

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**December 12, 2017**

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**THE WAYNESVILLE BOARD OF ALDERMEN** held its regular meeting on Tuesday, December 12, 2017, at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER**

Mayor Gavin Brown called the meeting to order at 6:30 p.m. with the following members present:

Mayor Gavin Brown  
Mayor Pro Tem Gary Caldwell  
Alderman Julia Freeman  
Alderman Jon Feichter  
Alderman LeRoy Roberson

The following staff members were present:

Rob Hites, Town Manager  
Martha Bradley, Town Attorney  
Eddie Ward, Town Clerk  
Eddie Caldwell, Finance Director  
Elizabeth Teague, Development Services Director  
David Foster, Public Services Director  
Preston Gregg, Town Engineer

The following media representatives were present:

Becky Johnson – The Mountaineer

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone and reminded them of the following events on the calendar, and said the next Board Meeting would be held on January 9, 2018.

- Sat. Dec. 16<sup>th</sup> – Reach Holiday Gala – 6:30 pm – Laurel Ridge Country Club
- Sat. Dec. 16<sup>th</sup> - Fireman’s Holiday Dinner
- Christmas Holidays – Dec. 25<sup>th</sup> – 27<sup>th</sup>
- New Years Holiday – Jan. 1, 2018

2. Adoption of Minutes

***Alderman Gary Caldwell made a motion, seconded by Alderman LeRoy Roberson to approve the minutes of the November 28, 2017 meeting as presented. The motion carried unanimously.***

## **B. PRESENTATION**

### **3. Watershed Capacity Study – McGill and Associates – Keith Webb**

Mr. Keith Webb, Vice President with McGill and Associates gave a detailed presentation on the capacity study for the Town's reservoir which was conducted by McGill Engineering. During 2016 a drought in Haywood County caused neighboring water systems to look to Waynesville's reservoir as a source of water during the prolonged drought. Mr. Webb said McGill had been tasked with developing a water supply model; calculate safe yield of reservoir with different operating scenarios, and impact of drought conditions.

Mr. Webb explained to the Board that the safety of the reservoir had been calculated by using elevations to develop an OASIS model which is used across the state by public water supply and water resources, to determine the impact of drought, and safe yield. Safe yield is defined as that withdrawal from the reservoir for the Water Treatment Plant production plus other withdrawals including evaporation and minimum downstream flow releases which result in the reservoir level dropping to a selected elevation once during the modeling period. The modeling period for the Town of Waynesville has been set at 91 years.

There was much discussion among the Board about how much water could be sold to neighboring communities in the event of a prolonged drought.

Mr. Webb told the Board that as of now the reservoir has enough water to meet the demands of the system. As a part of future planning, the Town needs to consider what the 20 year growth needs for the system and an upgrade of the Water Treatment Plant. He presented recommendations for that planning.

#### **Recommendations from the capacity study include:**

1. Contact the North Carolina Division of Water Resources, North Carolina Wildlife Resources, and the US Fish 7 Wildlife agencies for the purpose of having preliminary discussions to determine if a reduction in the minimum in-stream flow release under a "share the pain" scenario is feasible during certain drought conditions.
2. Contact the North Carolina Division of Dam Safety and have preliminary discussions to determine if the normal operational level of the reservoir can be raised, which may require the completion of a dam stability model and analysis to be submitted to the North Carolina Division of Dam Safety,
3. Contact Haywood County Emergency Management, North Carolina Emergency Management and North Carolina Floodplain Management (FEMA) for the purpose of having preliminary discussions to determine if the normal operational pool of the reservoir can be raised and what impact these changes may have on potential downstream flooding.
4. Update the Town's Local Water Supply Plan on file with the Division of Water Resources to reflect the new safe yield of 6.3 MGD.

One other recommendation from Mr. Webb was to find the agreements that were signed in previous years that state the operating level of the reservoir.

Mayor Brown thanked Mr. Webb and McGill Associates for the in depth study. He said the report would be forwarded to the other water systems in the County.

### **C. CONTINUED BUSINESS**

#### **4. DOT Project Update – Elizabeth Teague**

Elizabeth Teague, Development Services Director, told the Board that in 2016 the Town applied for and received \$40,000.00 in Surface Transportation Program- Direct Apportionment (STP-DA) allocation to do preliminary engineering for the southern portion of Brown Avenue to incorporate bicycle and pedestrian access and safety improvements. The project had an estimated match of \$10,000.00. In 2017 the Town applied for funding for \$230,000.00 to construct the improvements in fiscal year 2019. This project had an estimated match of \$45,857.00. Since those applications, several changes have occurred that have caused staff to question the merits of the project.

- The estimated cost of the relocation of Brown Avenue in front of the Middle School has increased. This means more potential cost to the Town, depending on the final design.
- The NCDOT has begun design on South Main for construction in 2023, and this will impact the intersection of Brown Avenue and South Main, which is a portion of the project area.
- The redevelopment at the Hazelwood Ingles, and potential development of properties adjacent to the project right of way, has created other opportunities for pedestrian and roadway improvements in this area.

Ms. Teague recommended to the Board that this project be eliminated from the STP-DA program. This includes preliminary engineering and construction phases. Ms. Teague said by taking this action, this will allow more funds to be directed to the project in front of the Middle School, which is a more critical project. It will also avoid investment into the South Main project which may be affected by final changes in plans.

***A motion was made by Alderman LeRoy Roberson, seconded by Alderman Jon Feichter to direct staff to ask the MPO and TAC to remove EB 5757 from the STP-DA program. The motion passed unanimously.***

#### **5. Budget Amendment No. 5 to 2017-2018 Budget Ordinance – Eddie Caldwell, Preston Gregg**

Manager Hites explained to the Board that the total amount of remaining expenses to be paid on the Hazelwood bathroom is \$37,200.00. This amount includes landscaping, carpentry work, and hand dryers that are still to be installed. Not included in this amount is \$9,621.33 which is for the purchase of three more (one of which is a spare) light poles and fixtures that the Board requested to be added at the end of the street in Hazelwood. These funds will be taken from Operating Fund and Fund Balance.

***A motion was made by Alderman Jon Feichter, seconded by Alderman Gary Caldwell, to approve Amendment No. 5 to the 2017-2018 Budget Ordinance (0-23-17) for \$37,200.00. The motion passed unanimously.***

***A motion was made by Alderman Julia Freeman, seconded by Alderman LeRoy Roberson, seconded by Alderman Julia Freeman, to approve Amendment No. 2 to the 2017-2018 Financial Operating Plan for Internal Service Funds. The motion passed unanimously.***

6. Local Purchasing Policy- Rob Hites

Manager Hites said the Board had last discussed the Local Purchasing Policy at the Fall Retreat. He said that there was not a clear statement in the NC General Statutes stating the lowest bid must be taken with purchases made in the amounts of \$1.00 - \$29,999.00. Manager Hites said that the advice from the UNC School of Government is that local vendors may be given preference in the range of 5%. If a purchase is \$30,000.00, chapter 143.131 of the General Statutes specifically states the bid must be given to the lowest bidder.

Manager Hites first established with the Board that they did want a local purchasing policy and that the policy would remain the same with a Purchasing card for purchases of \$1.00 - \$500.00. After much discussion The Board agreed that when quotes are within 5% of each other, the quote would be offered to the local vendor at the vendor's quote.

Manager Hites said that in the current purchasing policy, a "Local Vendor" is defined as being located in Haywood County and Waynesville. He asked the Board to determine the geography and location of a "Local Vendor". Alderman Jon Feichter he felt that the Town of Waynesville should be taken care of first. He did not feel that counties outside of Haywood County should be considered a "Local Vendor", but that the Extraterritorial Jurisdiction of Waynesville should be included. He said his primary interest is looking out for the businesses located within the city limits.

Alderman Julia Freeman stated she would like to include all of Haywood County. She feels that because the citizens of Waynesville work county wide in Haywood County.

Alderman Caldwell was in agreement that Waynesville should be taken care of first and the policy should include Haywood County. Alderman Roberson was in agreement with Haywood County being the geographical area for the policy.

The Aldermen discussed what is considered a Local Vendor. The Board defined the definition as being one who occupies a "sticks and bricks" building, pays property taxes in the defined area, and houses the business's corporate headquarters.

For purchases greater the \$30,000.00 the statute specifically states that purchases shall be awarded to the lowest, responsible bidder. Most NC municipalities use the bids received by purchasing services like the NC State Contract and the Sheriff's Association Purchasing Contract to purchase large items. Since the purchasing services are bid out the items the State permits local governments to simply add their purchases to the contracts.

Alderman Jon Feichter said he would like to see a formal program in place pursuing local vendor bidding. This could include maintaining a data base of potential local bidders so that when the Town has a situation where they may be able to bid, the vendor would be contacted and urged to bid on the item. Finance Director Eddie Caldwell said that with NC State Contract had a list of local vendors for smaller items. He said this would be a new process for purchasing, but that staff would develop a policy for local vendors to be contacted, and Manager Hites would bring it back to the Board.

***Alderman Jon Feichter made a motion, seconded by Alderman LeRoy Roberson to amend the Town's Purchasing Policy to include "Local Preference Purchases" for products costing from \$501.00 to \$30,000.00 as presented. The motion passed unanimously.***

7. Electric Rates – Rob Hites, Eddie Caldwell

Finance Director Eddie Caldwell gave a presentation at the November 28, 2017 Board meeting outlining an increase of 9% in the Town of Waynesville's electric rates. The Board had requested that this agenda item be included in the December 12 meeting. This would allow ample time for the Board to consider the information that was presented, and for public comment.

Mr. Caldwell stated that a 9 % increase in electric rates would be implemented, with a 5% increase in January, 2018, and 4% in the next fiscal year.

***Alderman Gary Caldwell made a motion, seconded by Alderman LeRoy Roberson approve the proposed initial increase in electric rates effective January 2018 as presented. The motion passed unanimously.***

**D. COMMUNICATION FROM STAFF**

8. Manager's Report

Manager Hites did not have anything to report

9. Special Events Permit

- MLK Pride Walk, Saturday January 13, 2018
- Mountaineer 2 Miler – Saturday March 24, 2018

In addition to the street closing request for the MLK walk and the Mountaineer 2 Miler, Mayor Brown asked the Board to approve the closing of Main Street on Saturday, December 16, 2017 for the Downtown Waynesville event "The Night Before Christmas". This event was originally scheduled for December 9<sup>th</sup>, but was cancelled because of inclement weather.

***Alderman Gary Caldwell made a motion, seconded by Alderman Julia Freeman to approve the special events permit applications and direct the Town Manager to execute special events permits, as presented. The motion passed unanimously.***

10. Personnel Policy Clarification

This item will be discussed at the next Board meeting on January 9, 2018.

11. Attorney's Report

Acting Town Attorney Bradley did not have anything to report.

**E. COMMUNICATION FROM THE MAYOR AND BOARD**

12. Proposed 2018 Regular Meeting Schedule

Mayor Brown presented the Board with the Regular Meeting Schedule for 2018. He added that a regular meeting date had been added in the schedule for November.

***A motion was made by Alderman Jon Feichter, seconded by Alderman LeRoy Roberson to adopt the Meeting Schedule for 2018. The motion passed unanimously.***

**F. CALL ON THE AUDIENCE**

No one from the audience spoke.

**G. ADJOURN**

***With no further business, Alderman Gary Caldwell made a motion, seconded by Alderman LeRoy Roberson to adjourn the meeting at 8:17 pm. The motion passed unanimously.***

ATTEST

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Gavin Brown, Mayor

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Eddie Ward, Town Clerk

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Rob Hites, Town Manager