



TOWN OF WAYNESVILLE, NC

Board of Aldermen – Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Date: **January 8, 2013** Time: **7:00 p.m.**

The agenda and all related documentation may be accessed electronically at www.townofwaynesville.org.
Click on “**Download Forms**” to download materials for all town board & commission meetings.

 **Conserve resources; print only when necessary.**

The Town of Waynesville provides accessible facilities, programs and services for all people in compliance with the American with Disabilities Act (ADA).

Should you need assistance or accommodation for this meeting, please contact

Town Clerk Phyllis McClure

(828) 452-2491

townclerk@townofwaynesville.org

A. CALL TO ORDER

1. Welcome/Calendar/Announcements – Mayor Gavin Brown
2. Adoption of Minutes

Motion: *To adopt the minutes of December 11, 2012 (regular session) as presented [or as corrected].*

B. NEW BUSINESS

3. Smoky Mountain Regional Multi-Jurisdictional Hazard Mitigation Plan
– Greg Shuping, Haywood County, Emergency Management Coordinator

Motion: *To adopt the Smoky Mountain Regional Hazard Mitigation Plan as presented.*

4. North Carolina League of Municipalities Municipal Advocacy Goals Conference 2013 – Review & Discussion of Goals & Appointment of Voting Representative

Motion: *To appoint [name of Board member attending] as voting delegate and Town Manager Marcy Onieal as alternate voting delegate to the NCLM Municipal Advocacy Goals Conference on January 24, 2013*

Optional Motion(s): *To concur with, not approve, or prioritize NCLM municipal advocacy goals as presented (either individually or in toto); and/or to propose additional goals as discussed.*

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

January 8, 2013

- 2 -

C. UNFINISHED BUSINESS

5. Lake Junaluska/Waynesville Proposed Consolidation Update & Call for Public Hearing

Motion: *To call for a public hearing to accept comment regarding the proposed consolidation of services and merger between the Lake Junaluska community and the Town of Waynesville, on Tuesday, February 12, at 7:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 9 South Main Street*

D. COMMUNICATIONS FROM STAFF

6. Town Attorney-Woody Griffin
7. Town Manager-Marcy Onieal
- Sweepstakes Machine Update
 - Project Updates
 - GroWNC Steering Committee Appointment

E. COMMUNICATIONS FROM THE MAYOR AND BOARD OF ALDERMEN

F. CALL ON THE AUDIENCE

G. ADJOURN

BOARD OF ALDERMEN

UPCOMING EVENTS

- Monday, January 7** --Governor's Reception – Crest Center, Asheville, 5 pm
- Thursday, January 10** --Walking Tour, Old Hospital, 9 am (Mgr & SOG consultants)
--Junaluska Community Council/Planning & Zoning Orientation (Planning Dir & Mgr)
- Tuesday, January 15** --Chamber of Commerce Elected Officials Reception, Laurel Ridge Country Club, 5:30 pm
- Wednesday, January 16** -- SOG Webinar – Managing Internet Sweepstakes, 10 am board room
- Thursday, January 17** -- Downtown Waynesville Assn Annual Retreat, 9 am (mayor & manager participate)
--Working Dinner Meeting with Duke/Progress Energy, Sweet Onion, 6:00 pm
- Martin Luther King Holiday Weekend Events:**
- Saturday, January 19** --Pride March, 11 am, beginning at Harris Chapel AME Zion Church, Canton
- Sunday, January 20** --Commemorative Service, 3 pm, Church of God of Prophecy, Canton
- Monday, January 21** --Prayer Breakfast, 8 am, Lambuth Dining Room, Lake Junaluska
- Monday, January 21** --Town Offices Closed (no garbage pickup – will be picked up January 22)
- Tuesday, January 22** -- BoA meeting, 7 pm, Board Room
- Wed-Thur, January 23-24** -- NCLM Advocacy Goals Conference – Raleigh, NC
- Saturday, January 26** -- Joint meeting of LJAPOO/MSTF, 10 am, Harrell Auditorium
- Tuesday, January 29** -- Retirement Reception for Town Clerk, Phyllis McClure, 4-6 pm, Town Hall
- Tuesday, February 12** --BoA meeting, 7 pm, Board Room
- Wednesday, Feb 13** -- Clean Community Awards Luncheon, 12 noon, Waynesville Inn & Spa
- Friday, February 15** -- Board Retreat (tent.)
- Tuesday, February 26** --BoA meeting, 7 pm, Board Room

Manager's Out-of-Office Calendar:

Jan 18 (Chapel Hill, UNC GAA Board)
Feb 1 (Chapel Hill, UNC MPA Board)
Feb 6-8 (Durham, NCCCMA Conference)

REGULAR MEETING
TOWN OF WAYNESVILLE
BOARD OF ALDERMEN
TOWN HALL – 9 SOUTH MAIN STREET
DECEMBER 11, 2012
TUESDAY – 7:00 P.M.

The Board of Aldermen of the Town of Waynesville held a regular meeting on Tuesday, December 11, 2012. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Julia Freeman, J. Wells Greeley and Leroy Roberson. Also present were Town Manager Marcy Onieal, Assistant Town Manager Alison Melnikova, Town Clerk Phyllis McClure, Finance Director Eddie Caldwell, Planning Director Paul Benson and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 7:00 p.m.

Calendar of Events

The Employee Appreciation Luncheon is scheduled Friday, December 14 at 11:30 a.m. at the Recreation Center, the Downtown Waynesville Association will conduct a retreat on December 17 and Town offices will be closed December 24 and 25. “The Night Before Christmas” event on Main Street was well attended on December 8. Manager Onieal reported that two dates are available for the Board Retreat on Friday, February 1 or Friday, February 15. A tentative date of January 29 has been set for the Town Clerk’s retirement reception,

Approval of November 27, 2012 Minutes

Alderman Caldwell moved, seconded by Alderman Roberson to approve the November 27, 2012 minutes as presented. The motion carried unanimously.

Staff Recognitions

Manager Onieal announced that Assistant Manager Alison Melnikova has attended a program during the year to become certified as Chief Information Officer and has now graduated and received this certification. Ms. Melnikova has dedicated a considerable amount of time on her part and this could not be better timing. Ms. Melnikova has now taken on the IT master planning project and her efforts are appreciated in that regard.

Public Hearings Regarding Designation of Properties at 28 and 52 Walnut Street as Local Historic Landmarks

The Historic Preservation Commission has worked with ACME Preservation Services, Inc., to develop Local Designation Reports on behalf of property owner Charles McDarris. Mr.

McDarris is applying for Local Historic Landmark status for the Samuel and Thomas Stringfield houses, located at 28 and 52 Walnut Street respectively.

Manager Onieal said a lot of work has been done in reviewing these two properties, which includes reports prepared by Clay Griffin, with ACME Preservation Services. The State Preservation office also agrees that these two properties are worthy of designation.

Planning Director Paul Benson said this process began about one year ago when property owner Charles McDarris approached him about requesting designation of these two properties. The reports contain the history of the houses which includes ties with Mr. Robert Love and legacy to the present. This property is in a remarkable state of preservation. In September the Historic Preservation Commission reviewed the report and voted to send it to the State Preservation Office for their review. A letter was received in October from the State Preservation Office recommending historic designation of the properties. This led the Waynesville Historic Preservation Commission on November 7 to hold their public hearing and they voted unanimously to recommend approval to the Board of Aldermen for a public hearing. The first property is located at 28 Walnut Street and the second property is located at 52 Walnut Street. These two properties are looked at as “the cream of the crop” and the property owner is entitled to 50% deferral of Town and County property tax which helps attract people to preserve these historic properties. The designation carries mandatory review and applies to the exterior portion of the property as well as some of the interior.

Mr. Charles McDarris said is currently practices law in Raleigh, North Carolina, but hopes to return to Waynesville at some point. He said one of these houses was once operated as a business by his Aunt Pearl Hayes. Mayor Brown said it means a lot to the community for Mr. McDarris to pursue preservation of these local properties. Mr. McDarris said he felt compelled to do so from a very early age. While both buildings were being renovated the historic aspect was realized. Mr. McDarris said he has always felt that the area where the houses are located was the cornerstone of Waynesville. The buildings have individual suites with connecting rooms. There is a maximum of nine (9) suites in the building on the corner and the one next door contains eight (8) or nine (9) suites. The houses currently have about 85% occupancy. Mr. McDarris complimented the Board on the wonderful job they have done in downtown Waynesville.

Attorney Griffin opened the public hearing and the following people spoke:

Henry Foy said he was proud of Charles McDarris and what he is doing for the town. Mr. McDarris’ father and mother, Charles and Ethel McDarris would also be quite proud of him for what he is doing with these two properties. Mr. Foy reported on some history that was discovered regarding these properties. For many years the property was called the temple lot and no one was sure why. Professor Allen, historian and educator, came to this area around 1900 and wrote the Annals of Haywood County which was the only publication of this area’s history

until another was later prepared by Haywood County. This property was once owned by the Women's Christian Temperance League. This group was carried away with Waynesville and decided to build their national headquarters on this property. They prepared an eight (8) page brochure containing history, photographs and conceptual drawings to inform people about Waynesville. When this information was discovered several years ago, Mr. Foy was allowed to make a copy. This got even more exciting when Mr. McDarris told him about the cornerstone located and remaining on the property, adding that this is one of the best projects of this sort because of its history.

Charles McDarris spoke about the cornerstone, adding that it was inscribed with "Women's Christian Temperance League" and "Robert Love" and dated "1892". In restoring the building Mr. McDarris instructed those working on the renovations that the cornerstone was to remain in the same spot behind the building, approximately 18 to 20 inches off the ground under a tree along the shared driveway.

Attorney Griffin closed the public hearing.

Mayor Brown added that this is a good example of a partnership between the property owner and the community.

Alderman Freeman moved, seconded by Alderman Greeley to approve designation of the two properties located at 28 and 52 Walnut Street as Local Historic Landmarks as requested. The motion carried unanimously. (Ord. No. 16-12 and 17-12)

Presentations

Annual Report of the Waynesville Planning Board

Planning Board Chairman Patrick McDowell reported on activities of the Waynesville Planning Board for 2012 and their upcoming plans for the next fiscal year. Mr. McDowell said the Planning Board has conducted six meetings during 2012 and he listed some of the highlights of those meetings. A rezoning request was received from the Barberville Baptist Church which led to a study of the Russ Avenue corridor. A public hearing was held on the South Main Street Corridor Plan, and most recently discussion was held regarding an amendment to provide for transit shelters. The Planning Board accepted public comments and invited the Director of the Haywood Transit to attend the next meeting. The Russ Avenue Neighborhood District is an area with the most undeveloped land. The update to the 2020 Land Development Plan was done in 2002 and there have been some substantial changes since that time. It takes several years to go through this planning process and it may be time to begin another review. An adjustment should be made to the Extraterritorial Jurisdiction boundary since it bisects a lot of properties because it was drawn in a straight line rather than following property lines. A Land Use Study will be needed for the Lake Junaluska area since there is discussion of merger with the Town of

Waynesville. This would be a major addition to Waynesville's zoning area. Patrick McDowell has been a member of the Planning Board for approximately nine to ten years, serving as chairman for the past three (3) years. Mr. McDowell lives on Crymes Cove Road within Waynesville's one mile Extraterritorial Jurisdiction.

Mayor Brown complimented the operations of the Planning Board. Alderman Greeley said when the Board of Aldermen recently appointed new members of the Planning Board it was agreed that this is one of the most important Boards in Waynesville. Alderman Greeley thanked Mr. McDowell for the work of the Planning Board, adding that occasionally they are required to take some of the hard shots. Mr. McDowell said the Planning Board enjoys their work and take it very seriously. They are not always unanimous in what they do but have some lively discussion in making their recommendations. Alderman Freeman expressed appreciation for the upcoming issues that need to be addressed, adding that it is good that the boards share the same opinions and are in agreement when looking toward the future. Mayor Brown thanked Mr. McDowell for attending the meeting and presenting an update to the Board.

Presentation of Audited Financial Statements for the Town of Waynesville

Bruce Kingshill and Nancy Lux of Ray, Bumgarner, Kingshill and Associates attended the meeting to present highlights and an overview of the Town's financial condition for the year ended June 30, 2012. Mr. Kingshill said in reviewing the funds that the town received from Federal and State sources no compliance issues were found and a clean report was issued. The report noted that no deficiency in internal control, compliance or financial reporting was identified that would support a finding of material weakness in the Town's financial operations. The auditors issued an unqualified opinion.

The two largest items recorded were long-term debt and post-retirement benefits. ABC profits decreased since the ABC Store is retaining their profits to build a new store. There was a decrease in electric revenues, mainly due to warmer winter weather resulting in a collection of less revenue. The electric fund had a deficit of \$443,000 and it was recommended that the Town look at this in terms of a rate increase. Water Fund Revenues increased mainly due to a rate increase. Town staff wanted the enterprise funds to start supporting themselves, but the water fund has a number of projects that cannot be funded totally from that fund and the electric fund was originally to pay a portion of the transfer, but the electric revenues were not there due to the warm winter. Some increase in revenues was seen in the sewer fund. The electric fund had a deficit and all other funds had gains in fund balance. The total property tax percentage collected was 96.09% this year compared to last year at 95.54%. Mayor Brown added that this is the figure used when the Board sets the budget for the following year. The Town has no control over taxes collected by Haywood County for motor vehicles. The collection rate for motor vehicles this year was 85.81%, which Manager Onieal noted is typical of collection rates for motor vehicles in most counties across the state.

Mayor Brown asked if there is anything out of the ordinary in the manner the Town has chosen to pay for things such as post-retirement benefits. Mr. Kingshill said every unit of government in North Carolina that he is aware of handles post-retirement benefits on a “pay-as-you-go” basis. A consultant reviews and evaluates post-retirement benefits every two years. They look at demographic figures to determine when people are going to retire in order to estimate the Town’s liability. Mayor Brown added that in the future the Town Board could change post-retirement benefits that have been promised to employees in the past. Mayor Brown mentioned the decline in investment revenues. Finance Director Caldwell said the investment revenues were basically zero this year. Eddie Caldwell said investments ranged in the mid \$20,000 range, but expenses off bank accounts netted this out to zero. Ten years ago the town was earning \$300,000 from investments. Bruce Kingshill added that the Town can only invest in what the Local Government Commission allows. Mayor Brown asked about the unrestricted Fund Balance in the general fund. Mr. Kingshill explained that this money is not dedicated to anything and could be used for catastrophic events. At the present time Waynesville has 10 million dollars in total Fund Balance. Mayor Brown said some of the ten million dollars is guaranteed for other things, but Waynesville has this balance because the Town of Waynesville, both board and staff, have been good stewards of its funds. Mr. Kingshill added that Waynesville is blessed because of its electric fund which provides in support of general fund activities the equivalent of a 10% reduction in the property tax rate and the town is in good financial shape. Mayor Brown said the last electric rate increase implemented was in 2009, but it is time for the Board to review its rates again. Manager Onieal said electric rates have not increased for residents because Waynesville has tried to maintain its electric rates on par with those of Progress Energy, particularly since more than half the Town’s citizens are served by Progress.

Mr. Kingshill said in closing that it is a pleasure working with Manager Marcy Onieal, Assistant Manager Alison Melnikova, Finance Director Eddie and the finance staff.

Mayor Brown said he would disagree with those who feel Waynesville is overspent or carries too much debt. At the present time, Waynesville’s debt capacity as allowed by law is \$80,903,000, far in excess of the actual debt presently incurred by Waynesville, and total debt is being paid down.

Manager Onieal said she could claim no credit for this audit, but gave the credit to Finance Director Eddie Caldwell and former Town Manager Lee Galloway. Manager Onieal said in all her years of working with auditors and finance directors this is the smoothest audit she has ever gone through and it is a pleasure to work with Ray, Bumgarner, Kingshill and Associates. Bruce Kingshill said the Local Government Commission accepted this audit with no comments which is laudable and highly unusual. Mayor Brown thanked Mr. Kingshill and Nancy Lux for their work. No action was necessary.

Annual Certification of Firefighters for 2012

North Carolina General Statute §58-86-25 requires that all certified fire departments submit annually a complete roster of its eligible firefighters. This certified list determines eligibility for the \$50,000 line-of-duty death benefit as well as eligibility for Pension Fund credit. Failure to accurately and promptly report this information is in violation of NCGS §58-86-25 and will automatically result in a loss or reduction of benefits.

Alderman Greeley moved, seconded by Alderman Roberson, to accept and certify the 2012 roster of Town of Waynesville firefighters as presented. The motion carried unanimously.

Lake Junaluska-Waynesville Merger Update

Manager Onieal reported on the most recent meeting of Lake Junaluska in which all those attending were updated. Notification was received through Representative Ray Rapp and Senator Jim Davis that the \$30,000 grant has been approved by the North Carolina Rural Center for a study to be conducted by McGill Associates regarding Junaluska's water/sewer infrastructure and operations, and updating of the Town's capital assets management plan, which will be necessary to fully evaluate the proposed merger between the Lake Junaluska community and the Town of Waynesville. Lake Junaluska contributed \$10,000 toward this study and the total cost for the study is \$65,000. The study will look at Junaluska's infrastructure, make recommendations about future rates, the impact of a merger for Junaluska and Waynesville, and Waynesville's cost for assuming services for Junaluska. The Municipal Study Task Force is still aiming at drafting a special bill to be presented for consideration to the Legislature by its mid-March deadline for introducing new bills. Manager Onieal has had conversations with Senator Davis and Representatives Queen and Presnell regarding the proposed merger. Preliminary results of the McGill study should be forthcoming in late January or early February. More details will be available at that time and additional conversations will take place between now and January. This process requires extensive work by staff. Manager Onieal expressed appreciation to Finance Director Eddie Caldwell, adding that he has already provided a substantial amount of data and she thanked all those involved in gathering the information needed. Junaluska is also being asked to provide the same type of information. Another meeting, at which School of Government Staff will be present to discuss both options of incorporation and merger, will be held between Lake Junaluska Property Owners Association and the Municipal Task Force on January 26. A vote to proceed (or not proceed) with merger is expected by the Task Force shortly thereafter. Mayor Brown added that if the numbers don't work this is not going to happen. Manager Onieal said it is felt that a unanimous vote from this Board would be required in order to allow Legislators to move forward. This process does not fit under typical Annexation Statutes. A special bill will be developed for these two communities. It is up to Sen. Davis and Rep. Queen to determine the level/type of public support necessary for them to feel comfortable introducing a bill, but this does not appear to be an issue at this point, and both representatives have voiced their support for whatever the two communities agree on.

Manager Onieal said a first draft of the bill will need to be prepared for the opening session in January and the local bill would have to be introduced in mid-March. If the process doesn't happen at that time, it may not happen for two years. It would be beneficial to be prepared for this Legislative Session. Alderman Greeley said the Town is not trying to hurry up the process, but Junaluska is ready to move forward. The Town wants to make sure that all numbers are in agreement and it is hoped that the feasibility study will be back in time for the Board Retreat.

Alderman Caldwell moved, seconded by Alderman Freeman, to accept the \$30,000 planning grant from the NC Rural Center, and to approve the scope of work proposed by Martin-McGill, consulting engineers, for a Junaluska-Waynesville consolidation feasibility study at a total cost of \$65,000 as presented. The motion carried unanimously.

Communications From Staff

Town Attorney Woodrow Griffin - Attorney Griffin had no report at this time.

Town Manager Marcy Onieal

Old Hospital Building - Manager Onieal proposed partnering with Haywood County and Haywood Advancement Foundation to advance work related to the old hospital property, which is owned by the County, but is situated in town limits and has been vacant for nearly a year. Alderman Greeley attended a meeting earlier today and reported that Haywood Advancement has already agreed to proceed with discussions. Haywood County has agreed in concept and will act on the proposal at their January board meeting. Mayor Brown said the old hospital probably isn't going to work as low income housing as previously proposed by the County. Town Manager Marcy Onieal and Mayor Gavin Brown met with Haywood County Commissioner Chairman Mark Swanger, County Attorney Chip Killian and County Manager Marty Stamey to discuss ways of using the building. The old hospital was the first public hospital built in the state of North Carolina and is located at the eastern end of town. It has always been thought that the building would be appropriate to save. Manager Onieal said there is a new Economic Development Institute supported by the local Federal Credit Union through the School of Government because many units of government don't have money or staff to conduct studies concerning such buildings. A proposal has been submitted and was received late Friday afternoon for \$18,000 for a study which will be used to assess the hospital building & site, look at tax credits, possible uses and potential development partners. \$6,000 is underwritten by the local Credit Union and Haywood County the Town of Waynesville and the Haywood Advancement share the remaining costs. This work will begin in January. This is really a County issue, but the building is located inside the town limits and no one wants a vacant building that becomes an attractive nuisance over time and is not put to good use. It is being proposed that the Town appropriate \$4,000 toward this study. Haywood County and Haywood Advancement Foundation have agreed to appropriate \$4,000 each. Manager Onieal requested permission to move forward. Alderman Greeley said Architect Randy Cunningham attended the

meeting and he felt that the old hospital was a very sound building, with approximately 80,000 square feet in total space.

Alderman Roberson moved, seconded by Alderman Greeley, to approve up to \$4,000 expenditure for the study as proposed. The motion carried unanimously.

Sonoco – Manager Onieal said the Town had not initially seen additional electric usage by Sonoco upon the installation of two new transformers early in 2012, but she was pleased to report that the Town is now beginning to see additional electric usage and revenue from the two additional production lines that were added in the past six months. The money that was spent on additional transformers will be paid off in approximately one year. Mayor Brown said there have been new jobs created by the additions at Sonoco.

Rural Center Economic Development Institute – Manager Onieal said she has an opportunity to attend an intensive leadership & training institute focused on economic development, sponsored by the NC Rural Center and requested permission to apply for the workshop. Manager Onieal will be required to spend nine days out of the office over a period of three months, three days in each of March, April and May, but she has offered to forgo some of the more routine out-of-office meetings she would normally be attending during this time. It was the consensus of the board that this would be very valuable to the community to allow Manager Onieal to register for the institute and they expressed appreciation for Manager Onieal's willingness to attend.

Haywood County Moved to Tier III County - Manager Onieal reported that Haywood County has been moved from a Tier II to Tier III County. While this represents good news that Haywood County has moved toward a less economically distressed position within the state, it does mean that Waynesville and Haywood County may not be eligible for as much financial assistance, tax credits, or certain other state programs designed to support economically distressed counties. The Department of Commerce releases this designation annually for the state's 100 counties and the Tier III designation (least distressed among the 3-tier designation) will remain throughout 2013.

Discussion Regarding Electric Charging Stations - There was discussion about the possibility of locating an electric charging station on the two acre lot located across from Best Buy. This property is in the flood way portion of the flood plain and, according to Planning Director Paul Benson, without a no-rise certification the property could not be developed. Mayor Brown said after the Land of Sky presentation at the November 27 meeting, there have been some discussions about the use of the area as a park-ride lot, possibly incorporating a charging station. The property is owned by Haywood Advancement Foundation and totals approximately two acres. Manager Onieal also spoke with Mark Clasby about the possibility of using the property for recreational purposes, for example as greenway or community garden. These uses would be compatible with the area, not requiring the development of significant structures that might

adversely impact the flood way. By consensus, the board encouraged staff to continue with discussion and plans for such use.

Cancellation of December 25, 2012 Meeting

It was the consensus of the Board to cancel the meeting of December 25, 2012. The next regular meeting will be held the second Tuesday in January.

Adjournment

With no further business Alderman Caldwell moved, seconded by Alderman Roberson, to adjourn the meeting at 8:28 p.m.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: January 8, 2013

SUBJECT: Adoption of Smoky Mountain Regional Multi-Jurisdictional All-Hazards Mitigation Plan for the Town of Waynesville

AGENDA INFORMATION

Agenda Location: New Business
Item Number: 3-B
Department: Administrative Services
Planning & Development Services
Public Safety Departments
Contact: Alison Melnikova, Assistant Town Manager
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY: Hazard Mitigation is defined as “sustained action that reduces or eliminates long-term risk to people and property from natural hazards and their effects.” The Haywood County Emergency Management Office has coordinated a county-wide update to the regional All Hazards Mitigation Plan, which incorporates the five westernmost counties of the state and the Qualla Boundary of Eastern Band of Cherokee Nation. The Town of Waynesville falls under the Haywood County portion of the plan, in which each jurisdiction has its own mitigation goals, objectives, policies and programs. Over the last year and a half town staff has worked with county staff to update our portion of the plan. FEMA has determined the Smoky Mountain Regional Hazard Mitigation Plan is compliant with federal standards. Public input, as required by FEMA, was sought through surveys and a series of public meetings beginning in November of 2011 and concluding in May, 2012, and is documented in the plan. In order for FEMA to issue formal approval of the plan, and for the town to be eligible for future FEMA funding, the Town must have adopted this plan prior to any claim being filed with FEMA.

MOTION FOR CONSIDERATION: To approve the attached resolution adopting the Smoky Mountain Regional Multi-Jurisdictional Hazard Mitigation Plan for the Town of Waynesville.

FUNDING SOURCE: N/A

ATTACHMENTS:

- Draft Resolution
- Authorizing Letter from FEMA, dated 12/20/12
- Smoky Mountain Regional Hazard Mitigation Plan Executive Summary

MANAGER’S COMMENTS AND RECOMMENDATIONS: To adopt as presented. The entire Mitigation Plan is 867 pages and therefore has not been printed. Please contact the manager for web access to the full document or see printed copy in Town Manager’s office.

RESOLUTION OF ADOPTION

TOWN OF WAYNESVILLE BOARD OF ALDERMEN

HAZARD MITIGATION PLAN

WHEREAS, the citizens and property within the Town of Waynesville, NC are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to flooding, high winds, and other natural hazards; and

WHEREAS, the Town of Waynesville and Haywood County desire to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), states therein in Item (a) (2) “For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act”; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the Town of Waynesville has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the Board of Aldermen of the Town of Waynesville to fulfill this obligation in order that the County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, therefore, be it resolved that the Board of Aldermen of the Town of Waynesville hereby:

1. Adopts the Smoky Mountain Regional Multi-Jurisdictional Hazard Mitigation Plan; and
2. Vests the Haywood County Emergency Management Coordinator with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action.
 - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain areas, and cooperate with neighboring communities with respect to management of adjoining floodplain areas in order to prevent exacerbation of existing hazard impacts.
3. Appoints the Town Manager and/or his/her designees, in coordination with, and under the auspices of the County's Emergency Management Office, to assure that the Hazard Mitigation Plan is reviewed annually, and every five years, as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Board of Aldermen of the Town of Waynesville for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted on this day, the 8th of January, 2013 by the Board of Aldermen of the Town of Waynesville

By: *[Signatures of Governing Body]*

Certified by: _____ SEAL : _____

Date: _____

ATKINS

Smoky Mountain Regional Hazard Mitigation Plan

Final

Plan Design Enable

08/14/12

TABLE OF CONTENTS

Introduction.....	SECTION 1
Planning Process.....	SECTION 2
Community Profile.....	SECTION 3
Hazard Identification.....	SECTION 4
Hazard Profiles.....	SECTION 5
Vulnerability Assessment.....	SECTION 6
Capability Assessment.....	SECTION 7
Mitigation Strategy.....	SECTION 8
Mitigation Action Plan.....	SECTION 9
Plan Maintenance.....	SECTION 10
Cherokee County.....	ANNEX A
Graham County.....	ANNEX B
Haywood County.....	ANNEX C
Jackson County.....	ANNEX D
Swain County.....	ANNEX E
Eastern Band of Cherokee Indians.....	ANNEX F
Plan Adoption.....	APPENDIX A
Planning Tools.....	APPENDIX B
Local Mitigation Plan Crosswalk.....	APPENDIX C
Planning Process Documentation.....	APPENDIX D

SECTION 1

INTRODUCTION

This section provides a general introduction to the Smoky Mountain Regional Hazard Mitigation Plan. It consists of the following five subsections:

- ◆ 1.1 Background
- ◆ 1.2 Purpose
- ◆ 1.3 Scope
- ◆ 1.4 Authority
- ◆ 1.5 Summary of Plan Contents

1.1 BACKGROUND

Natural hazards, such as winter storms, floods, and landslides, are a part of the world around us. Their occurrence is natural and inevitable, and there is little we can do to control their force and intensity. We must consider these hazards to be legitimate and significant threats to human life, safety, and property.

The Smoky Mountain Region is located in the western part of North Carolina and includes the counties of Cherokee, Graham, Haywood, Jackson, and Swain and the Tribal lands of the Eastern Band of Cherokee Indians. This area is vulnerable to a wide range of natural hazards such as landslides, winter storms, severe thunderstorms, and floods. It is also vulnerable to human-caused hazards, including chemical releases and hazardous material spills. These hazards threaten the life and safety of residents in the Smoky Mountain Region and have the potential to damage or destroy both public and private property, disrupt the local economy, and impact the overall quality of life of individuals who live, work, and vacation in the Smoky Mountain Region.

While the threat from hazardous events may never be fully eliminated, there is much we can do to lessen their potential impact upon our community and our citizens. By minimizing the impact of hazards upon our built environment, we can prevent such events from resulting in disasters. The concept and practice of reducing risks to people and property from known hazards is generally referred to as *hazard mitigation*.



FEMA Definition of Hazard Mitigation:

"Any sustained action taken to reduce or eliminate the long-term risk to human life and property from hazards."

Hazard mitigation techniques include both structural measures (such as strengthening or protecting buildings and infrastructure from the destructive forces of potential hazards) and non-structural measures (such as the adoption of sound land use policies and the creation of public awareness programs). It is widely accepted that the most effective mitigation measures are implemented at the local government level, where decisions on the regulation and control of development are ultimately

made. A comprehensive mitigation approach addresses hazard vulnerabilities that exist today and in the foreseeable future. Therefore, it is essential that projected patterns of future development are evaluated and considered in terms of how that growth will increase or decrease a community's overall hazard vulnerability.

A key component in the formulation of a comprehensive approach to hazard mitigation is to develop, adopt, and update a local hazard mitigation plan as needed. A hazard mitigation plan establishes the broad community vision and guiding principles for reducing hazard risk, and further proposes specific mitigation actions to eliminate or reduce identified vulnerabilities.

Each of the five counties, their municipal jurisdictions and the Tribal government participating in the development of the Smoky Mountain Hazard Mitigation Plan have an existing hazard mitigation plan that has evolved over the years, as described in Section 2: *Planning Process*. This regional plan draws from each of the County plans and the Tribe's plan to document the region's sustained efforts to incorporate hazard mitigation principles and practices into routine government activities and functions. At its core, the Plan recommends specific actions to minimize hazard vulnerability and protect residents from losses to those hazards that pose the greatest risk. These mitigation actions go beyond simply recommending structural solutions to reduce existing vulnerability, such as elevation, retrofitting, and acquisition projects. Local policies on community growth and development, incentives for natural resource protection, and public awareness and outreach activities are examples of other actions considered to reduce the Smoky Mountain Region's vulnerability to identified hazards. The Plan remains a living document, with implementation and evaluation procedures established to help achieve meaningful objectives and successful outcomes over time.

1.1.1 The Disaster Mitigation Act and the Flood Insurance Reform Act

In an effort to reduce the Nation's mounting natural disaster losses, the U.S. Congress passed the Disaster Mitigation Act of 2000 (DMA 2000) in order to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Section 322 of DMA 2000 emphasizes the need for state, local and Tribal government entities to closely coordinate on mitigation planning activities and makes the development of a hazard mitigation plan a specific eligibility requirement for any local or Tribal government applying for federal mitigation grant funds. These funds include the Hazard Mitigation Grant Program (HMGP) and the Pre-Disaster Mitigation (PDM) program, both of which are administered by the Federal Emergency Management Agency (FEMA) under the Department of Homeland Security. Communities with an adopted and federally-approved hazard mitigation plan thereby become pre-positioned and more apt to receive available mitigation funds before and after the next disaster strikes.

Additionally, the Flood Insurance Reform Act of 2004 (P.L. 108-264) created two new grant programs, Severe Repetitive Loss (SRL) and Repetitive Flood Claim (RFC), and modified the existing Flood Mitigation Assistance (FMA) program. One of the requirements of this Act is that a FEMA-approved Hazard Mitigation Plan is now required if communities wish to be eligible for these FEMA mitigation programs.

The Smoky Mountain Regional Hazard Mitigation Plan has been prepared in coordination with FEMA Region IV and the North Carolina Division of Emergency Management (NCDEM) to ensure that the Plan meets all applicable FEMA and state requirements for hazard mitigation plans. A *Local Mitigation Plan Review Tool*, found in Appendix C, provides a summary of federal and state minimum standards and notes the location where each requirement is met within the Plan.

SECTION 1: INTRODUCTION

Tribal mitigation planning requirements as defined in 44 CFR 201.7 are met in this plan and documented in the Tribal Crosswalk, also included in Appendix C.

1.2 PURPOSE

The purpose of the Smoky Mountain Regional Hazard Mitigation Plan is to:

- ◆ Merge the existing Cherokee County, Graham County, Haywood County, Jackson County, Swain County, and Eastern Band of Cherokee Indians hazard mitigation plans into one regional plan;
- ◆ Complete update of existing plans to demonstrate progress and reflect current conditions;
- ◆ Increase public awareness and education;
- ◆ Maintain grant eligibility for participating jurisdictions; and
- ◆ Maintain compliance with state and federal legislative requirements for local hazard mitigation plans.

1.3 SCOPE

The focus of the Smoky Mountain Regional Hazard Mitigation Plan is on those hazards determined to be “high” or “moderate” risks to the Smoky Mountain Region, as determined through a detailed hazard risk assessment. Other hazards that pose a “low” or “negligible” risk will continue to be evaluated during future updates to the Plan, but they may not be fully addressed until they are determined to be of high or moderate risk. This enables the participating counties, municipalities and the Tribe to prioritize mitigation actions based on those hazards which are understood to present the greatest risk to lives and property.

The geographic scope (i.e., the planning area) for the Plan includes the counties of Cherokee, Graham, Haywood, Jackson, and Swain, as well as their incorporated jurisdictions, and the Eastern Band of Cherokee Indians’ Tribal Reservation lands. **Table 1.1** indicates the participating jurisdictions.

**TABLE 1.1: PARTICIPATING JURISDICTIONS IN THE SMOKY MOUNTAIN
REGIONAL HAZARD MITIGATION PLAN**

Cherokee County

Andrews

Murphy

Graham County

Fontana

Robbinsville

Lake Santeetlah

Haywood County

Canton

Maggie Valley

Clyde

Waynesville

Jackson County

Dillsboro

Sylva

Forest Hills

Webster

Swain County

Bryson City

Eastern Band of Cherokee Indians (EBCI) Tribal Reservation lands

1.4 AUTHORITY

The Smoky Mountain Regional Hazard Mitigation Plan has been developed in accordance with current state and federal rules and regulations governing local and Tribal hazard mitigation plans and has been adopted by each participating county, local jurisdiction and the Tribe in accordance with standard local procedures. Copies of the adoption resolutions for each participating jurisdiction are provided in Appendix A. The Plan shall be routinely monitored and revised to maintain compliance with the following provisions, rules, and legislation:

- ◆ Section 322, Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as enacted by Section 104 of the Disaster Mitigation Act of 2000 (P.L. 106-390);
- ◆ FEMA's Final Rule published in the Federal Register, at 44 CFR Part 201 (201.6 for local mitigation planning requirements and 201.7 for Tribal planning requirements); and
- ◆ Flood Insurance Reform Act of 2004 (P.L. 108-264).

1.5 SUMMARY OF PLAN CONTENTS

The contents of this Plan are designed and organized to be as reader-friendly and functional as possible. While significant background information is included on the processes used and studies completed (i.e., risk assessment, capability assessment), this information is separated from the more meaningful planning outcomes or actions (i.e., mitigation strategy, mitigation action plan).

Section 2, **Planning Process**, provides a complete narrative description of the process used to prepare the Plan. This includes the identification of participants on the planning team and describes how the public and other stakeholders were involved. It also includes a detailed summary for each of the key meetings held, along with any associated outcomes.

The **Community Profile**, located in Section 3, provides a general overview of the Smoky Mountain Region, including prevalent geographic, demographic, and economic characteristics. In addition, building characteristics and land use patterns are discussed. This baseline information provides a snapshot of the planning area and helps local officials recognize those social, environmental, and economic factors that ultimately play a role in determining the region's vulnerability to hazards.

The Risk Assessment is presented in three sections: Section 4, **Hazard Identification**; Section 5, **Hazard Profiles**; and Section 6, **Vulnerability Assessment**. Together, these sections serve to identify, analyze, and assess hazards that pose a threat to the Smoky Mountain Region. The risk assessment also attempts to define any hazard risks that may uniquely or exclusively affect specific areas of the Smoky Mountain Region.

The Risk Assessment begins by identifying hazards that threaten the Smoky Mountain Region. Next, detailed profiles are established for each hazard, building on available historical data from past hazard occurrences, spatial extent, and probability of future occurrence. This section culminates in a hazard risk ranking based on conclusions regarding the frequency of occurrence, spatial extent, and potential

impact highlighted in each of the hazard profiles. In the vulnerability assessment, FEMA's Hazus^{®MH} loss estimation methodology is used to evaluate known hazard risks by their relative long-term cost in expected damages. In essence, the information generated through the risk assessment serves a critical function as the participating jurisdictions in the Smoky Mountain Region seek to determine the most appropriate mitigation actions to pursue and implement—enabling them to prioritize and focus their efforts on those hazards of greatest concern and those structures or planning areas facing the greatest risk(s).

The **Capability Assessment**, found in Section 7, provides a comprehensive examination of the Smoky Mountain Region's capacity to implement meaningful mitigation strategies and identifies opportunities to increase and enhance that capacity. Specific capabilities addressed in this section include planning and regulatory capability, staff and organizational (administrative) capability, technical capability, fiscal capability, and political capability. Information was obtained through the use of a detailed survey questionnaire and an inventory and analysis of existing plans, ordinances, and relevant documents. The purpose of this assessment is to identify any existing gaps, weaknesses, or conflicts in programs or activities that may hinder mitigation efforts and to identify those activities that should be built upon in establishing a successful and sustainable local hazard mitigation program.

The *Community Profile*, *Risk Assessment*, and *Capability Assessment* collectively serve as a basis for determining the goals for the Smoky Mountain Regional Hazard Mitigation Plan, each contributing to the development, adoption, and implementation of a meaningful and manageable *Mitigation Strategy* that is based on accurate background information.

The **Mitigation Strategy**, found in Section 8, consists of broad goal statements as well as an analysis of hazard mitigation techniques for the jurisdictions participating in the Smoky Mountain Regional Hazard Mitigation Plan to consider in reducing hazard vulnerabilities. The strategy provides the foundation for a detailed **Mitigation Action Plan**, found in Section 9, which links specific mitigation actions for each county, municipal and Tribal department or agency to locally-assigned implementation mechanisms and target completion dates. Together, these sections are designed to make the Plan both strategic, through the identification of long-term goals, and functional, through the identification of immediate and short-term actions that will guide day-to-day decision-making and project implementation.

In addition to the identification and prioritization of possible mitigation projects, emphasis is placed on the use of program and policy alternatives to help make the Smoky Mountain Region less vulnerable to the damaging forces of hazards while improving the economic, social, and environmental health of the community. The concept of multi-objective planning was emphasized throughout the planning process, particularly in identifying ways to link, where possible, hazard mitigation policies and programs with complimentary community goals related to disaster recovery, housing, economic development, recreational opportunities, transportation improvements, environmental quality, land development, and public health and safety.

Plan Maintenance, found in Section 10, includes the measures that the jurisdictions participating in the Smoky Mountain Regional plan will take to ensure the Plan's continuous long-term implementation. The procedures also include the manner in which the Plan will be regularly evaluated and updated to remain a current and meaningful planning document.

County-specific **Annexes** have been created to include specific information for each County and participating jurisdiction. Topics covered in the annexes include community profile, risk assessment,

SECTION 1: INTRODUCTION

vulnerability, and capability assessment information. The mitigation actions relevant for each particular county and their participating municipal jurisdictions are also included in the Annex. An Annex has been created for the Eastern Band of Cherokee Indians as well.

Appendices have been created for each of the Counties participating in this plan. Each Appendix contains information relevant to the County and the participating municipal jurisdictions in the County. Information included in each County-level Appendix includes Community Profile, Risk Assessment and Capability Assessment information. The Mitigation Actions identified for that County and its municipal jurisdictions are also included in the County's Appendix. An Appendix has also been created for the Eastern Band of Cherokee Indians. This allows each County and the Tribe to quickly locate the information contained in the plan that is most relevant for them.



U.S. Department of Homeland Security
FEMA Region IV
3003 Chamblee Tucker Road
Atlanta, GA 30341

FEMA

December 20, 2012

Mr. Chris Crew
State Hazard Mitigation Officer
North Carolina Division of Emergency Management
4238 Mail Service Center
Raleigh, North Carolina 27699

Reference: Smoky Mountain Regional Multi-jurisdictional Hazard Mitigation Plan

Dear Mr. Crew:

This is to confirm that we have completed a Federal/State review of the Smoky Mountain Regional Multi-jurisdictional Hazard Mitigation Plan Update for compliance with the Federal Hazard Mitigation Planning Standards contained in 44 CFR 201.6(b)-(d). Based on our review and comments, we have determined that the Smoky Mountain Regional Multi-jurisdictional Hazard Mitigation Plan is compliant with Federal standards, subject to formal community adoption.

In order for our office to issue formal approval of the plan, Smoky Mountain Regional must submit adoption documentation and document that the final public meeting occurred. Upon submittal of these items to our office, we will issue formal approval of the Smoky Mountain Regional Multi-jurisdictional Hazard Mitigation Plan.

For further information, please do not hesitate to contact Victor Geer, of the Hazard Mitigation Assistance Branch, at (770) 220-5659 or Linda L. Byers, of my staff, at (770) 220-5498.

Sincerely,

Robert E. Lowe, Chief
Risk Analysis Branch
Mitigation Division

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: January 8, 2013

SUBJECT: NCLM Municipal Advocacy Goals Conference -2013
Review & Discussion of Goals & Appointment of Voting Delegate

AGENDA INFORMATION

Agenda Location: Unfinished Business
Item Number: 4-B
Department: Administrative Services
Contact: Marcy Onieal, Town Manager
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY: Every two years, the N. C. League of Municipalities holds a municipal advocacy goals conference to provide the opportunity for the League's member jurisdictions to thoroughly debate legislative issues important to municipalities across the state, and set advocacy priorities. In preparation for the conference, NCLM legislative advocacy committees have been meeting for the past year to develop goals and legislative positions pertaining to the following general areas:

Environment & Natural Resources
General Government & Public Safety
Infrastructure/Utilities/Land Use/Planning
Tax & Finance
Transportation

Attached is a list of 57 advocacy goal proposals recommended by the NCLM Board of Directors for consideration by the membership, which we will need to vote on at the goals conference on January 24. These series of votes will result in 30 priority legislative goals on behalf of NC cities and towns for the next biennium (2013 long session and 2014 short session of General Assembly). Board members were provided this packet three weeks ago by email for the purpose of individual review.

MOTION FOR CONSIDERATION: *To appoint [name of Board member attending] as voting delegate and Town Manager Marcy Onieal as alternate voting delegate to the NCLM Municipal Advocacy Goals Conference on January 24, 2013*

Optional Motion(s): *To concur with, not approve, or prioritize NCLM municipal advocacy goals as presented (either individually or in toto); and/or to propose additional goals as discussed.*

FUNDING SOURCE: N/A

ATTACHMENTS:

- NCLM Memo, dated November 30, 2012
- Conference Agenda
- NCLM Core Municipal Principles
- List of 57 Advocacy Goals
- Policy Development Process

MANAGER'S COMMENTS AND RECOMMENDATIONS: The manager will be attending this conference. To date, no board member has indicated availability to attend. The schedule of this conference may also provide an opportunity for Town officials to meet with our local legislative delegation. Manager recommends adopting first motion as presented; also recommends the board review & discuss each goal to develop consensus and priority (or disagreement with League position) around the legislative program presented to provide direction to the voting delegate for the conference.

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION

Meeting Date: January 8, 2013

SUBJECT: Lake Junaluska-Waynesville Merger Update/Call for Public Hearing

AGENDA INFORMATION

Agenda Location: Unfinished Business
Item Number: 5-C
Department: Administrative Services
Contact: Marcy Onieal, Town Manager
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY:

The McGill Municipal Consolidation study for Lake Junaluska & the Town of Waynesville is underway and preliminary findings should be available toward the end of January or beginning of February, 2013. In the meantime, the Lake Junaluska Municipal Study Task Force (MSTF) will meet jointly with the Lake Junaluska Assembly Property Owners Organization (LJAPOO) on Saturday, January 26 at 10 am in Harrell Auditorium to hear a report from UNC School of Government staff on procedures and timelines related to both incorporation and merger (annexation). It is expected that the MSTF will vote following that meeting either to pursue special legislation during the 2013 session of General Assembly or to hold off filing a bill, in favor of additional discussion and consideration of various options. In any case, the Town should know Junaluska's intentions by late January/early February. The various governing bodies of Junaluska have been meeting and communicating regularly with Junaluska residents & property owners (and the general public) for nearly a year on this topic, and while the Board of Aldermen has publicly discussed the proposed merger on multiple occasions over that same period, to date there has been no formal hearing on the topic within the Town of Waynesville. The requested action is to set a public hearing for Tuesday, February 12 at the regular meeting of the Board of Aldermen.

MOTION FOR CONSIDERATION: *To call for a public hearing to accept comment regarding the proposed consolidation of services and merger between the Lake Junaluska community and the Town of Waynesville, on Tuesday, February 12, at 7:00 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 9 South Main Street*

FUNDING SOURCE: N/A

ATTACHMENTS: N/A

MANAGER'S COMMENTS AND RECOMMENDATIONS: To set the public hearing as proposed. The board may wish to consider holding multiple opportunities for public comment, bearing in mind that the deadline for submission of a bill to the General Assembly falls in mid-March.