



OFFICE OF MAYOR

# Town of Waynesville

AGENDA  
REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
TOWN HALL - 9 SOUTH MAIN STREET  
JULY 12, 2011  
TUESDAY - 7:00 P.M.

Call to Order

1. Approval of Minutes of June 28, 2011
2. Mutual Assistance Agreement  
Towns of Canton and Waynesville
3. Livable Communities Initiative
4. Adjournment

Additional information regarding this agenda is available at [www.townofwaynesville.org](http://www.townofwaynesville.org)

REGULAR MEETING  
TOWN OF WAYNESVILLE  
BOARD OF ALDERMEN  
TOWN HALL – 9 SOUTH MAIN STREET  
JUNE 28, 2011  
TUESDAY – 7:00 P.M.

The Board of Aldermen of the Town of Waynesville held a regular meeting on Tuesday, June 28, 2011. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Wells Greeley and LeRoy Roberson. Absent was Alderman Libba Feichter. Also present were Town Manager A. Lee Galloway, Assistant Town Manager Alison Melnikova, Town Clerk Phyllis McClure, Town Attorney Woodrow Griffin and Finance Director Eddie Caldwell. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of June 8, 2011

Alderman Greeley moved, seconded by Alderman Caldwell, to approve the minutes of the June 14, 2011 meeting as presented. The motion carried unanimously.

Adoption of 2011-2012 Fiscal Year Budget

Over the past six months, extensive work has taken place on the development of the annual budget for the Town of Waynesville. The Town's financial plan falls under four separate funds – General, Water, Sewer and Electric. In addition, there are Internal Service Funds for the operation of the Public Works Facility and the Garage Fund to cover maintenance and repair of the various vehicles and pieces of equipment of the departments. These funds are as follows:

	<u>2011-2012</u>	<u>2010-2011</u>
• General Fund	\$13,369,440	\$13,393,900
• Water Fund	\$ 2,859,570	\$ 2,669,140
• Sewer Fund	\$ 2,088,800	\$ 2,036,270
• Electric Fund	\$ 8,889,350	\$ 8,705,540
• Public Works	\$ 267,880	\$ 289,690
• Garage	\$ 659,690	\$ 596,250
TOTAL	\$28,134,730	\$27,690,790

There is a slight increase in the total budget for the coming year. The total is up \$443,940 or 1.6%. Manager Galloway said there are five categories in the 2011-2012 budget which identify \$647,187 in increases, well more than the total budget increase. These are as follows:

3 % cost of living increase – all funds	\$ 216,000
Health insurance increase – all funds	158,717
Gasoline and Diesel fuel – Garage Fund	60,000

Concrete work at Water Plant – Water Fund	80,870
Recreation Expenditures – General Fund	131,600
Debt on Exercise Equipment -	\$41,600
Cost to Resurface Two Pools -	\$90,000

At the meeting of June 14, a report was distributed detailing the highlights on the budget. This report showed the proposed revenue neutral tax rate of 40.82 cents per \$100 of valuation. It also explained the 5% increase in the water rates to help pay for the concrete work on the water plant settling basins and the spillway of the dam. Sewer and electric rates are not proposed to increase, though electric rates will continue to be adjusted on a monthly basis depending upon the fuel costs assessed to the Town by Progress Energy. Even with these increases, the citizens of Waynesville enjoy some of the lowest water, sewer and electric rates of anyone in North Carolina, and the tax rate is lower than the average of other municipalities across the State.

For the first time in three years, employees are scheduled to receive a 3% cost of living increase. That increase is proposed to be reflected on pay checks issued on July 8, 2011. In addition, the Town is taking on some of the increased cost of the health insurance program provided to personnel and their families, but the employees will also be taking on a larger share of their health care cost.

In recent years, some debt was incurred for the new fire station, police station/development office and electric substation, as well as improvements to Waynesville's water system. These were necessary to meet the needs of the public. A new fire station was needed where trucks could exit without delay and access a fire in a shorter period of time. Adequate and controlled storage of evidence in the cases handled by the police needed to be assured. It was necessary to make sure that the electricity was adequate to meet the demands of the public and to assure adequate water storage for fire flows and public demand. If the community is to have these things, they come with an expense, a debt that must be paid. Manager Galloway said he was pleased to report that during the 2011-2012 fiscal year, \$2,140,287.93 of the Town's debt will be paid off. With a total debt of \$19,639,420.47, that means 10.90% of the total debt will be paid off during the next fiscal year. Manager Galloway said he is proud of that and feels that paying off the debt reflects well on good financial planning by the Town Board.

Manager Galloway said the proposed budget has been readily available to the public at the Municipal Building since May 10, the day it was presented to the Board. To his knowledge, no one has come by to look at the document and become familiar with the proposed expenditures and anticipated revenues, and no one appeared at the public hearing on June 14. Manager Galloway and Finance Director Eddie Caldwell recommended the adoption of the 2011-2012 fiscal year budget to the Mayor and Board.

Manager Galloway pointed out some typographical corrections and other changes in the budget ordinance. To clarify the conditional district section it was recommended that the base rate be clarified by adding \$400 for one acre or less and \$100 for each additional acre. Political signs should indicate \$100 (refundable deposit). The Parks and Recreation Commission recommended that the age for senior memberships be increased from 55 to 60. Also recommended was to add a new category for full time high school and college students (with proof of identification) and that the rates for this new category be the same as the individual youth and special categories. The age for seniors would also change under the Corporate Admission Fee Schedule from 55 to 60.

Alderman Caldwell moved, seconded by Alderman Greeley, to adopt the 2011-2012 fiscal year budget as proposed. The motion carried unanimously. (Ord. No. 6-11)

#### Resolution on Financial Operating Plan Internal Service Funds

The Town operates two Service Funds which support the various Town departments by providing warehousing/storage space or by providing vehicle related services. The Public Works Fund and the Garage Fund receive operating funds from appropriations made by the General, Water, Sewer and Electric Funds, with each being charged what is estimated to be their fair share of the use of the public works facilities or of the vehicular services.

A Resolution was presented on the Financial Operating Plan for the Garage Operations in the amount of \$659,690 and the Public Works Building Operations in the amount of \$267,880. It was recommended that the Board adopt the Resolution on the Financial Operating Plan for the 2011-2012 fiscal year for the Public Works and Garage.

Alderman Greeley moved, seconded by Alderman Roberson, to adopt the resolution on the Financial Operating Plan for Internal Service Funds as presented. The motion carried unanimously. (Res. No. 1-11)

#### Manager Galloway – Report on Manager’s Conference

Manager Galloway reported that he attended the Manager’s Conference last week, with Saturday being spent with the Legislative Review. Manager Galloway said the NC League of Municipalities reported that there were several bills introduced, including de-annexation which could affect the City of Goldsboro which borrowed eight million dollars to extend water and sewer to recently annexed areas. This may be a situation that is challenged in court.

Several things happened in the General Assembly, including concern about the state retirement system. Municipal retirement systems are funded much better than the State. There was some discussion regarding annexation bills. Powell Bill, always received on October 1 and based on revenues collected the prior fiscal year, will now be distributed with 50% received on October 1 and the remaining 50% received on January 1.

The bill that requires that a portion of the electric revenue be spent on debt will only apply to the municipalities of Smithfield, Selma and Clayton.

#### Solid Waste and Recycling Issues

Manager Galloway said recycling receptacles will be arriving on Thursday, June 30. He reported that the first meeting with the solid waste committee was held last week. Land of Sky Representatives will be in Waynesville to ride with the street department employees to get a better idea of the solid waste collections operation.

Assistant Town Manager Alison Melnikova and Streets and Sanitation Supervisor Daryl Hannah met with a recycling group from Buncombe County. The group is associated with Waste Pro and town staff is discussing options with the group, from purchasing recyclables to transporting them to Buncombe County. This may work out well with what Waynesville is trying to do with solid waste.

### South Main Street Study

Manager Galloway said two weeks ago town staff met to interview the two firms that submitted bids to conduct the South Main Street Study. Everyone who participated in the interview was in agreement that one group was more in tune with what Waynesville would like to do. This group, Quatra Bonsi, will probably begin charrettes during late summer or early fall and the process should take about six months.

### Frog Level Update

Alderman Caldwell said he met with some of the Frog Level merchants regarding the house on Water Street. One individual has expressed interest in possibly repairing the house. If the house can't be repaired, it may need to be torn down. The merchants are also interested in purchasing street scale lighting with money they have been saving for the past several years. Alderman Caldwell said he has spoken with town employees Fred Baker, Robert Hyatt, Daryl Hannah and Phillip Wyatt regarding lights in this area. The Frog Level Association is investigating the possibility of leasing or purchasing property to be used for parking.

### Adjournment

With no further business, Alderman Greeley moved, seconded by Alderman Roberson, to adjourn the meeting at 7:39 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Gavin A. Brown  
Mayor

ITEM 2.       MUTUAL ASSISTANCE AGREEMENT  
              TOWNS OF CANTON AND WAYNESVILLE

The building inspector for the Town of Canton retired some time back and a new employee was appointed to that post. The new employee lacked some of the required certifications, so an agreement was worked out with the retired employee to oversee the new employee. That agreement came to an end and was not renewed.

The Town of Canton has requested that the Town of Waynesville enter a Mutual Assistance Agreement so that our building inspector may assist the Canton inspector while he is working toward his certifications. This would mean assistance on an as needed basis when the Canton inspector has questions or feels there might be a need for a review of a project by someone with more experienced eyes. We understand that the Canton inspector is close to having the required certifications in some areas but there may be others where he needs more time. When he has his certifications, it is quite possible that Waynesville may find a need to call on him when one or both of our inspectors are not available due to vacation or illness or other reason.

Building construction is slow at present and our two inspectors certainly have the extra time to assist the Canton inspector. Chief Codes Administrator Jason Rogers is in favor of providing the assistance Canton has requested. We have had a very cooperative relationship with the other municipalities in the county and I feel this is just an expansion of that good relationship. We do not anticipate that this will be a time consuming work and we will reassess that as we go along, should the two town boards agree to the arrangement.

## Mutual Assistance Agreement

Pursuant to North Carolina General Statutes 160A-413 the undersigned do hereby request of one another, and agree to provide to one another (as manpower and equipment permit), temporary assistance in enforcing the building construction laws of North Carolina. This **MUTUAL ASSISTANCE AGREEMENT** shall serve as the request, in writing for assistance.

1. While working with a requesting agency, a Code Enforcement Official shall have the same jurisdiction, powers, rights, privileges, and immunities (including those relating to the defense of civil actions and payments of judgments) as the Code Enforcement Official of the representing agency in addition to those that he normally possesses.
2. While on duty with the requesting agency, a Code Enforcement Official shall be subject to the lawful operational commands of Code Administrator in the requesting agency, but he shall for personnel and administrative purposes, remain under the control of his own agency, including purposes of pay. A Code Enforcement Official shall furthermore be entitled to worker's compensation and the same benefits to the extent as though he were functioning within the normal scope of his duties.
3. When temporary assistance is needed to this **MUTUAL ASSISTANCE AGREEMENT**, the requesting agency shall notify the assisting agency of the need for such assistance and the assistance shall be provided if feasible to do so. A requesting agency, which needs temporary assistance, shall notify the assisting agency of such need in writing, when possible. In an emergency situation, the notification of the need for temporary assistance need not be in writing, but a written notification shall be provided as soon thereafter as possible.
4. Any disciplinary actions arising out of the temporary work assignment of any loaned officer will remain the responsibility of the officer's own department.
5. The requesting agency specifically covenants and agrees to assume all liability for any act committed by the temporarily assigned officer within the course and scope of his temporary assignment, and further agrees to hold harmless and indemnify the assisting agency for any damages, including the payment of attorney's fees, incurred by the assisting agency pursuant to such temporary assignment.

6. The requesting agency agrees to hold harmless the assisting agency for any damage to the property of the requesting agency incurred in the course and scope of the temporarily assigned officer's duties. Further, the assisting agency agrees to hold the requesting agency harmless for any damage to the property of the assisting agency occasioned by such act. The agreement shall not be construed as a bar to any other rights or claims, either direct or by subrogation, which either agency shall have against any other party.

7. The undersigned enter into this agreement pursuant to duly adopted resolutions of their respective governing body, as authorized by North Carolina General Statutes 160A-413

SO AGREED,

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_

Jason R. Rogers  
Codes Administrator  
Waynesville Code Enforcement Office

SO AGREED,

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_



North Carolina  
County of Haywood

I, \_\_\_\_\_, a Notary Public of said county and state,  
hereby certify that William H. Hollingsed, personally appeared before me this day  
and acknowledge the due execution of the foregoing MUTUAL ASSISTANCE  
AGREEMENT.

Witness my hand and notary seal, this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

.....

North Carolina  
County of \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of said county and state,  
hereby certify that \_\_\_\_\_, personally appeared before me this  
day and acknowledge the due execution of the foregoing MUTUAL ASSISTANCE  
AGREEMENT.

Witness my hand and notary seal, this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

**§ 160A-413. Joint inspection department; other arrangements.**

A city council may enter into and carry out contracts with another city, county, or combination thereof under which the parties agree to create and support a joint inspection department for the enforcement of State and local laws specified in the agreement. The governing boards of the contracting parties are authorized to make any necessary appropriations for this purpose.

In lieu of a joint inspection department, a city council may designate an inspector from any other city or county to serve as a member of its inspection department with the approval of the governing body of the other city or county. A city may also contract with an individual who is not a city or county employee but who holds one of the applicable certificates as provided in G.S. 160A-411.1 or G.S. 153A-351.1 or with the employer of an individual who holds one of the applicable certificates as provided in G.S. 160A-411.1 or G.S. 153A-351.1. The inspector, if designated from another city or county under this section, shall, while exercising the duties of the position, be considered a municipal employee. The city shall have the same potential liability, if any, for inspections conducted by an individual who is not an employee of the city as it does for an individual who is an employee of the city. The company or individual with whom the city contracts shall have errors and omissions and other insurance coverage acceptable to the city.

The city council of any city may request the board of county commissioners of the county in which the city is located to direct one or more county building inspectors to exercise their powers within part or all of the city's jurisdiction, and they shall thereupon be empowered to do so until the city council officially withdraws its request in the manner provided in G.S. 160A-360(g). (1969, c. 1065, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 64; 1993, c. 232, s. 3; 1999-372, s. 3; 2001-278, s. 2.)

### ITEM 3.      LIVABLE COMMUNITIES INITIATIVE

Assistant Town Manager Alison Melnikova recently attended a meeting hosted by the Land of the Sky Regional Council of Governments on the Livable Communities Initiative. You will find enclosed some information on this topic including an explanation of what it is and why the initiative is being pursued. Essentially it is an effort of cooperation and communications within the region and an effort to assess what is already in place and how to coordinate rather than duplicate. The project is funded by the United States Department of Housing and Urban Development.

The work will go beyond local governments, with the effort to include businesses, non-profits and the general citizenry to be involved in this regional coordination on jobs, energy, housing, transportation, resources and other issues in which we are all connected.

You will find there follows a "Consortium Agreement" that has been presented to each local government for consideration. The Agreement cites the goals of this effort which is projected to continue over a three year time frame. Those joining the Consortium now will be a part of recommending names for a 13 member steering committee which will oversee the effort as it proceeds over the three years.

We are supplying the information we have received on the Consortium, and at the meeting on Tuesday evening, Ms. Melnikova may have additional information gained from the meeting she attended on the matter. Please feel free to follow up with her or review the web site for the Livable Communities Initiative if you wish to do so.



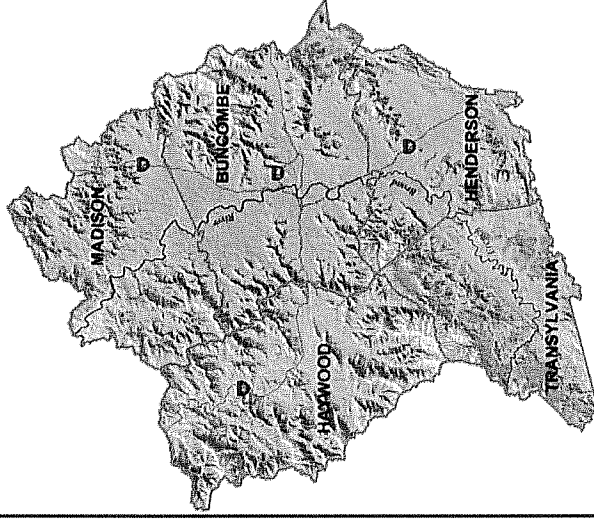
# Western North Carolina Livable Communities Initiative

**WHAT IT IS:** The Initiative is a 3-year project to develop a regional vision for economic prosperity, quality growth, and sustainable development. A consortium of local governments, residents, and organizations in Buncombe, Haywood, Henderson, Transylvania, and Madison Counties will draw on existing plans and strategies to develop a plan to foster economic prosperity through a regional vision that identifies implementable projects and actions. The project will include significant public outreach and involvement. The Initiative is **not about starting from scratch**. It will draw on significant work that has already been accomplished in the region, weaving together existing plans with public involvement. The Initiative is not a central authority over the region's local governments, but is instead a way for the region to identify common goals and objectives that can be attained by working together.

**WHY:** Citizens and leaders in Western North Carolina have identified "greater regional coordination" related to economic development, quality growth, and sustainability as a primary need for the region. The project will allow local governments, businesses, non-profits, citizens, and others to realize unprecedented regional coordination on jobs, energy, housing, transportation, resources, and other interconnected issues. This will foster more prosperous, livable communities in our region through **new quality jobs, new investment, diverse economic development strategies, energy and financial savings, and carbon emission reductions**.

**HOW:** During the three-year project, the Consortium will work together to gather public input and weave together existing plans and strategies across topic areas in the **Local Livability Framework** (see below). Their work is funded by a grant from the Department of Housing and Urban Development (HUD), through the Sustainable Communities Initiative.

**CONTACT:** Carrie Runser-Turner – [carrie@landofsky.org](mailto:carrie@landofsky.org) or 828-251-6622



## Federal Livability

### Principles

More transportation

choices

Equitable, affordable  
housing

Enhance economic  
competitiveness

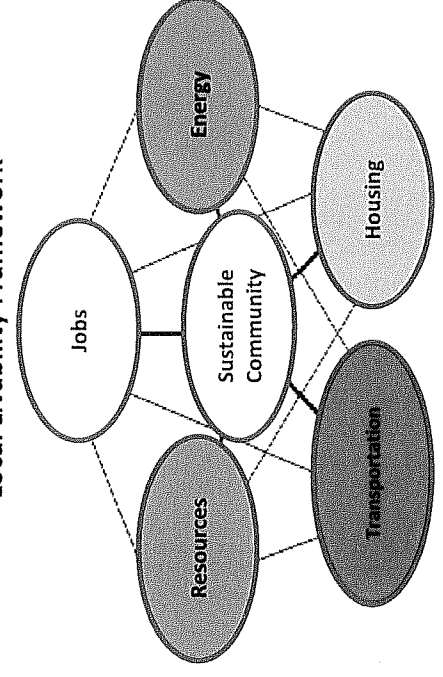
Support existing  
communities

Value neighborhoods

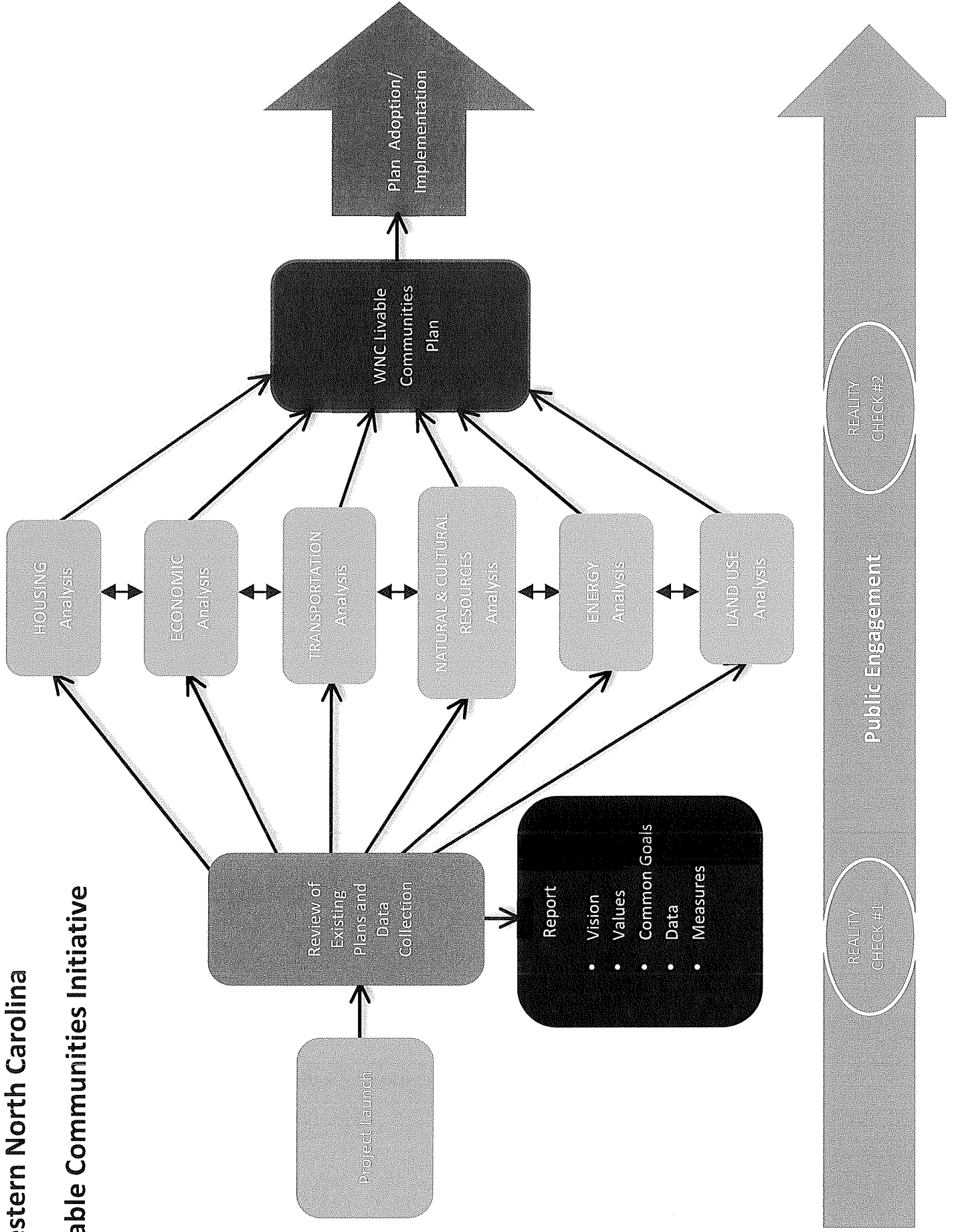
Coordinate and leverage  
federal support



## Local Livability Framework



# Western North Carolina Livable Communities Initiative





## Western North Carolina Livable Communities Initiative

### Consortium Agreement

#### Introduction

The Western North Carolina Livable Communities Initiative is a 3-year project to develop strategies at the local and regional level to:

- **Enhance economic competitiveness**, including expanding sustainable and diverse employment options that pay a “living wage.”
- **Provide more transportation choices**, including developing and expanding the region’s clean, efficient and affordable transportation choices.
- **Promote equitable, affordable housing.**
- **Support existing communities.**
- **Coordinate and leverage federal policies and investment.**
- **Value communities and neighborhoods.**
- **Preserve our natural and cultural resources.**
- **Expand and utilize more local, renewable energy sources.**

These local and regional strategies will be developed by a consortium of local governments, organizations, and residents in Buncombe, Haywood, Henderson, Transylvania, and Madison Counties, creating a plan to foster economic prosperity through a regional vision for sustainable development. The resulting plan and strategies can be adopted in whole or in part. The process will include significant public outreach and involvement, with a goal of ensuring equity in participation while honoring the values of the region.

Citizens and leaders in Western North Carolina have identified “greater regional coordination” related to economic development, quality growth, and sustainability as a primary need for the region. The project will allow local governments, businesses, non-profits, citizens, and others to realize unprecedented regional coordination on jobs, energy, housing, transportation, resources, and other interconnected issues. This investment will help bring our region **new jobs, more livable communities, energy and financial savings, and carbon emission reductions.**

During the three-year project, the Consortium will work together to gather public input and weave together existing plans and strategies across topic areas listed above (our Local Livability Framework). The Local Livability Framework is aligned with the principles of the Federal Partnership for Sustainable Communities.

## **Goals**

Through the course of the project, existing plans and strategies will be woven together with public input into a Regional Plan for Sustainable Development that will guide the region's development going forward. The goals of the project and Plan development include:

- To create a plan that promotes economic prosperity throughout the region, including for those people traditionally underrepresented.
- To ensure broad and diverse participation in the project through the Consortium and its Governance Structure, through effective public communication, and through working relationships with partners and consultants that are effective and successful.
- To create a regional/community picture based on existing plans and data, as well as future scenarios and alternatives that can be shared with the public through a variety of public engagement efforts. These public engagement efforts will be guided by a detailed outreach strategy to ensure widespread involvement.
- To gather widespread, unprecedented community input on scenario planning models and existing, combined plans and strategies, draft plan and alternatives, and the final Regional Plan. To ensure that the input received is incorporated into the plan and its alternatives.
- To ensure that planning for transportation, housing, jobs, energy, land use, and cultural and natural resources is integrated.
- To implement the Regional Plan through incorporation of identified strategies and projects into other state, regional, and local plans, by seeking implementation opportunities throughout, and by developing an ongoing structure and funding strategy to carry the project forward.
- To ensure that the Regional Plan is a "living document", designed to be a flexible tool that will be modified as the opportunities and needs of the region change over time.

## **Consortium Governance and Structure**

### *Governance Structure*

The Consortium will represent residents and organizations in Buncombe, Haywood, Henderson, Transylvania, and Madison Counties. The Consortium will include members from public and private housing, planning, transportation, economic development, research, educational and philanthropic organizations, and others. The work of the Consortium will be governed by a Steering Committee, with representatives from local governments and each of the working groups that will work together on specific issues related to sectors identified in the Local Livability Framework. Land-of-Sky Regional Council will staff and facilitate the work of the Steering Committee. See Appendix A (Consortium Governance Structure) for more information.

Consortium members agree to delegate decision-making responsibility for the planning process to the Steering Committee, on which they will be represented by elected or appointed members (see Appendix A: Consortium Governance Structure). The Steering Committee will work towards consensus when making decisions, but will rely upon the majority of voting

members present to decide any question which cannot be resolved by consensus. A simple majority (51%) of voting members shall constitute a quorum for transacting business.

### **Benefits to Consortium Members**

#### *Shape regional plan*

Consortium Members will play a critical role in shaping the Regional Plan, both in assisting with review of existing Plans and by receiving and incorporating public input received. The Regional Plan will be a place where Consortium Members can find common ground on shared goals and objectives that the region can work towards together. Consortium Members can play an active role in ensuring the Regional Plan reflects and advances the mission of their local government, organization, or constituency.

#### *Gain access to tools, models, data, and best practices*

Consortium Members will be able to access the tools, models, and best practices developed through the Planning process. Improvements to existing data in the region will be made during the first stages of the project, and Consortium Members can take advantage of these improved data in their own work.

#### *Assist with ensuring that a broad spectrum of communities and organizations are involved*

Consortium Members can help ensure that a broad spectrum of communities and organizations are involved in the process, both through reaching out to others to participate on work groups and by assisting with public outreach efforts.

#### *Identify funding opportunities and opportunities for implementation of identified projects*

Throughout the project, staff and Consortium Members will be looking for opportunities for funding to implement the Plan and the projects and strategies identified in it. Consortium Members will benefit directly from implementation of projects that advance the common goals and objectives identified in the Plan.

### **Responsibilities of Consortium Members**

#### *Participate in the Consortium*

Consortium Members must play an active, participatory role in the process. This includes participation in subject-specific workgroups, as well as in cross-sector subgroups as needed. This also includes participating in the selection of Steering Committee representatives of the workgroups, and serving on the Steering Committee if elected or appointed to do so. Consortium Members will assist in forming workgroups and ensuring that a broad cross-section of the community is represented on workgroups, particularly from communities that are traditionally under-represented in planning processes.



### *Share Information*

Consortium Members will assist with circulating information about the project and help involve others in the project. Consortium Members will assist with outreach both to members of the public and to members of their organization or local government. Consortium Members will designate a point person within their organization who will serve as the primary contact for the project and who will be responsible for communicating the activities of the Consortium to their organization and constituents. If the point of contact changes, the Consortium Member must inform Land-of-Sky staff with contact information for the new designated contact person.

### *Assist with Plan Implementation*

Consortium Members will help identify opportunities to implement the projects and strategies identified in the Plan. Consortium Members will help identify elements of existing Regional Plans and other documents that need revision in order to be consistent with the common regional goals identified in the Plan. Consortium Members will help facilitate revisions to other regional planning documents as needed.

## **Special Conditions**

### *Expansion of Consortium Membership*

Any eligible entity may join the Consortium at any time. Those wishing to participate in nominations of candidates for Steering Committee membership must join by October 1, 2011. The Steering Committee may determine that new workgroups are needed and will undertake outreach to engage new members in new workgroups if needed. The Steering Committee may undertake special outreach to engage underrepresented constituencies as needed.

### *Changes to Membership Terms*

The Steering Committee may, after consultation with Consortium Members, elect to change the terms of membership at any time and will provide written notification of any changes to the entire Consortium membership.

### *Duration of Consortium Agreement*

This agreement shall remain in force for the duration of the HUD Sustainable Communities Regional Planning Grant, which is expected to conclude on December 31, 2014.

### *Termination of Consortium Agreement*

Any member may, at any time, provide written notice to Land-of-Sky Regional Council of their intent to leave the Consortium. This will result in the termination of any benefits due to membership in the Consortium unless the parties agree to the contrary under mutually acceptable terms.

*Signature*

This document is to be signed by a representative of each Consortium Member who has the authority to enter into an agreement on behalf of that entity. By signing this Consortium Agreement, you agree to join the Western North Carolina Livable Communities Consortium.

EXECUTED as of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Municipality, County, or Organization

**Primary Point of Contact:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City/Town

\_\_\_\_\_  
Zip Code

## Appendix A: Consortium Governance Structure

The Western North Carolina Livable Communities Initiative (WNC LCI) will be guided by a Consortium representing residents and organizations in Buncombe, Haywood, Henderson, Transylvania, and Madison Counties. The Consortium will include members from public and private housing, planning, transportation, economic development, research, educational and philanthropic organizations, and others. The purpose of the Consortium will be to oversee the development of a regional plan that weaves together existing plans and strategies throughout the region to foster economic prosperity through a regional vision that identifies implementable projects and actions. The Initiative will include significant public outreach and involvement throughout.

The Consortium's work is funded by a three-year, \$1.6 million Regional Planning Grant from the Sustainable Communities Partnerships, a federal collaboration of the US Department of Housing and Urban Development (HUD), Department of Transportation (DOT), and Environmental Protection Agency (EPA). HUD is the federal granting authority. Various local entities have also committed to contribute funds and in-kind contributions to support the project.

### Overview of Consortium Governance

The full Consortium will meet several times over the course of the 3-year project. Consortium meetings will include a general session for all participants as well as breakout sessions focused on specific topics. Other Consortium committees and workgroups will be encouraged to meet more regularly to accomplish the tasks in the planning process.

The Consortium is currently led by an Interim Leadership Team, which will transition their involvement in the project as the formal Consortium Governance structure is implemented. Interim Leadership Team members are encouraged to continue participating in the Governance of the project, either through appointment to the Steering Committee (see below) or by participating in a Workgroup.

The Consortium will be led by a 13-member **Steering Committee**, which will be responsible for prioritizing work activities, participating in the selection of consultants, approving public involvement approaches, and making critical recommendations to guide the project and staff. Steering Committee members will be appointed according to the process outlined in this document (see below). Steering Committee members will communicate with members of their constituencies and other workgroup members to share information and gather input. The Steering Committee will be made up of individuals willing to take a lead role in completing the work of the project, and who are able to involve others from their constituencies, organizations, and communities to bring their input back.

Ensuring equity is a critical task in this project. The Land-of-Sky Regional Council Board will work to ensure equity, with the goal that a minimum of 1/3 of Steering Committee members be from traditionally under-represented communities. Some examples of traditionally under-represented communities are included as Appendix B.

The Steering Committee will meet bi-monthly. The Steering Committee shall form subject-specific subcommittees as needed to work on tasks with staff when action or a decision is needed between meetings.

The Steering Committee will be made up of members appointed by the following process:

- The City of Asheville will have one seat, appointed by Asheville City Council (the central city is a required member under HUD guidelines).
- The County Commissioners of each County will each appoint 1 member to represent the region's member governments, with membership distributed across the region's geography and from communities of varying sizes (rural, suburban, and urban), for a total of 5 members, one from each county.
- Each Workgroup (described below) will nominate 2 – 3 individuals as candidates for appointment to the Steering Committee. From those Workgroup nominations, the Land-of-Sky Regional Council Board will appoint 1 representative from each Workgroup (for a total of 7 representatives of the Workgroups). The Land-of-Sky Regional Council Board will be responsible for achieving equity in the Workgroup appointments to the Steering Committee, ensuring geographic diversity, inclusion of under-represented communities, and representation from a variety of sectors (non-profit organizations, local governments, business). The Land-of-Sky Regional Council Board may recommend changes to the Steering Committee structure if deemed necessary to meet the Consortium's equity goals.
- The Federal and State Partners Workgroup will have 3 Ex-Officio (non-voting) representatives on the Steering Committee, one each from the North Carolina Department of Commerce, the North Carolina Department of Environment and Natural Resources, and the North Carolina Department of Transportation.

Steering Committee members should be willing to:

- commit their time to participating actively in the Initiative, including a commitment to attend a minimum of 80% of Steering Committee meetings;
- provide leadership, share work responsibilities, and listen to their fellow Steering Committee and Consortium members; and
- communicate with and represent the interests of their workgroups and constituencies.

All consortium members will self-select into one of 8 **Workgroups**, organized around the topic areas listed below. Workgroup members will form partnerships, identify opportunities and challenges, develop strategies, and look for ways to implement projects identified in the planning process. Workgroups will focus on the specific topic areas below, and will form smaller cross-sector subgroups (with representation across multiple Workgroups) as needed to complete various tasks and ensure that deeper analysis cuts across various topic areas. Collaboration amongst Workgroup members, and across workgroups, will be a critical element of the project.

The Steering Committee may choose to combine or adjust Workgroups if necessary as the project progresses. If the Steering Committee combines two Workgroups, the representative from those Workgroups will remain on the Steering Committee as follows: one representative shall continue as a representative of the new combined Workgroup, and one shall become an At-Large Steering Committee member.

Workgroup topic areas:

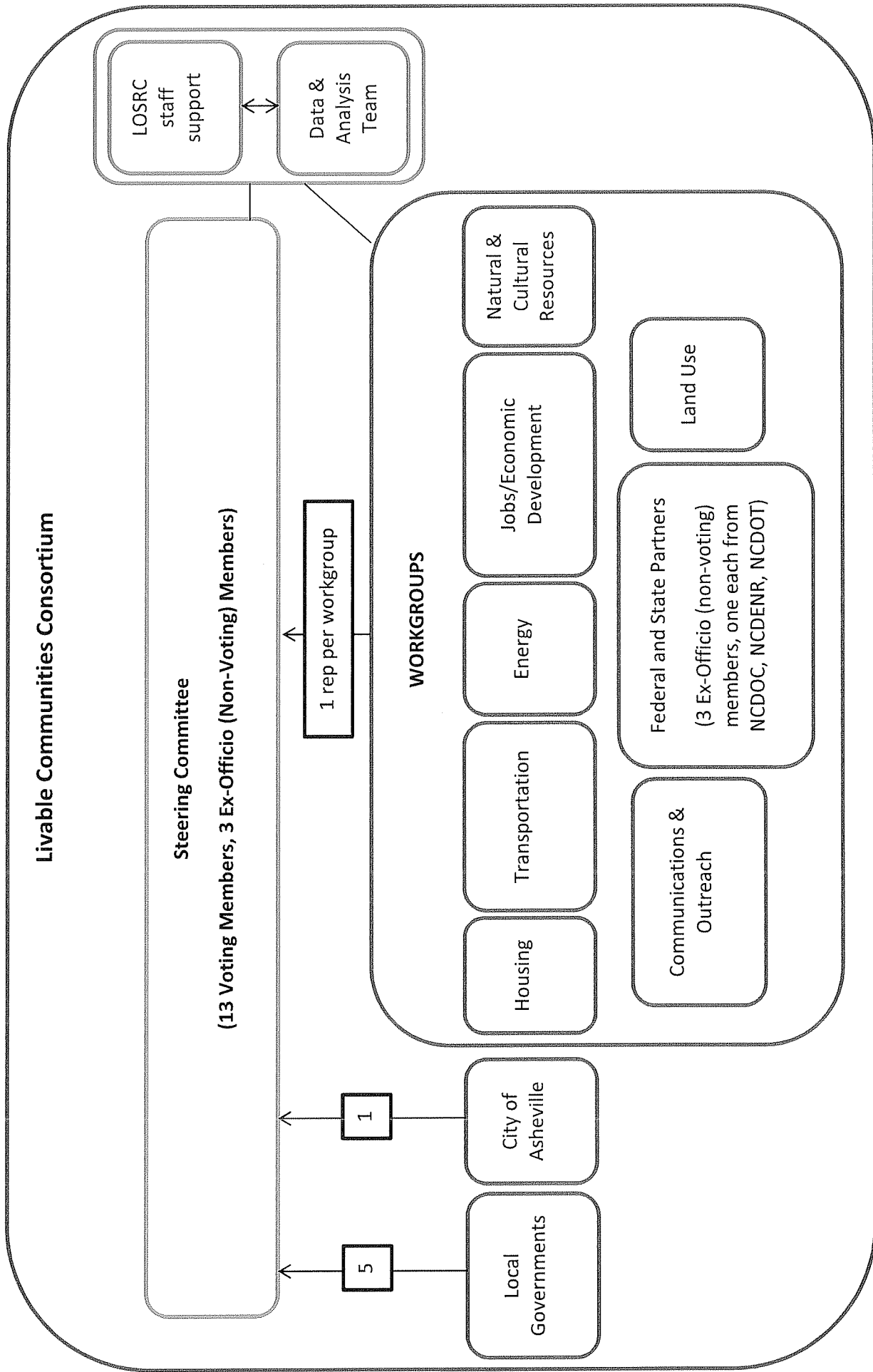
- Housing
- Transportation
- Energy
- Jobs/Economic Development
- Natural and Cultural Resources
- Land Use
- Communications and Outreach
- Federal and State Partners

Each consortium member may join or participate in multiple Workgroups if interested. Non-governmental Consortium members should join the Workgroup that most closely matches their work and goals. Council staff will work with the Steering Committee to develop voting procedures to be used when consensus cannot be reached. Each workgroup should rank and prioritize their goals/strategies and select 2-3 top ideas. Particular attention should be given to ideas that are most important, practical, and most achievable. The Steering Committee is not bound to the workgroup rankings but should give strong consideration to such rankings. For purposes of voting, each consortium member may vote in only one Workgroup.

Workgroup and Steering Committee meetings will be open to the public. Individuals may attend these meetings and may choose to formalize their participation in the Consortium by signing a Partnership Agreement.

Land-of-Sky Regional Council will staff and facilitate the work of the Steering Committee. The Data and Analysis Team will collaborate with Council staff and provide support to both the Steering Committee and the Workgroups. Council staff will assist with initial set-up of Workgroups and will provide staff to those groups as needed, but the groups' work will be largely self-guided.

Western North Carolina Livable Communities Initiative  
Governance Structure



## **Appendix B: Examples of Traditionally Under-Represented Communities**

Examples of traditionally under-represented communities include, but are not limited to:

Elderly, disabled, Native American, African American, Hispanic, Ukrainian, persons living in poverty, illiterate, persons who are housing cost-burdened or have limited access to affordable workforce housing, individuals with chronic disease(s), youth, long-time residents (WNC natives), multi-generational and rural mountain landowners, small business owners, farmers, retired senior citizens on fixed incomes, transit-dependent citizens, and populations with limited access to health care, employment centers, education, or healthy foods.