

AGENDA
REGULAR MEETING
TOWN OF WAYNESVILLE
TOWN HALL
APRIL 22, 2008
TUESDAY – 7:00 P.M.

ITEM 1. APPROVAL OF MINUTES OF APRIL 1 AND APRIL 8, 2008

ITEM 2. SARGE’S ANIMAL RESCUE FOUNDATION
REQUEST FOR STREET CLOSING FOR SARGE’S DOG WALK PARADE

Attached you will find a letter from representatives of Sarge’s Animal Rescue Foundation seeking the Board’s approval to close some streets in the downtown area on Saturday, August 9, 2008, to allow the 3rd Annual Downtown Dog Walk. The event is scheduled to commence at 9:00 a.m. and has traditionally lasted for less than one hour.

The dogs and their walkers will be from the Courthouse to Depot Street, turning left onto Montgomery Street and continuing to Church Street, where they will turn left and go one block to Main Street where they will again turn left and proceed on North Main until reaching the Courthouse once again. At the Courthouse, there will be contests for the dogs and their owners.

In the past, this event has been well managed and run smoothly with no incidents. With the history of the Sarge’s Dog Walk, we would recommend that the Board grant approval.

ITEM 3. RESOLUTION OF INTENT IDENTIFYING THE AREA
UNDER CONSIDERATION FOR ANNEXATION

Under North Carolina law, a municipal government is permitted to adopt a “Resolution of Intent” to identify those areas which are under consideration for annexation into the municipality. The area which is identified in Exhibit A of the attached document covers what is essentially the entire drainage basin of Richland Creek plus a bit outside of that area. The Town of Waynesville certainly has no intention of annexing an area of this magnitude, but by having this Resolution of Intent in place, it will speed the process should the Town decide to annex any property within the area described. You will perhaps recall that this Resolution of Intent must be adopted or renewed every two years. It is the recommendation of Town Staff that the Resolution of Intent be adopted.

ITEM 4. CONSIDERATION OF MANAGER'S RECOMMENDATION ON FIRE DISTRICT TAXES

At the Town Board's Retreat in January, 2006, the issue of providing fire services to areas outside of the corporate limits was discussed. It was noted that there are three fire districts located outside of the corporate limits to which the Waynesville Fire Department responds to fires. These are the Big Cove, Camp Branch and South Waynesville Districts, and property located in these fire districts are assessed a fire district tax of six cents per \$100 in property valuation.

There are other properties outside of the corporate limits and outside of those fire districts to which the Waynesville Fire Department responds. If there are connections to the Town water system serving those properties, there should be a monthly charge added to the water bill to cover fire protection; however, we have found a number of cases where the charge is not added or where people have connected to the water system on their own without paying the connection fees or having Town authorization, and of course, not paying the fire fee.

We have also found a number of cases where properties are located in the three fire districts to which we respond and have water service with the Town. In those fire districts, 917 of these properties were paying the \$3.00 monthly fee on their water bill rather than paying the six cents per \$100 fire district tax.

There are also areas outside of the town that receive fire service from the town but which do not pay any fire district tax or a fee on a water bill since they are not on the water system. They are essentially getting fire service from the Town and enjoy the Class 5 fire rating on their insurance premiums, but they pay nothing for the benefit.

Ms. Alison Melnikova and Assistant Chief Joey Webb have been working with the County to seek a solution to this problem. Maps were prepared in 2007 which identified the areas outside of all the fire districts in the county which are not paying for fire service. We have mentioned this to the County officials on a number of occasions, and we understand that work has been done on the maps. Last November, the Junaluska Fire Department approached the County Commissioners with this same issue of providing fire service to properties but not receiving compensation from a fire district tax since the property was not in their fire district. They were also told that the County was working on the problem.

The simplest solution to this problem would be to establish fire response areas for each of the fire departments in the county. Then, all property in those fire response areas would be assessed the fire district tax to which the County and the Departments have agreed. Of course, for Waynesville, property within the corporate limits would not be assessed a fire district tax since that service is covered as part of the property tax.

A new tax year begins on July 1. We do not want to see another fiscal year begin with the Town and other fire departments in the county providing fire service but not receiving compensation for doing so. We would like to see the fire tax assessed on all property outside

of the town to which the Waynesville Fire Department provides service. This matter has been on the table for more than two years.

I would ask the Town Board to pass a resolution asking the County Commissioners to establish the new fire districts by July 1, 2008 and to assess the six cents per hundred fire tax in all areas served by the Waynesville Fire Department. Once this is done, the Town would drop the \$3.00 per month charge for fire service on water bills of those outside the town, and all fire service provided outside the town would be paid for through the fire district taxes.

**ITEM 5. CONSIDERATION OF REQUEST FOR LOCAL BILL LEGISLATION
TO PERMIT STAGGERED TERMS FOR TOWN BOARD SEATS**

At the Annual Retreat of the Town Board on April 11, 2008, this matter was discussed. Under the present Town Charter, all four seats on the Town Board as well as the Mayor's post comes up for election every four years, with all five members serving concurrent terms.

Most communities in North Carolina and other states have elected officials with staggered terms. Under such an arrangement, if there were four Board members, two seats would be up for election every two years, but the election would be for four year terms. The Mayor's seat would also be a four year term with an election held along when two of the four seats on the Board are up for election.

The advantage of the staggered terms would be that a community could avoid the situation where all five of the elected positions could change in one election. If such an event occurred, it would take a good while for the newly elected Board members to get their feet on the ground and to gain the knowledge needed to serve as Mayor and Aldermen.

During the next Town Board elections of 2011, the four candidates earning the most votes would, of course, be elected. To get the staggered terms in place, the two candidates earning the highest and second highest number of votes would earn four year terms and those seats would come up for election in 2015. The two candidates elected who earned the third and fourth highest number of votes would serve two year terms and would have to run again in 2013; however, when those seats came up in 2013, it would be for a four year term. From that point on, there would be elections every two years, with the first two seats up in 2015, 2019, 2023, 2027, and so on. The second two seats would have their two year term in 2011 to 2013, but then those two seats would be up for election in 2013, 2017, 2021, 2025, and so on. The chart might look like what is shown on the attached page.

At the Board Retreat, it was suggested that this matter appear on the Town Board's agenda for the meeting of April 22 so that the Board might vote to request that the Senators and Representatives representing Waynesville could introduce a local bill that would change the Town's Charter to permit the staggered terms.

ITEM 6. CONSIDERATION OF APPOINTMENT
 PARKS AND RECREATION ADVISORY COMMISSION

Due to the death of Mrs. Dot Evans, there exists a vacancy on the Parks and Recreation Advisory Commission. Mrs. Evans was in the midst of a three year term on this Commission with the expiration of that term scheduled for September 30, 2008.

Town Clerk Phyllis McClure has received two applications from citizens who have expressed an interest in serving on the Parks and Recreation Advisory Board, and those applications are attached for your review. Both candidates have shown a great interest in the position and are quite familiar with the recreation department and the programs offered. We submit their applications to the Town Board for your review and consideration.