarily, constitute "cherry picking", per se, in our opinion.

⁴ We do not represent that we speak for any other residents at this time. Furthermore, we are very supportive of the efforts of the Lake Junaluska Task Force on Governance – at this time – to move the Junaluska community towards consensus regarding how to move forward. Similarly, we are very supportive of efforts on the part of Waynesville to study the best ways to move forward – or not to move forward.

⁵ We do not think separate incorporation as a municipality by the Lake Junaluska Assembly – or any part of the Lake Junaluska Assembly – is in the best interest of ourselves, all of the other residents of Lake Junaluska, the United Methodist Church, and/or the Town Of Waynesville. In particular, we do not think a separate incorporation which would include our neighborhood is in the best interest of all concerned. Of course, we may be wrong. In any case, we hope it will not be necessary to develop a detailed discussion of the many problems with separate incorporation. In short, we hope separate incorporation becomes a moot issue. But, if separate incorporation becomes a "live" issue, we hope you will – at that time – consider opposing it in order to represent our interests, the interests of other Lake Junaluska residents who may oppose it, as well as interests of present and future residents of Waynesville and Haywood County.

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- III. **Particular Concern For Future Of Lake Junaluska Golf Course And Camp Adventure:** We have particular concerns regarding the future of the Lake Junaluska Golf Course and the Camp Adventure land going forward. Based upon the fact that we and others in close proximity have paid annual assessments and other fees for almost 100 years, we believe that the Lake Junaluska Assembly has an affirmative responsibility to safeguard the attractiveness and use of these properties and that annexation of these properties by Waynesville will not terminate this affirmative responsibility of the Lake Junaluska Assembly⁶. We do not presume that Waynesville will assume the responsibility of maintaining either or both of these properties as recreational facilities and parkland after annexation⁷.
- IV. **Finally (Gratitude, Hope, And Faith):** In conclusion, we are grateful that leaders of Waynesville and leaders of Lake Junaluska are indicating willingness to address the issue of how Lake Junaluska can become part of Waynesville (and vice versa) beginning in 2013, Lake Junaluska's 100th year. We support any and all studies which may be done that are directed toward this objective⁸. We will be happy to assist however we can. Finally, we hope (and have faith) that, in 2113, Lake Junaluska's 200th year⁹, local historians throughout western North Carolina can celebrate your accomplishments in 2013¹⁰.

⁶ Please note that this opinion is not based upon legal advice; we have not consulted an attorney before venturing this lay opinion. Nor have we tried to reread Southeastern Jurisdictional Administrative Council V. Emerson, Emerson, Huffman, Patten, and Patten (NC Supreme Court, October 9, 2009) in this regard. Obviously, it would be helpful going forward, to determine whether we are right or wrong if, in fact, this can be determined. Certainly, we are not opposed to remaining members of a covenanted Lake Junaluska Assembly community and to continuing payment of annual assessments to the Lake Junaluska Assembly, at appropriate levels and directed to appropriate ends, even after Lake Junaluska is annexed. However, even if Lake Junaluska Assembly, as a covenanted community ceases to exist sometime after annexation and/or if residents on the Assembly grounds are no longer charged fees, we believe that the Lake Junaluska Assembly, or its successors continues to have a responsibility to us and other residents in this regard.

⁷ Although, sometime in the unforeseeable future, this might be a good idea. A very good idea.

⁸ In particular, we want to make sure feasibility studies indicate that Golf Course Road is state maintained which, we hope, means that Waynesville would incur much less cost to maintain it than otherwise. Also, we think our sewer system along Golf Course Road is much newer than the sewer system in the older part of Lake Junaluska. This is because we had to wait much longer to get our sewer system than most folks did on the other side of Lake Junaluska.

⁹ Which will be Waynesville's 303rd year (or 242nd year) if we calculate correctly.

¹⁰ We also look forward to inclusion of a mention of Lake Junaluska in Waynesville's Wikipedia entry (and vice versa) after annexation/merger.