



## Town of Waynesville, NC

### Board of Aldermen Regular Meeting

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

Date: January 8, 2019

Time: 6:30 p.m.

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#### A. CALL TO ORDER - Mayor Gavin Brown

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

***Motion:*** To approve the minutes of the December 11, 2018 regular meeting and December 13, 2018 special called meeting as presented (or as corrected).

#### B. SPECIAL RECOGNITION

3. Proclamation recognizing the Retirement of Shannon Morgan, Assistant Fire Chief
  - Joey Webb, Fire Chief and Waynesville Fire staff

#### C. NEW BUSINESS

4. Budget Amendment – Chestnut Park Playground
  - Rhett Langston, Recreation Director
  - Elizabeth Teague, Development Services Director

Amendment #8 to the Fiscal Year 2018-2019 Budget Ordinance for the purpose of reallocation of grant funds to purchase playground equipment

***Motion:*** To approve Amendment #8 to the Fiscal year 2018-2019 Budget Ordinance for the purpose of reallocation of grant funds to purchase playground equipment for Chestnut Park.

#### D. CALL FOR PUBLIC HEARING

5. Call for Public Hearing – Text Amendment LDS, Section 4.4. Measurement of building height
  - Elizabeth Teague, Development Services Director

***Motion:*** To call for public hearing to be held on Tuesday, January 22, 2019 at 6:30 p.m. or as closely thereafter as possible in the Town Hall Board Room at 9 S Main Street Waynesville to consider a text amendment to the Land Development Standards, Section 4.4. Measurement of building height.

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

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**E. PRESENTATION**

6. Fiscal Year 2017/2018 Audit Report
  - Bruce Kingshill and Nancy Lux  
Ray, Bumgarner, Kinsghill and Associates

**F. PUBLIC HEARINGS**

7. Public Hearing to consider the designation of the Board of Aldermen as a Redevelopment Authority

***Motion: To approve the designation of the Board of Aldermen as the Redevelopment Authority and adopting the associated resolution.***

8. Public Hearing to consider Designating “The Old Hospital” area as a Redevelopment Area

***Motion: To approve the Designation of the “The Old Hospital” area as a Redevelopment Area***

**G. COMMUNICATIONS FROM STAFF**

9. Manager’s Report
  - Town Manager Rob Hites

Support for Rehabilitation of Old Haywood County Hospital

***Motion: to approve a Resolution Pledging Financial Assistance to the Rehabilitation of the Old Haywood County Hospital in the form of waivers, grants and public improvements.***

10. Introduction Affordable Housing Policy

***Motion: To call for public hearing to gain citizen input related to the Affordable Housing Policy for the Town of Waynesville***

11. Resolution for Authorized Signors

***Motion: To approve Resolution R-04-19 to update the authorized signors for accounts for the Town of Waynesville***

12. Attorney’s Report

- Town Attorney Bill Cannon

**TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA**

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**H. COMMUNICATIONS FROM THE MAYOR AND BOARD**

**I. CALL ON THE AUDIENCE**

**J. ADJOURN**



# TOWN OF WAYNESVILLE

PO Box 100  
16 South Main Street  
Waynesville, NC 28786  
Phone (828) 452-2491 • Fax (828) 456-2000  
[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

## CALENDAR

January 8, 2019

2019	
Tuesday January 1	Town Offices Closed – New Year's Day
Tuesday January 8 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Monday January 21	Town Offices Closed – Martin Luther King, Jr. Birthday
Tuesday January 22 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Tuesday February 12 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Tuesday February 26 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Tuesday March 12 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Tuesday March 26 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Tuesday April 9 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Friday April 19	Town Offices Closed – Good Friday
Tuesday April 23 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Tuesday May 7 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Tuesday May 21 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session
Monday May 27	Town Offices Closed – Memorial Day
Tuesday June 11 6:30 PM Board Room	Board of Aldermen Meeting – Regular Session

<b>Tuesday June 25</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Thursday July 4</b>	Town Offices Closed – Independence Day
<b>Tuesday July 9</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Tuesday July 23</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Tuesday August 13</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Tuesday August 27</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Monday September 2</b>	Town Offices Closed – Labor Day
<b>Tuesday September 10</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Tuesday September 24</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Tuesday October 8</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Tuesday October 22</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Monday November 11</b>	Town Offices Closed – Veterans Day
<b>Tuesday November 12</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Tuesday November 26</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Thursday &amp; Friday Nov 28 &amp; 29</b>	Town Offices Closed – Thanksgiving
<b>Tuesday December 10</b> <b>6:30 PM</b> <b>Board Room</b>	Board of Aldermen Meeting – Regular Session
<b>Tues, Wed &amp; Thurs Dec 24 – 26</b>	Town Offices Closed – Christmas

## Board and Commission Meetings – January 2019

ABC Board	ABC Office – 52 Dayco Drive	<b>January 15th</b> 3 <sup>rd</sup> Tuesdays 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	<b>January 1st</b> 1 <sup>st</sup> Tuesdays 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	<b>January 24th</b> 4 <sup>th</sup> Thursdays 12 Noon
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	<b>Meets as needed;</b> <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	<b>January 2nd</b> 1 <sup>st</sup> Wednesdays 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	<b>January 21st</b> 3 <sup>rd</sup> Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	<b>January 10th</b> 2 <sup>nd</sup> Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	<b>January 16th</b> 3 <sup>rd</sup> Wednesdays 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	<b>January 16th</b> 3 <sup>rd</sup> Wednesdays 3:30 PM

## BOARD/STAFF SCHEDULE

January 28 – February 1	Assistant Town Manager	Vacation

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**December 11, 2018**

**THE WAYNESVILLE BOARD OF ALDERMEN** held its regular meeting on Tuesday, December 11, 2018 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER**

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

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

The following staff members were present:

Amie Owens, Assistant Town Manager  
Eddie Ward, Town Clerk  
Bill Cannon, Town Attorney  
Eddie Caldwell, Finance Director  
Brian Beck, Police Captain

The following media representatives were present:

Becky Johnson, the Mountaineer

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting. From the events calendar, the following were mentioned:

- December 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup>- Christmas Holidays – Town of Waynesville offices Closed

Mayor Brown thanked the Downtown Waynesville Association for the Christmas Parade, and commented about the large crowd that attended. He also thanked Town employees and Public Services for the hard work and long hours during the snow storm. He reminded everyone of the Special Called Meeting to be held on Thursday December 13, 2018 at 5:30 pm to hear public comments on the clean-up of Greenhill Cemetery. The meeting will be held in the Town Hall Board Room located at 9 South Main Street, and will be the last scheduled Board meeting in 2018.

2. Adoption of Minutes

***A motion was made by Alderman Gary Caldwell, seconded by Alderman Jon Feichter, to approve the minutes of the regular November 27, 2018 as presented. The motion passed unanimously.***

## **B. SPECIAL RECOGNITION**

### **3. Proclamation for Finance Director, Eddie Caldwell, on his retirement**

Mayor Brown read a Proclamation for Finance Director Eddie Caldwell and stated that Eddie had begun his career with the Town in 1992, and served over 25 years. Mr. Caldwell has insured that the Town has been on sound financial footing, and steered the Town through numerous changes in Federal and State Statutes, regulations and general accounting standards. Mayor Brown told Eddie he is both loved and respected by leadership and staff of the Town, and are saddened to see him leave.

Mr. Caldwell stated he felt the Town had good leaders and Department Heads, and the Town is in good shape. He thanked the Board and staff for the years they have worked together, but he is looking forward to retirement.

## **C. NEW BUSINESS**

### **4. Budget Amendments**

- Eddie Caldwell, Finance Director

#### **a. Amendment #5 to the Fiscal Year 2018-2019 Budget Ordinance for the purpose of a new reallocation plan**

Mr. Caldwell explained to the Board that this proposed amendment is the result of an in house review and evaluation of the current shared administrative services between General Water, Sewer, and Electric Funds. Current Generally Accepted Accounting Principles (GAAP) and the Local Government Commission (LGC) requires that joint costs or shared expenditures that are paid for out of the General Fund follow appropriate accounting treatment. The appropriate accounting treatment involves recording expenditures in the reimbursing fund (e.g., Water, Sewer, and Electric Funds) and reductions of expenditures in the fund that is reimbursed (i.e., General Fund). The Town adopted to this requirement in the 2013-2014 year. The shared administrative services or joint expenditures for the Town are found in the departments of Governing Board, Administration and Finance. An additional requirement also requires that the cost allocations plan being used be reasonable and current. Since the Town's implantation, the cost allocation plan has only seen minor or small changes. After four years, he felt like a complete review was in order.

Mr. Caldwell said that the old cost plan split the costs based on the percentage of revenues realized in the funds. His review has concluded that this allocation could be slightly changed to be more reasonable to all the funds involved.

This review and changes will improve the allocations, and help prove that the allocation plan is both reasonable and current. The new allocations will move an additional \$236,850 in expenditures to the utility funds. To help the utility funds pay for the additional expenditures without increasing rates, the budget amendment is proposing the following changes to the utility funds: 1) The Transfers to the General Fund as budgeted in the Water and Sewer Fund will be cut to zero, 2) An increase of \$280 in the Water Fund's fund balance appropriation, 3) An increase of \$48,390 in the Sewer Fund's fund balance appropriation, and 4) A decrease of \$43,600 from the Electric Fund's fund balance appropriation.



Mr. Caldwell said that if these suggested changes are approved, it will eliminate both the transfers to the General Fund from the Water and Sewer Funds. The state is pushing local governments to get rid of Water and Sewer Fund transfers to the General Fund. In fact the Division of Water Infrastructure is currently requiring all governments applying for loans or grants for water or wastewater purposes to certify that no funds received from water and wastewater utility operations have been transferred to local government's fund for the purpose of supplementing the resources of the general fund. The changes will also improve the Town's fund balance available % by moving \$236,850 from the general fund to the utility funds. The change will also show that the Town is keeping the allocation plan current.

Mayor Brown asked Mr. Caldwell if this formula will work in subsequent years. Mr. Caldwell said that the cost allocation was originally done four years ago, and part of the process is to keep the allocation current. He said he had look at it this time to make sure it was current before his retirement, and it should be another four or five years before it should be looked at again. Mr. Caldwell said this amendment has the extra benefit of possibly being able to obtain a cheap sewer loan if needed for the Waste Water Treatment Plant, because if money is transferred from the Sewer Fund to the General Fund the Town would not be eligible for a loan.

***A motion was made by Alderman LeRoy Roberson, seconded by Alderman Julia Freeman to approve Amendment #5 to the Fiscal Year 2018-2019 Budget Ordinance for the purpose of reallocation of funds to eliminate transfers to the General Fund from Water and Sewer Funds. The motion carried unanimously.***

- b. Amendment #6 to the Fiscal Year 2018-2019 Budget Ordinance for the purpose of allocating the annual employee appreciation bonuses

Mr. Caldwell said this amendment was for the approval of the employee appreciation bonuses. Funding for these amendments will be budgeted to mostly come from the various funds' fund balance or savings in the current year. He said the overall cost of \$46,870.00 from the General Fund, \$7,000.00 from the Water Fund, \$6,700.00 out of Sewer Fund, \$2,100.00 from the Electric Fund in order to give the employees an extra \$250.00 on top of the \$500.00 for bonuses.

***A motion was made by Alderman Gary Caldwell, seconded by Alderman Jon Feichter, to approve Amendment #6 to the Fiscal Year 2018-2019 Budget Ordinance for the purpose of allocating the annual employee appreciation bonuses. The motion carried unanimously.***

- c. Amendment #7 to the Fiscal Year 2018-2019 Budget Ordinance for the purpose of purchasing property located at 167 Veterans Circle.

Mr. Caldwell told the Board that this proposed amendment is needed to purchase property with house located in the Town's Greenhill Cemetery. On November 27, 2018 in closed session, the board approved purchase of the property not to exceed \$100,000 located at 167 Veterans Circle. The amendment is proposing \$100,000 from the Perpetual Care / Cemetery Care Fund's fund balance or savings and transferring it to the general fund for payment of the purchase. The budget includes a purchase price of \$95,000 for the house, and \$5,000 for closing costs, miscellaneous, etc... The Perpetual Care / Cemetery Fund's fund balance at June 30, 2018 was \$457,064. The closing for the property is set for December 17, 2018.

General Fund:

Revenues:

Transfer from Cemetery Care Fund \$100,000

Expenditures:

Cemetery-Capital Outlay \$100,000

Perpetual Care / Cemetery Care Fund:

Revenues:

Fund Balance Appropriation – Cemetery Care Fund \$100,000

Expenditures:

Transfers to the General Fund \$100,000

***Alderman Julia Freeman made a motion, seconded by Alderman LeRoy Roberson, to approve Amendment #7 to the 2018-2019 Budget Ordinance for the purpose of purchasing property located at 167 Veterans Circle. The motion carried unanimously.***

5. Request Approval of meeting schedule for 2019

- Amie Owens, Assistant Town Manager

Ms. Owens presented the Proposed Regular Meeting Schedule for 2019, and stated that since this was the last regular meeting of 2018 the Board would need to approve the schedule for the following year. She added that additional meetings may be called for a Board Retreat in early 2019, and for Budget Development and Discussion in spring 2019.

***Alderman LeRoy Roberson made a motion, seconded by Alderman Jon Feichter to approve the regular meeting schedule for 2019. The motion carried unanimously.***

**D. PRESENTATIONS**

6. IT Vendor Presentations

Assistant Manager Amie Owens provided an overview of the process for selecting an IT vendor. A request for proposals (RFP) was sent out in late September for provision of IT Services for the Town of Waynesville to begin on February 1, 2019. Eight (8) companies responded to the RFP and submitted information. Of those 8, four were selected for interviews with a panel that included the Town Manager Rob Hites, Police Captain Brian Beck (who is the IT liaison for the department), Alderman Jon Feichter and her.

Ms. Owens explained that from these interviews, three were selected to provide presentations to the Board of Aldermen for their consideration for a new IT provider. The current IT provider, VC3, was given notice that the Town would not be renewing its contract at its term. She added that each of the three providers who are presenting at the meeting are qualified to provide the services that the Town requires. Each of them received high marks when references were contacted, and each has clients in the area or services currently with the Town. One provider currently works with another municipality in Haywood County and is familiar with the interface required for emergency communications with the EOC.

Ms. Owens reminded the Board that once a provider is selected by the Board of Aldermen, contract negotiation would follow. A final contract will be brought back to the Board for approval following attorney review. The term for the contract is 65 months. This will allow for the standard 5 year contract and 5 months to complete the 2018-2019 fiscal year.

Presentations were provided by Image Solutions, Sharp Business Systems and Electronic Office. Each of these presenters were asked to utilize the same format to highlight the following:

1. Overview of company
2. What the proposed system would look like
3. Financial proposal – purchase versus lease and monthly service cost
4. What the monthly service costs include
5. Names of some current clients

Upon the conclusion of the presentations, the Board requested that staff weigh in related to their recommendations. Captain Brian Beck noted that from a police and public safety perspective, Electronic Office was his choice due to the fact that they had already worked within Haywood County with another local law enforcement agency and were familiar with existing software utilized by the police department. Ms. Owens added that while all three would be a good fit for the Town, Electronic Office with its current clientele with another local municipality, lead her to lean toward their experience for that reason. Alderman Jon Feichter agreed that all would be capable to provide the services that the Town requires, he was impressed by the multiple visits Electronic Office paid to the Town and specifically to the Police Department to ensure that their needs could be met.

Mayor Brown thanked all three of the presenters for their willingness to respond to the RFP, participate in the interview process and make their presentations to the Board.

***Alderman Jon Feichter made a motion, seconded by Alderman Julia Freeman to approve a new vendor for IT services and instruct staff to move forward with negotiating a 65-month contract for such services. The motion carried unanimously.***

#### **E. COMMUNICATIONS FROM STAFF**

##### **8. Manager's Report**

- Town Manager Rob Hites

Town Manager Rob Hites reminded the Board that they had previously participated in assisting Haywood County with projects involving the old Haywood County Hospital building. Part of the requirement is to have a resolution from the Redevelopment Authority stating that the area is part of a bona fide redevelopment district. Due to the fact there is no such Authority currently, and due to enabling legislation under NCGS § 160A-505 which allows the Board of Aldermen to act as a redevelopment authority; Manager Hites requested a call for public hearing at the January 8, 2019 meeting to name the Board of Aldermen as the Redevelopment Authority.

***Alderman Leroy Roberson made a motion, seconded by Alderman Julia Freeman to call for a public hearing on Tuesday, January 8, 2019 at 6:30 p.m. or as closely thereof as possible, to be***

***held in the Town Hall Board Room located at 9 South Main Street, Waynesville to consider a resolution naming the Board of Aldermen as the Redevelopment Authority. The motion carried unanimously.***

Manager Hites continued by explaining that, if the Board were to name themselves as the Redevelopment Authority, they would then need to also conduct a public hearing naming the Old Hospital as an area for redevelopment. Manager Hites requested a call for public hearing. Mayor Brown questioned if there could be only one property indicated as a redevelopment area. Manager Hites will research this question and will revisit the call for public hearing for this item at the special called meeting on Thursday, December 13, 2018. No additional action was taken.

**F. COMMUNICATIONS FROM THE MAYOR AND BOARD**

There was no additional communication from the Board.

**G. CALL ON THE AUDIENCE**

No one spoke.

**H. ADJOURN**

***With no further business, a motion was made by Alderman Jon Feichter, seconded by Alderman LeRoy Roberson to adjourn the meeting at 9:03 pm. The motion passed unanimously.***

**ATTEST:**

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Gavin A. Brown, Mayor

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Robert W. Hites, Jr., Town Manager

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Eddie Ward, Town Clerk

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**SPECIAL MEETING**  
**December 13, 2018**

**THE WAYNESVILLE BOARD OF ALDERMEN** held a special meeting on Thursday, December 13, 2018 at 5:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER**

Mayor Gavin Brown called the meeting to order at 5:30 p.m. with the following members present:

Mayor Gavin Brown  
Alderman Jon Feichter  
Alderman LeRoy Roberson  
Alderman Julia Freeman

Absent: Mayor Pro Tem Gary Caldwell

The following staff members were present:

Amie Owens, Assistant Town Manager  
Eddie Ward, Town Clerk  
Bill Cannon, Town Attorney  
David Foster, Public Services Director  
Julie Grasty, Asset Services Manager  
Chris Chandler, Police Lieutenant  
Brian Beck, Police Captain

The following media representatives were present:

Becky Johnson, the Mountaineer  
Cory Valliancort, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting.

2. Call for Public Hearing

- Town Manager Rob Hites

Town Manager Rob Hites reminded the Board that they had previously participated in assisting Haywood County with projects involving the old Haywood County Hospital building. Part of the requirement is to have a resolution from the Redevelopment Authority stating that the area is part of a bona fide redevelopment district. Due to the fact there is no such Authority currently, and due to enabling legislation under NCGS § 160A-505 which allows the Board of Aldermen to act as a redevelopment authority. Manager Hites requested a call for public hearing at the December 11, 2018 regular meeting to be held at the January 8, 2019 meeting to name the Board of Aldermen as the Redevelopment Authority.

Manager Hites continued by explaining that, if the Board were to name themselves as the Redevelopment Authority, they would then need to also conduct a public hearing naming the Old Hospital as an area for redevelopment. Manager Hites requested a call for public hearing to be held at the January 8, 2019 meeting.

***Motion: Alderman Jon Feichter made a motion, seconded by Alderman LeRoy Roberson to call for a public hearing on Tuesday, January 8, 2019 at 6:30 p.m. or as closely thereof as possible, to be held in the Town Hall Board Room located at 9 South Main Street, Waynesville to consider a resolution naming the Old Hospital as a Redevelopment Area. The motion carried unanimously.***

3. Letter of Commendation for Officer Jared Flesch

Mayor Brown read a letter from Chief Bill Hollingsed commending Officer Jared Flesch for the actions he had taken on the night of December 8<sup>th</sup> 2018 concerning an automobile accident involving his wife. After making sure she was alright and taken care of, Officer Flesch returned to work because he knew his squad was short staffed. Afterwards during the snow storm, Officer Flesch had helped a man who had fallen and was showing signs of hyperthermia. Chief Hollingsed and Mayor Brown both agreed that this was exemplary actions on the part of Office Flesch. He stated that a copy of this letter will be incorporated into Officer Flesch's personnel file.

4. Comments from the Public on the Greenhill Cemetery Clean Up

Mayor Brown explained that this would be an open discussion concerning the rules and regulations that have been implemented at the Greenhill Cemetery. He said he wanted to bring to the Board's attention, and to the audience's attention, that this is not debate or trial, but the purpose was to listen to public concerns. He said no action would be taken at this meeting. A Public Hearing would be required in order to change the Ordinance, and that is not possible at this point and time. Mayor Brown asked that the minutes of this meeting be held open until January 2, 2019 in order to allow anyone who wishes to provide written comment, or email comment be included in the official minutes of this meeting.

Mayor Brown called on Assistant Town Manager Amie Owens to give history of the Ordinance pertaining to Greenhill Cemetery.

Ms. Owens presented this history.

**Cemetery Ordinance Timeline**

Cemetery regulations were in place in 1966 and superseded by the 1987 Code of Ordinances where the Cemetery section was Chapter 93. When the new Code of Ordinances was adopted in 1995 following the incorporation of Hazelwood into Waynesville, the Cemetery section was moved to Chapter 18.

Numerous complaints as far back as June 22, 1999- Alderman Sam Wiggins: "Cemetery in deplorable condition".

**November 14, 2000** - Mayor Foy with Board consensus recommended a Cemetery Committee be formed. Names not found for the committee in the minutes.

**February 2005** - A cemetery committee was named to study the addition of columbarium units at the Greenhill Cemetery – individuals on this committee were Ted Ramsay, Don Eudy, Ken Bailey, Wells Greeley representing Wells Funeral Homes, Johnny Phillips from Garrett-Hillcrest Funeral Home and then town manager, Lee Galloway.

At some point between February and September 2005 – signage was added in the cemetery related to items prohibited on cemetery plots and the removal of such as part of the maintenance of the cemetery.

**September 20, 2005** – Cemetery issues related to signage added in the cemetery brought forward to the Board.

**October 11, 2005** – Mayor Foy requested the reconvening of a cemetery committee to review the regulations in the Greenhill Cemetery. At this meeting a request was made for the Town Attorney to gain an opinion from the NC Attorney General related to ownership and maintenance of the cemetery.

The committee that had reviewed the columbarium was asked to work with town staff to attempt to develop better regulations and operational rules.

**January 29, 2009** - Ordinance changes first proposed by Manager Galloway and discussed by Board at their annual retreat.

Discussion was held at the April 14 and April 28, 2009 meetings and the Original Ordinance 18 was passed.

**April 2016** – Permanent Signage placed in Cemetery referencing Town Ordinance 18.

A project to review/revisit Ordinance 18 was undertaken in late 2010/early 2011 but was not presented to the Board. Between that time and 2016, changes in legislation occurred. With the assistance of local funeral home representatives and town staff, the ordinance was reviewed and suggested amendments noted and a draft presented to the Board of Aldermen in October 2016.

**October 25, 2016** - Call for Public Hearing at the Board of Aldermen Meeting; notice was published in the Mountaineer on November 4, 2016.

**November 8, 2016** - Public Hearing to consider Amendment of the Town of Waynesville Cemetery Ordinance. No one addressed the Board. Mayor Brown suggested the hearing be recessed one month to allow the public additional time to review and comment on the proposed changes. The hearing was recessed until the December 13, 2016 Board meeting. The Board agreed to the continuance by consensus.

**December 13, 2016** – Public Hearing continued to consider Amendment of the Town of Waynesville Cemetery Ordinance. No one addressed the Board. Board approved amendments to Ordinance to be effective on January 1, 2017.

Mayor Brown noted the Cemetery had been placed on the National Historic Register and that is a very honorable designation. He also told everyone that at the November 27, 2018 Board of Aldermen Meeting, the Town entered into a contract to buy the Edna McCracken House that is located on a separate stand-alone parcel of land. The house was bought by Ms. McCracken in 1958 or 1959, and the Town is spending \$100,000.00 out of the Cemetery Trust Fund to make this purchase. He said that the Trust fund currently

has \$476,000.00. He said that in the mid 90's then Town Manager Lee Galloway suggested to the Board that half of all lot sales be placed in trust so there would be a perpetual fund to maintain the cemetery in the event that something disastrous happened. He said the Town has followed through with that since then. At the end of the fiscal year 2017/2018, the Town put another \$26,000.00 into that fund bringing the total to \$476,000.00. The Town is set to close on the property on December 17, 2018.

Mayor Brown Asked Public Services Director David Foster to give an outline of what has happened with the cleanup of the cemetery.

#### **David Foster, Public Services Director**

Mr. Foster said first of all he did want to sincerely apologize for hurt feelings and outrage. That was not our intent. It was our intent to preserve and maintain this crown jewel, there was never any intent to harm anyone or be disrespectful. What staff did with the implementation and authorization to enforce the Ordinance on January 1, 2017 was to first conduct an inventory and this was a major task. In addition to items, things, and structures being left in the cemetery, there was a good number of plants and vegetation planted in memorial. A bush that was planted 20 years ago has started to encroach on neighboring headstones to the point where you can't even read them. Specifically the first thing we did in the April and October cleanup was to post a notice on the internet and the local newspaper of the intention to do a clean-up. We started off with the brush and trees in April and October of 2017. In 2018, we started removing items, and in addition to the internet we posted on social media, Twitter, Smoky Mountain news, The Mountaineer and also did a live interview with WLOS TV. There was no intent to sneak or go there in the middle of the night. We wanted to be open and honest, and I don't know how you could be more open and honest than do an interview with WLOS in the cemetery and point out some of the things. I hate that it has been portrayed that way. But with that, in April and October we did start removing and we were doing it section by section. We were removing things that are specifically called out in the Ordinance. In trying to be most respectful, we collected those items, and placed them in the most accessible place in the cemetery, where folks could get to them. They were labeled with the section they were in and the name of the grave they were associated with. For example; if a person came up there with a section and name we could take them right to their belongings. Unfortunately, when folks with social media got word that we had items stored up there, and a video was posted, some items were moved about. In one instance we did see an American Flag on the ground, so we directed staff to move the items and place them in a more secure place where they could not be publically gone through. A couple of weeks ago in communication with the Town Manager we issued a moratorium to hold off and we suspended the operation until we could have this conversation. Maybe the Ordinance isn't what everybody wanted. We absolutely want to provide the citizens of Waynesville what they want. I will be happy to answer any questions on what we did or the process, or what you would like from us going forward.

Mayor Brown asked Town Attorney Bill Cannon to address the legal authority the Town has with the cemetery.

#### **Town Attorney Bill Cannon**

Attorney Cannon said that the statutory basis for rules and regulations regarding the cemetery are found in the general statutes 160A-348 which says that the city can adopt rules and regulations, and it is quite broad. It says and all other matters concerning use, operation and maintenance of city cemeteries. This



statutory basis has been around a long time, and I noticed that one of the deeds from the Town Waynesville where a person had purchased a lot referred to the 1885 private statute. I ran that down to see if it had any particular to say about it. It actually supports what is in the current Ordinance. The 1885 statute directed the aldermen to regulate the cemetery. This has been historically something that is required for a town to do. Basically when a person purchases a lot, they purchase this lot subject to what is called a "Police Power." And that does not mean the Police Department, It means the activities the Town takes for the general welfare of its population. So whenever you buy a lot in a municipal cemetery, you own it, but you own it subject to the right of the Town to enact rules and regulations as to how that lot may be used. That's the basis for the Ordinance.

Mayor Brown: Have there been any Supreme Court of Court of Appeals decisions that discusses that particular Statute?

Attorney Cannon said not this particular Statute. There are other cases that talk about when land is purchased, you purchase it, subject to "Police Powers."

Mayor Brown: This is not a Public Hearing. Comments will be limited to three minutes so that everyone has an opportunity to discuss this. If you find that what you want to say is redundant, we ask simply that you not be repetitive. We want to get everyone's feelings on this and everything in the minutes, so that when the Board takes action on this, we will have this in front of us. I remind you that this is not a debate, not a trial, but a public discussion. I have a list and will start with these folks, but after these people speak, I will give anyone who wishes to the opportunity to speak.

***\*As a note, minutes from these meetings are typically a general account of what has taken place in the meeting and are not required to be verbatim. In an effort to accurately record the comments from speakers, their responses will be as close to verbatim as possible using the audio recording from the meeting.***

### **Joyce Gaddis**

I come representing my family. I am very upset with this Board for what they have done. We have ten lots in Greenhill. You don't buy those, we do. We take care of our lots. We keep flowers on them, we keep angels on them. I have a daughter buried up there that has been dead eleven years. We have a light on her picture, for her children. They took it off. They had no business touching it. There's no excuse for it – it's ridiculous. They took the flowers, not off the ground, they took them off the stone. We have vases on the stones. My mother in laws were gone, my dad's were gone, and my grandparent's is gone. My mother had just bought three brand new vases for my uncle, my aunt, and another uncle. I saved one, it was eight dollars. They threw the others away. My husband went up there and got so upset about our daughter that he got all over one of those little guys that worked up there, he has a heart condition and I'm glad that he didn't wind up in the hospital. They finally called back and they had rounded up his stuff. And did they hand it to him like a man would? No it was piled up over there in front of a building. That's not right. And what you did is not right. It was done behind people's back. Put something in the Mountaineer is a joke. Nobody reads that Mountaineer enough to know what you were doing up here. There was not enough time for anybody to come up here and make a case for this. They didn't need to be tearing flowers off of graves. Little angels sitting on the head of a gravestone, they wasn't in the way of mowing. They cut trees down beside my dad's two years ago. That was fine, we agreed to that. They needed to be cut. But what they did this past fall is not fine. They needed to ask. It was wrong. It really

hurt a lot of people. I want them to put my daughter's light back on her face. You're telling me I can't. And that's not right either. Her children wants to see it. And I want it back on, so I'm asking you let me have the right to have the light back on. We go out there sometimes at night, so they can see it. I want it put back on, that's the reason I had her picture put on the stone. That's pretty much what I wanted to say because it's wrong. It's wrong.

Mayor Brown said the next person to speak is Scott Ybanez. Scott indicates he is representing the Greenhill Cemetery Committee that is an ad-hoc group of individuals who have gotten together to represent the Greenhill Cemetery. Am I correct?

**Scott Ybanez**

Yes it is. You said January 2<sup>nd</sup> for that meeting?

Mayor Brown: No, we have not set a hearing at all. I'm asking that anything that is said tonight, or written or emailed in, become part of tonight's minutes. The Board hasn't set any time for having any further discussion on this at any point in time, mainly because obviously it is a very complicated situation. We'd like to get it right.

Scott Ybanez:

1. We have formed a committee and we are asking that the Town recognize Greenhill Cemetery committee as family and friends of people laid to rest in this cemetery, Waynesville, North Carolina.
2. We also would like to ask that section 18.7 no changes or amendments added without the knowledge of Greenhill Cemetery Committee.
3. No removal of any item or items attached to any stone or base located at Greenhill Cemetery.
4. Knowledge of deeded owner (s) be described in this document, article 18, as person or persons in possession of a deed purchased by a person or persons from the Town of Waynesville to be a deeded owner
5. Also on this, the removal of section 18.20a. The removal of this section is not to include items that would restrict maintenance or upkeep of the property. The removal of solar powered lights, and artificial lights being attached are to be in a manner not to interfere with maintenance and upkeep of said property.
6. Also the signs. The signs located entering and exiting Greenhill Cemetery, the large red and white signs that we all see. They take away from the beauty of the cemetery. Signs have no place in or on that property. Let our loved ones continue to be at peace in the place we purchased to bury them.

Something else – the tours. If there is anyway tours can be stopped. In article 18 it states it is prohibited that the cemetery be used as a through fare, and that is what they are doing. It is also said that you are not supposed to be having walk-throughs. You are supposed to be there in a respectful manner. Those tours are not respectful. It is not respectful to go to somebody else's grave and try to raise them or whatever. I have heard the mention of the flags. Proper disposal of the flags, I understand what is told by the Town and how they disposed of the flags. However, what's been told, and what has been done is two different things. Proper disposal would be appreciated. In this I heard tonight about not taking anything off the graves. Well, again in section 18.21 – No person shall destroy, deface, mutilate, injure or remove in any way from where it is placed on a tomb, monument or any other structure placed in the Town's cemetery. Well, we have all seen through the wonders of social media that they've went through

there and moved things that were placed permanent on loved ones tombs and graves. In here it says it's a misdemeanor. So the Town committed a misdemeanor on itself by destroying these wonderful people's tombstones. That is where people go to pay respect and grieve. If someone places something on a grave you don't mess with it.

I speak on behalf of the Greenhill Cemetery Committee and I also speak on behalf of myself. I am a United States Marine and I love all my soldiers and everybody up there, Army, Navy, Air Force. This was wrong how they were treated, extremely wrong how they were treated. The VFW and the American Legion have Wreaths Across America coming up soon. Families of these veterans have purchased these wreaths. They are kind of upset and don't know if they are allowed to place these wreaths on these graves. Now you are going to have a lot more mad people if they have spent all this money on these wreaths and not be able to place them on the graves. If I am understanding correctly, they were able to place them on there, but for how long will they be able to stay on the graves for right now. That's a question I need to get answered and get back to the American Legion and the VFW.

Mayor Brown stated that **Alderman Gary Caldwell** was out of town and read the following note from him:

To all present:

I apologize for being unable to attend today's meeting. My nephew is graduating from USMC basic training at Parris Island, SC and I need to support his achievement! Unfortunately this meeting date could not be changed.

The town ordinance regarding Green Hill Cemetery appears to have unforeseen flaws that need to be addressed. The abrupt insensitive actions of those in charge were extremely hurtful to loved ones, myself included, and disrespectful to the dearly departed. I will be instrumental in reviewing with my fellow Mayor and Aldermen in making recommendations for change to support the views and best interest of the Town's people. Together we can achieve more.

Thank you for your time.  
Alderman Caldwell

#### **Doug Sisk**

I just want to say that my family has thirty-odd relatives up there from right on top of the hill back in the 1800's all over the cemetery. You have done a major, major wrong by taking stuff away from families. A lot of families, that's all they can afford is a little bunch of flowers. I see none of it coming out of your all's pockets. I know it's a tourist thing, so that's where I am on it. I know there is a lot of people back here that probably feel the same way. That's about all I've got to say, that I can say.

#### **Mary Sisk**

Mary Sisk: I'll speak from back here if it's ok.

Mayor Brown: It's a little difficult to hear.

Mary Sisk: I think I can be heard.

Mayor Brown: Okay, thank you.

Like Doug said, we have 30 – 35 members of our family, and that's just family. We have friends that are buried there, too. But, I am here to speak for my Mama, my Daddy, and my Brother. My Daddy has been over there for 31 years. He was a disabled veteran of World War II. And because he was outside the perimeter of the Veterans area, he didn't get the flags and things, but I kept him a flag, and we never had anything on the ground outside that tombstone. This little figurine was wired by Doug to his side of the tombstone on his vase. He got a new flag every season, every red, white and blue season through the year. This was cut off of his vase with wire cutters and thrown up there behind the building like it was nothing. It had been there like twelve years. And I got one for Doug's Daddy out at Hillcrest, but it couldn't be fixed on the monument so we put a flag in his flowers. Our flowers were taken. I don't want trashy nasty things at my family's grave. Of those 35, they have families; a lot of them live out of state. They have no idea that their flowers or anything that was taken away was gone. But I have a concern of just my three. The flowers were taken off my brother's grave. And they were taken off my daddy and my mama's grave. We put seasonal – at holidays – Mother's Day, Father's Day, birthdays and I would always feel peace going over there to talk to my mama and daddy. I know they're not there, but that's where I left them, that's where I left my brother. To go over there now, it looks like cold, barren graveyard. It's not a place of peace, comfort and love that we had made it. I went back, for 31 years, and he had a light in his flowers, never had that been bothered. They were ripped out of the flowers and what flowers were left the light was ripped out, taken from my brother and my little mama. And I'll tell you right now that this (showing the figurine) is going to be put back on there. You can see on the bottom where it was on the monument and this part was sticking out. I'm going to honor my mama and daddy, you may say that you own that property, but you don't own that tombstone. My mama paid for that and this is going back on there tomorrow for my daddy. You may not care about him, but I do. Thank you.

### **Sharon Franks**

As a native of Haywood County, born in the old Haywood County Hospital, I have lived here my entire life. I have seen many changes in the county; some good, some bad. In the last 3 years, I've become more displeased with a lot of changes but none more than the recent actions of this board regarding Greenhill Cemetery. I have many family members there, but became a deed owner to two plots in February 1998, when, at the young age of 43, my late husband was laid to rest after a battle with brain cancer. He served this community by working 19 years for the local cable company, at that time named Sammons Communications. Our 3 children were 10, 14 & 22. Losing their dad was one of the hardest things as a child they had to endure, but this fiasco has reopened that loss.

My dad passed in 2003, a retired Town of Waynesville employee & fireman, helping his coworkers hang the Christmas lights on both Main Street, Waynesville & Hazelwood; fighting many fires with the Yarbrough families as volunteers, and was also a Baptist minister. My mother retired from Dayco and passed away in 2005. They too are buried there. My parents taught me morals, respect and dignity, to always put God first before money, something I feel this board has lost.

I will agree there is history in Greenhill Cemetery, but there is history in all cemeteries. To turn our town into a tourist attraction is one thing but to allow tours specifically named Haunts & Legends ran by Frog Level Tours and who charge \$20 per person, and to allow and destroy personal belongings is despicable and in violation of and a felony as stated in NC General Statutes 14-148 which plainly states "without authorization or consent of the surviving spouse or next of kin of the deceased. Would you remove a

steeple from a church or a Bible from someone's hand to gain monetary value? This cemetery to me is like a church, sacred. I visit the graves of my family often, sometimes weekly if anything for my sanity and my peace, to reflect on memories and to pray. A promise I made to my mother was to always keep flowers on the graves as this is a reminder to all who pass they are not forgotten.

Mr. Mayor, you stated on News13 that "less is best", but you are wrong. The mementos on my late husband's tombstone were from my children, for their reflection and peace. How do you explain to them those things are gone, it is like their father has died all over again. It is also a violation and class I felony according to NC general statute 14-149 to take away, vandalize, destroy or deface any tombstone, headstone, grave ornamentation, grave artifacts, shrubbery, flowers, plants or other articles within any cemetery erected or placed to designate the place where any dead body is interred and perpetuate the memory and the name of any person. This board is guilty of desecration, not to mention vandalism and theft. 1 Peter 5:2 states "Be shepherds of God's flock that is under your care, serving as overseers, not because you must, but because you are willing, as God wants you to be; not greedy for money, but eager to serve. Can each one of you say you are a willing shepherd? I think not.

This travesty has gone too far. Families paid money for the plots, ornaments, flowers, etc. of which you all robbed from us. The money for these plots was for the upkeep of this cemetery, not to purchase adjoining property. The term "less is best" should apply to the many houses within the city limits as well as county that landlords rent for hundreds of dollars that are eyesores, falling down, or barely pass safety codes, all for their own wealth. Again, are you a willing shepherd?

Had this process been communicated correctly, with respect for the families, be it a child gone too soon, a parent, grandparent, whomever, we the citizens of this town would probably have been more understandable, maybe, maybe not. Instead of worrying about becoming a historical landmark, as there is money to be made there, you, as elected officials of this town, should have been the willing shepherds as God wants you to be, not greedy for money. Also, I believe you should be just as concerned about the citizens who have lived here their whole life, not just the ones who have recently moved here.

This is my town, my cemetery, my family. You, the board, are not. It is my desire to let the deceased lay in peace, not be trampled on for monetary gain, to let us remember our loved ones with respect, not disrespect as you have done. I want to be able to stand over them and say "my Lord is faithful, He will strengthen and protect you from the evil ones". Thank you.

### **Marvin Cook**

I sat and listened to how you brought up that we have a gem of historical site in Greenhill. Daddy's always called Waynesville home; he grew up here, left here and did two tours in Vietnam. He passed away a few years ago. Daddy walked me through that cemetery one day as a little boy and he said son, don't step on graves. Respect each man, each life. You will respect. I am so grateful that I have come back. I've been out of North Carolina for 13 years preaching in South Dakota. God led us back here – I am hurt deeply. My grandmother Opal Woods Rathbone is buried in Greenhill Cemetery. Jerri Francis, my cousin, I haven't seen her in years. I grew up Army and went in to the Marines. My dad asked me why and I told him you told me to be all I could be so I joined the Marines.

My daddy taught me respect, and I respect. I am a Baptist minister – what I believe is what I believe – if somebody believes something different from me that is perfectly fine. Respect, that is all I am asking. I like having historical things, but don't follow that and do away with respect. I respect people in authority;

my Bible tells me to do so. And I do. Not one of us here can say that we agree across the board, but I respect somebody's wishes if they tell me that they don't want to hear that; they won't hear anymore. What I am getting at, respect folks. My daddy's voice is ringing clear to me – what happened to the respect in my home town? Thank you.

**Randy Mathis**

I was going to sit there and keep my mouth shut, but I cannot. I am part of the Greenhill Cemetery Committee. I am not going to repeat what our chairman Scott has covered. What I am asking the board tonight to stop the haunted tours in the cemetery – respect those people. That's what I am asking. The TLC Sisters of Canton charge \$35 head to walk through the cemetery; Leap Frog Tours charge \$25 to walk through your people's property. It's a shame. That's all I can say. I have a calendar here, you can find it on the website, and you can see that they have crystals on graves, take pictures that there are ghosts up there. That's what they do, it's on their website. I'd like to have this stopped or postponed, whatever your decision. I am just asking that it be stopped right now. Thank you.

**Dannehl Strautz**

I am with Leap Frog Tours and we run the History, Haunts and Legends tours in the cemetery and on Main Street and I can assure you we are not doing any of the things that we are being accused of. There was one tour back in October 2017 with the TLC Sisters; one tour and that was the only time that tour was done. I do the tours myself and I am very respectful. I am purely telling the history of Waynesville. I am talking about the downtown, the National Register, the beautiful monuments that are up there by W.O. Wolfe. I am talking about William Holland Thomas; I am talking about the Confederates and Union soldiers buried there. I am telling the history of your town and I love your town, it's my town. Yes, we charge \$20.00 a person, but I can tell you that very little goes of that goes to me. It pays for advertising, it pays Leap Frog Tours which does my booking. But I am very respectful of everybody in that cemetery because I love the history of Waynesville. I am also the museum manager at the Shelton House and I love the history there. I love everything about the history of this town and I have put forth tons and tons of hours, reading, studying and learning about everyone in this town. When I go up there, which is not as often as advertised, that is only the times that I will do tours. I probably do two tours a month this time of year – 3 or four a week in the summer, if I am lucky. Because, I love telling the people about the history of the town, half are tourists and half are locals and they enjoy hearing the history of your town. I talk about Mr. Satterwaithe and the Eagle's Nest Hotel and Mr. Stringfield and the White Sulphur Springs Hotel, the train and the eldest son of Stephen Shelton passing away in a train accident. I talk about how the train affected the town of Waynesville, how tourism affected Waynesville, how it came about. These are the types of things I talk about. I am not putting any crystals on anybody's graves, not raising ghost. It's called History, Haunts and Legends but it's more of sadness, the haunting tragedies that have occurred, not hauntings of spirits. I apologize that Leap Frog Tours did the one tour back in October 2017 with the TLC Sisters that probably should not have been done. But that is not what I am doing, I want you all to know that I am very respectful of your families. Thank you.

**Darrell Barnett**

I'm not here to cause trouble or stir up anything. I don't like to get ill or upset or anything, but the lady just spoke said she was not disrespecting of graves, wasn't holding crystals or anything. Right here (holding up a paper with picture) posted on her website of everything she said she wasn't doing. These tours have to stop, it's disrespectful.

Mayor Brown asked Mr. Barnett to address the board and not the audience. He asked if the board needed to see the picture. Mayor Brown answered that it is on the website as he indicated. It is dated September of this year on the Leap Frog Tours website.

#### **Ronnie Surrett**

Mr. Surrett asked to speak from where he was standing. I own funeral home in Clyde, I'm not here to complain about the cemetery clean up or anything, I just want to see some bylaws made for the veterans that are being buried up there. I serviced a family of a young man who retired with full honors and one week later passed away. He could have been buried in Arlington with a full honor guard. We asked for permission to bury him in Waynesville and were told no, that he did not live here could not be buried here. He was out serving the country for us. That bylaw needs to be looked at, this was a young man that went into the military straight out of high school, retired from the service; he did not live here. His family wanted him to come home, his father lived here, his mother lived in Florida. It was like an act of Congress to get the young man buried there. I'm not going to say who the person was, but it's not been that long ago.

#### **Mark Zaffron**

Just to correct record with regard to Wreaths Across America, I'll speak on their behalf. In 2014, wreaths laid over 700,000 in US and beyond including at Pearl Harbor, Valley Forge, Bunker Hill and the sites of the 9/11 tragedies. This was accomplished with help from over 2,000 companies and other groups. The organization's goal of covering Arlington National Cemetery was met in 2014 with the placement of 226,525 wreaths. That figure is exceeding 1 million wreaths this year. In addition, the local American Legion posts and Knights of Columbus have managed to fundraise for placement of wreaths 535 this Saturday. There should be no concern in this audience, Haywood County or the state of North Carolina that anyone should be denied that right. In the 4 years we have been placing wreaths, first in Swannanoa at the National Cemetery and for the last three years in Haywood County at Greenhill. We have gone through the proper channels to get the proper authorization from Mr. Yates to place those wreaths in accordance with the written policies. Those wreaths will be placed this Saturday and will be removed within 30 days per policy. I invite everyone if you are this passionate about this cause, if you have a Veteran, friend/family or otherwise at Greenhill, that you join us in the event to honor, to use as a teach moment on Saturday, December 15 at 10:00 a.m. Thank you.

#### **Michael Wells**

I've done a lot of things in my life as far as being service to this county; I've been with the fire department and rescue squad and spent countless hours helping the Town of Waynesville. I just want to ask one question (to the Board) how many of you have people in Greenhill Cemetery. Did that not upset you that y'all made those decisions? Did that not upset you at all or do you not care? Mayor Brown answered that this was not a debate and him to continue with his comments.

It's disrespectful to our veterans have been placed to rest up there. It breaks my heart for someone to take and desecrate flags. It's basically saying you've laid them to rest, but it doesn't stop there; people grieve up there, and they should have the right to take things up there and place them on their graves and not have them ripped off the stones because of a town ordinance. That's all I have to say.

### **Vicky Ledford**

I am serving as the Secretary of the Greenhill Cemetery Committee and I've gotten to hear stories in a short amount of time of the removal of items and damage done to stones that were purchased. The prying of a rock from their grandmother's headstone and rock was pried off the top of the stone and one of the maintenance people tried to sand that down. The only thing that we were able to find at that time was that they were going to remove the shrubbery and things that were encroaching on other plots. What I don't understand, and I am not sure that the Board understands, the damage that was done in the clean-up, not just the removal of tattered items and improper disposal of flags, but the property damage to those stones. I have spoken with Jonathan Yates to have people recover their items and finding out that those items are misplaced. So many have not been able to reclaim the items that were taken that they paid money for because somewhere in the shuffle of moving them to be stored, they have been misplaced. I just wanted to make sure that the Board knew that there was property damage to stones and that there are missing personal items out there. I will work on getting those individuals to email you those items prior to you closing the minutes for this meeting.

### **Joe Bob Rogers**

Mr. Rogers questioned if the ordinance on the screen - Section 18-20 was what the Board was going by related to what was or was not acceptable. He referenced cut flowers and artificial flowers being placed on markers. What can you place them in? We have put vases or marble and concrete and they sit on the base of the tombstone, not on the ground, never put nothing on the ground. They had to take them off and them sitting on the base of the tombstone – didn't hinder mowing or maintenance or anything. Thank you.

### **Floyd Gaddis**

My name is Floyd Gaddis, I was born and raised in Waynesville, on Chestnut Park Drive got a house over there; lived here 73 years except for the time I was in the service. I've got a great-great-great grandfather buried in Greenhill Cemetery who fought in war of 1812. My dad and uncle are buried there. My dad is buried in the Veterans spot over there. Seems like every time I put a flag on there they take it off. But what got me the worst is that daughter was buried there and I went by there and everything was gone. The light that I put on there – light was removed – go by every day and talk to her. I know she ain't there. One day I'll fuss at her for not taking care of herself and the next day I would apologize to her. It bothered me that they took the stuff off of the grave – little angel, big angel, the flowers and the light. I got on to the men that took them off; I was ready to fight them. I was mad. It wasn't their fault – I apologized to them, I know most of them. I have, I guess 100 friends and relatives buried there. I am sort of down on Waynesville for turning this into a tourist town. We're a town of people who were born and raised here – not foreigners. It's just like the Civil War had lots of relatives that fought for the South in the Civil War; most of them did not have slaves and couldn't afford to have slaves. Some fought with rocks, they didn't even have guns to fight with. You can't see a single Confederate flag over there now. I know a lot of people were against the Confederates, I'm not. I'm not against anyone who fought for this country. Most fought because South was invaded by the North which is right. I don't appreciate what you have done. People there are human beings – I try to speak to them every day, not just one day but every day. I love all of them. I wish you would think about what you've done here. Thank you.



**Denise Pressley**

My daddy was a retired Veteran Army he brought us back here in 1985. He taught us respect is everything. I respect you, I don't agree with what is going on here. I have lost two babies they are buried in that cemetery. For you to take people through that cemetery – that is sacred ground. My babies are buried there.

Mayor Brown asked Ms. Pressley to speak louder as the Board could not hear her.

That is sacred ground; to take what we have put on those graves up there - that's where I lose respect. I hate to see this, what's happening to disrespect those that are buried up there. It's like rehashing everything again. It hurts. It makes us angry. I don't agree with what's going on.

Mayor Brown indicated that the Board would take no action tonight at this meeting. He noted that the tone of this meeting indicated the length and breadth of this item. Mayor Brown assured the public that the employees respect your loved ones and the clean-up was not meant to be disrespectful. There will be a time and a place to discuss these regulations and the Board takes the comments and concerns seriously. Mayor Brown requested that the public give the Board due time to work through this again. Your presence here is appreciated. The Board very rarely goes into closed session any time that this ordinance will be discussed will be in open session. It will not be brought up in the next month but rather when we have our retreat in January or February, we will have this as a standalone item. The Board will revisit the ordinance at that time. Mayor Brown reiterated that the staff did what they were told to do; they were only following the will of the board.

5. Adjourn

***There being no additional information to discuss, Alderman Jon Feichter made a motion, seconded by Alderman LeRoy Roberson to adjourn the meeting. The meeting was adjourned at 6:41 p.m. The motion carried unanimously.***

Items submitted via email or mail are incorporated into these minutes herein as attachments to the minutes from the December 13, 2018 meeting and are copied with the date and time stamp when received and in their exact submission format.

**ATTEST:**

\_\_\_\_\_  
Gavin A. Brown, Mayor

\_\_\_\_\_  
Robert W. Hites, Jr., Town Manager

## Attachment A

**From:** Robert Grant <[rrgrantcanuck@gmail.com](mailto:rrgrantcanuck@gmail.com)>

**Date:** December 14, 2018 at 4:16:09 PM EST

**To:** [BoA@waynesvillenc.gov](mailto:BoA@waynesvillenc.gov)

**Subject:** Green Hill Cemetery

Mayor and Board,

Thank you for taking public comment on the recent cemetery issues. I admire those of you who faced the criticism from your constituents. I wish Mr. Caldwell could have been there to defend the policy that he motioned into existence and explain why it was necessary.

I also sincerely applaud your outstanding staff who graciously gave their reports and stayed to face their harsh, and sometimes mean and hurtful critics. Your Cemetery staff has never been anything but kind and respectful, and I was disappointed to see them attacked,

The purpose of my email is to share my opinion on the matter because I didn't feel comfortable sharing it last night. I do appreciate your keeping the minutes open to receive additional comment.

Although I share some of the communities concerns about respecting the deceased, and being respectful to their final resting places. I do feel that the lights, vases, statues, and other odd items being placed in the cemetery was getting out of hand. While I'm sure they meant well, the cemetery was getting overrun with items to the point that you almost couldn't walk directly to a grave. It was to the point where something had to be done. I for one am glad you passed the ordinance, and I,m even gladder that you started backing up the ordinance to keep the cemetery clean, peaceful, and respectful.

One other note: I have personally communicated with Mr. Scott Ybanez (the "chairman" of the Green Hill Cemetery Committee), and I would respectfully request that if there is indeed a Green Hill Committee, that he not be a part of it. Specifically, Mr. Ybanez stated in an email to me that he lives in Clyde, and he stated in his Facebook video that he does not have any relatives in Green Hill. (I can share my communications with him if you'd like.) With those two points, I would offer that Mr. Ybanez is ill suited to represent the Town of Waynesville and has zero stake in Green Hill Cemetery to represent the families interned there. His only interest is in being a social media warrior. I feel that he only wants clicks and likes, and not solutions, so he needs controversy to remain relevant.

Thank you for letting me share my opinion.

Robin

## **Attachment B**

**From:** Meagan Mintz <meaganmintz@icloud.com>  
**Sent:** Tuesday, December 18, 2018 2:34 PM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** Green Hill Cemetery

To Whom this may concern:

I have somewhat followed the issues surrounding the Green Hill Cemetery. I have stayed out of this, because we were notified of the rules concerning tombstones in 2009, and again in 2015. My family has been respectful of the rules, and has only placed flowers and flags in the allotted vases.

However, I have recently become aware of the cemetery tours in Green Hill Cemetery. Not only do I find this extremely disrespectful, but I find this almost sickening.

My grandparents, Haywood County Natives, belonging to farming families, started out as many young couples in the early 50's. They did not have the money for appliances in their home. They saved and bought appliances one at a time, starting with a refrigerator. Once settled, they decided to start a family of their own. Unfortunately, their efforts were not as joyous as many. Pregnancy complications caused them to loose not one, but two babies. The first baby was born stillborn. Once they decided to finally try again, their second baby died about an hour after delivery. I can't imagine the devastation, hurt, and frustration they must have felt. Burying one child would be absolutely devastating, but having to bury your second one would be earth shattering. As a young couple, paying for a funeral, let alone two would be unimaginable. Luckily, years later they decided to try again, and my mother was born. They were finally blessed with the joy that they longed for.

Both of my grandparents worked long hours to make ends meet. My grandfather, like many, retired from Dayco. He also did side work when available. My grandmother retired from Haywood County in 1996. They worked hard to provide a great life for my mother, and eventually myself and my brother. However, they were so busy providing, that they never bought headstones for the babies. Buying the headstones was the one thing they mentioned for so long. As time went on, my grandfather became ill, suffering from Diabetes. He eventually lost his eyesight, and suffered from diabetic neuropathy, and epilepsy. My grandmother cared for him, until his death in 2009.

My grandmother has always been an inspiration to me. I was extremely close to both grandparents, and spent time taking care of both of them until their deaths. Unfortunately, I suffered from the same pregnancy complications as my grandmother. Thankfully, due to the advancements in medicine, I was able to be monitored and had a successful delivery. My son

was rushed to NICU, and is now a very happy and healthy five year old. I can remember my grandmother being terrified that I would loose my baby, as she had lost hers. After Brennen was born, she wanted to buy headstones for both of her babies. She finally met with someone, however, she passed away unexpectedly in 2015. It is my plan to eventually get headstones for the babies.

The pictures I have seen of the tours, appears that people walk freely in the graveyard. I am concerned that we have random people walking freely over top of the babies. I understand that it might not be known that the babies are there. However, I'm sure that more children or people maybe buried there, that don't have headstones either. I feel as though it is extremely disrespectful to offer tours and have people walking freely, not on paths just to make a few dollars.

Is nothing considered sacred any longer? How do we fix this?

Thank you,  
Meagan Mintz  
(828) 226-8140

**From:** Meagan Mintz <meaganmintz@icloud.com>  
**Sent:** Tuesday, December 18, 2018 4:18 PM  
**To:** Gavin Brown <gbrown@waynesvillenc.gov>  
**Cc:** Eddie Ward <eward@waynesvillenc.gov>; Mayor & Board of Aldermen <BoA@waynesvillenc.gov>; Rob Hites <rhites@waynesvillenc.gov>; Amie Owens <aowens@waynesvillenc.gov>  
**Subject:** Re: Green Hill Cemetery

Hi Gavin,

Thank you so much for your response. However, I was misinformed of the intention of the tour. After hearing from Ann Smith, the intention of the tour is honorable. The intention is to share the history of the generations before us. Knowing this, I commend their efforts.

As I have stated before, our family has no issues with the rules of the cemetery. Honestly, I appreciate the rules to keep the area from being "junked up". The rules are no different than HOA rules.

I do have ideas for the cemetery, for instance, laying wreaths on the headstones at Christmas. I will reach out to the cemetery committee and pass my ideas along. Thank you for your time.

Thank you,  
Meagan Mintz  
(828) 226-8140

## Attachment C

**From:** Chuck Diebold <sailhopc@yahoo.com>  
**Sent:** Wednesday, December 19, 2018 10:39 AM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** Green Hill Cemetery

I am a long time resident of Haywood County and recently my daughter and son in law have informed me of the problems going on with the Town of Waynesville Green Hill Cemetery. My Grandson is buried there and I am also making arrangements to purchase a plot for my final resting place. That being said, I wanted to weigh in with my opinion. I hope the Mayor and Town Aldermen will be able find a resolution to return this beautiful property back to a time when it was quiet, peaceful and serene for our loved ones and all the interned residents. Having a place to sit and rest, along with some eternal solar lighting further enhances the time spent with loved ones long gone. Turning a cemetery into a spectacle is in my opinion a mistake and down right disrespectful to its residents and families.

Most Sincerely,

Charles T. Diebold  
139 Summer Place Dr  
Waynesville, NC 28785

[sailhopc@yahoo.com](mailto:sailhopc@yahoo.com)

**Attachment D**

**From:** Mathis <chazpc@bellsouth.net>

**Sent:** Saturday, December 22, 2018 8:15 PM

**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>

**Subject:** Green Hill Cemetery

It has taken me some time to be able to put many of my feelings into words. My emotions have changed as much as the weather here in North Carolina. The devastation to Green Hill Cemetery has left so many hurt and in anger. This wasn't done by God's forces of nature but by those holding a position to represent the citizens of Waynesville and uncaring hands.

You see, to me each of these graves tell a story. With each visit it brings a memory from one's past, a memory cherished that the heart hold dear. There has been many tears shed upon the soil of this cemetery but there have also been many smiles through memories of the times they were with us here on earth. Through your actions you have caused a break in these and replaced them with emotions of anger and hurt. You see when someone you love becomes a memory, the memory becomes a treasure.

Grief is not a disorder, a disease or a sign of weakness. It is an emotional, physical and spiritual necessity, it is also the price we each must pay for love. Our love never stops at the grave but we find there is some comfort there by their stone for this is the place we chose to lay the body they possessed here on earth. It's where we said our last goodbyes. The only cure for grief is to grieve. Nothing that grieve us should ever be called little - by the external laws of proportion a child's loss of a doll or a toy and the king's loss of a crown are events of the same size. The tears shed upon this soil speaks louder than a thousand tongues and our grief cannot be shared, everyone carries it alone, our own burden in our own way. Visiting this cemetery and the tears that fall show some sign of relax and is considered a form of letting go of some pain. When someone you love dies you don't lose them all at once, you lose pieces as time goes on for it only takes a minute to say hello but forever to say your goodbyes.

The town I grew up in has changed in so many ways. It seems that the influence of other parts of this world has destroyed so much of Waynesville. They moved here because they loved our heritage and now they move here to only make changes. We were raised in the ways of the Mountain way, a heritage unlike any other, with values that we some still hold very dear.

The actions being played by the town of Waynesville are truly a sign of disrespect to not only the citizens of this town but the ones laid to rest here that made Waynesville what it is today. The board have placed themselves above the citizens that elected them. The path they have chosen has enlightened the citizens and brought forth anger and hurt.

Citizens of Waynesville have made their feelings heard by many ways. You are at this time in control of making the wrongs right and I hope that you will see this and reconsider this act. Allow the citizens to continue to grieve in the manner they choose, and continue to decorate the graves of their loved one in a manner they choose. You speak of this ordinance being in effect for all these years and never enforced, what does this say about your charter ? Those that served before you cared and now it is your turn.

In closing please ask yourself this one question: would your actions be looked upon by your loved ones, your Grand-parents in a positive way, would they be proud of your decision ?

Randy E. Mathis

Waynesville Board of Alderman Minutes  
Special Meeting December 13, 2018

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#### **Attachment E**

**From:** PATRICIA OWNBY <patriciaownby@bellsouth.net>  
**Sent:** Tuesday, December 25, 2018 8:47 PM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** Greenhill Cemetery Clean Up

My name is Patty Ownby I have 17 family members buried at Greenhill, my parents my father is buried in the Military Plot and my grandpa Parris was buried 71 yrs ago. I agree we all want the cemetery to be clean and nice for our loved ones. However I feel this " clean up" was wrong it went to far! I have a family friend who had a angel sitting on her parents headstone that had been there 20 yrs and had put flowers on the headstone almost two weeks before the clean up, they were both taken off. How could anyone take a teddy bear off a child's grave? I understand there are rules but this is a cemetery. Before she passed away my mother and I would walk through the cemetery and if flowers had turned over sit them back up and I still do. When I see different things on a grave I feel they are there and have a reason and meaning. I know my loves ones are not there but it's all I have on this earth to feel closer to them, to go and talk to them, to cry or laugh and grieve. Seeing the things that were taken off the graves made me sick i can not believe anyone could be so uncaring and heartless it is wrong! Gavin Brown said the fewer things you have, i think it makes it a more distinctive cemetery. My first thought was why does he want it to be different from or distinguish it from others, what gives him the right to decide that? While i am trying to be nice about this please do not mistake my kindness for weakness this has hurt to many people. The last two years i have put a Christmas tree on my mom and dad's grave but i put nothing on them this year i was afraid they would be taken off and that hurts. I feel the cemetery looks like everyone has forgotten it since it was stripped of things loved ones had there. I support Scott Ybanez 110% and thank him for what he is doing, as well as anyone else who was hurt by this. Thank you for your time.

Patty Ownby

#### **Attachment F**

**From:** matthew carver <jeezum7@gmail.com>  
**Sent:** Thursday, December 27, 2018 8:45 PM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** Cemetery

Both of my grandparents are buried In the cemetery where you are defacing graves over the dollar.  
STOP!

## **Attachment G**

From: Jenny Shelton <sheltonj623@icloud.com>  
Sent: Thursday, December 27, 2018 7:56 PM  
To: Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
Subject: Our loved ones

I'm sending this email to voice my opinion on the haunted grave yard. I have two nephews buried at green hill. One passed at only 1 day old. I'm disgusting to think anyone is walking over their little graves looking for a "haunted experience". let them Rest In Peace. Find a field somewhere and turn it into the haunted space you are looking for instead of trampling over our loved ones. It's just plain disrespectful. Thanks for your time.  
Sent from my iPhone

## **Attachment H**

**From:** Ronnie and Clara Hyatt <rchyatt@gmail.com>  
**Sent:** Friday, December 28, 2018 12:46 PM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** Greenhill Cemetery

Hello,  
I am writing in regards to the action taken in removing items from headstones at Greenhill Cemetery. I was made aware that the town wanted items removed from the ground to aid workers in mowing the grass. I had no problem with this so I removed everything from the ground. I went to a memorial headstone business and purchased two granite vases to put on the sides of my parent's headstone. I removed the saddle from the top so that I didn't even have to put an anchor for the flowers in the ground. I tried to comply with the town's wishes, as I do respect authority. I was glad that the town was going to do a better job of grounds maintenance as I had purchased a little weedeater to get the weeds that grew up against their headstone. I bought flowers and put them in the vases along with a grandfather plaque that my son had bought for my father 23 years ago. Imagine my surprise when I discovered that it had been taken out of the vase and tossed into that pile of other's keepsakes at the maintenance building. I never said anything about the fact that my mother was buried there almost nine years ago and yet there is still no grass growing on her side of the grave, but I can't be quiet now. Please allow us to continue to honor our loved ones in the only way that we now can, by placing things that meant something to them or to us on their headstones.

Thank you,  
Clara Hyatt



#### **Attachment I**

**From:** Ashley Nicole <ashleynicolebrigman@gmail.com>  
**Sent:** Friday, December 28, 2018 5:18 PM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** Greenhill cemetery

Hi my family is buried in Greenhill and some has been there many years and some just recently there I disagree with it being ok to take things from the grave sites i think you should be allowed to put what you want there as long as its not trashy or over crowded with things but its I'm just and unfair for them to take away items that has been there for years and throw away like trash this is a place of beauty and resting for our loved ones please take into consideration that your hurting so many people by allowing this I understand it needs to be nice and clean but boundaries need to be set

#### **Attachment J**

From: Ann Warren <ann.warren1684@gmail.com>  
Sent: Friday, December 28, 2018 7:21 PM  
To: Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
Subject: Missing concrete vases

My name is Ann Warren. While visiting Green Hill Cemetery to place flowers on my grandparents grave before Christmas I had nowhere to put flowers I'd bought to go in concrete vases on base of memorial. They've been there more than 30 years and I'm beyond upset. They were extremely heavy and I have pictures of them when I places flowers there this summer. Grave marker for Marion Alexander Metcalf and Daisy Frizell Metcalf. I'm expecting you to let me know who removed them during your "cleanup" and where they are. I want them back! Ann Warren

Sent from my iPhone

## Attachment K

**From:** Randy Mathis <chaznc5239@gmail.com>  
**Sent:** Sunday, December 30, 2018 12:40 AM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** GREEN HILL CEMETERY

I'm not sure how to begin a letter explaining how ashamed I am to be from Haywood County. How I hate that we chose GREEN HILL CEMETERY TO BURY OUR SON!! HE WAS LAID THERE to REST...he was not laid there to be paraded over by Wiccans (TLC) who practice witchcraft, small men parading around like soldiers and then, of course, there is the ghost tours...

The disrespect that has been shown to my 4 1/2 year old son who has been laid to rest in GREEN HILL CEMETERY on January 5, 1998. And all the others who have been laid to rest in GREEN HILL CEMETERY with the thought of them RESTING IN PEACE!!

For some reason the TOWN OF WAYNESVILLE felt the need to make a PROFIT on the dead citizens of their town. With family of their own laid to rest in GREEN HILL CEMETERY, don't you think your family members are turning in their graves at the disrespect you have shown them.

I can't tell you what it meant to know my son was where I could go visit and remember the last day I spent with him and his father together on the beach. My son had cerebral palsy, he was fed by a g-tube, he couldn't walk or talk, but he sure lit up a room with his smile. And on that day he smiled at the ocean!! Removing a little bit of light from his resting place was to me the cruelest thing, leaving him there in the dark with people parading over him...there is just no words.

Mayor, the board of alderman and alder-person, I hope your pockets from this disgrace find you penniless one day, because in my world there is karma.

Janet Diebold Mathis

## Attachment L

From: Hester Jenkins <hjenkins53@outlook.com>  
Date: January 1, 2019 at 5:11:20 PM EST  
To: "boa@waynesvillenc.gov" <boa@waynesvillenc.gov>  
Subject: Greenhill Cemetery  
January 1, 2019  
To Whom It May Concern:

Growing up in Haywood County, I was always taught to have respect for the dead and their resting place. Going to the cemetery on decoration day or a special occasion was not an obligation but a privilege. When I ran across a video on Facebook showing how items had been removed from the graves at Greenhill Cemetery, I could not believe what I was seeing. There were the two angel statues that my mother had purchased some 18 years ago. My husband cemented them into the ground on the grave plot that my mother also purchased in 1974. It is the resting place for my dad, my brother and now my mother. The other angel was placed on my sister's grave which was also a plot that was deeded to my mother and now my brother in law. No one from the cemetery crew had ever complained about the angels being placed there. We were never notified that they were being removed. I can understand cleaning up bushes, trees and shrubs that have overgrown. That is what I consider perpetual care and is included in the deed when the plots are purchased. It was no easy chore to remove those angels. They were being stored by a shed along with other items and memorials removed from the graves. Such disrespect I had never witnessed. I understand that the town employees were just doing as they were told. I have later learned that a company was running ghost tours in the cemetery and even Mayor Brown was involved with the tour company. My family did not give permission for this to take place. This is not a tourist attraction. That is beyond disrespect.

I fully intend to continue placing flowers and any other memorial that I chose on the graves of my family. It will not interfere with the mowing crew. It is my right and my obligation to those family members to maintain their graves in the manner that they were promised.

Hester Cope Jenkins  
hjenkins53@outlook.com

#### **Attachment M**

From: lcru55 <lcru55@gmail.com>  
Sent: Tuesday, January 01, 2019 11:15 PM  
To: Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
Subject: Green Hill Cemetery

This is to address the items taken off my parents grave sites recently...I personally put those on the grave sites and they were not in anybody's way of mowing or weedeating, because I have weedeated it myself several times due to it not being done. I would like the items returned and left alone, and the town as far as I'm concerned needs to quit micromanaging every thing in town, there are bigger things like roads, and the overwhelming amount of traffic in town now. I just bought two more lots because I just buried my wife recently and a tombstone is coming by spring and I will not clutter it up but I will put things on her tombstone honoring her memory as far as I'm concerned that's my property as I have a deed for it and I'll honor her memory.

Please visit this ordinance and make the necessary adjustments that will let people honor the memory of their loved ones, it's the right thing to do.

Respectfully, Clifford Ruff

#### **Attachment N**

From: Tim Hyatt <tjhyatt@gmail.com>  
Sent: Wednesday, January 02, 2019 9:59 AM  
To: Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
Subject: Greenhill Cemetery

Good Morning,

I would like to say that while I understand the desire and economic reasoning behind the historical tours of the cemetery, I do not agree with the limitations placed on items that decorate the graves. Just as each person lives, works and worships differently they also mourn differently. I have loved ones buried at Greenhill and would like to be able to honor them as I see fit, not at the decision of a committee.

I appreciate your time and hope that you will consider the thousands of loved ones who connected to this cemetery and their desires to carry their memory forward as they see fit.

Respectfully,  
Tim Hyatt  
420 Thomas Park, Waynesville, NC 28786  
(828) 779-0212

**Attachment O**

From: Michelle Chandler <mhyattchandler@yahoo.com>  
Sent: Wednesday, January 02, 2019 3:54 PM  
To: Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
Subject: Green Hill Cemetery

To whom it may concern:

I would respectfully ask that you consider allowing families of the deceased to be able to leave momentos on their loved ones' headstones. That is the only thing that those of left behind are able to do now. Thank you for your time.

Michelle Hyatt Chandler

**Attachment P**

From: Barbara Freeman <cimmfr2@bellsouth.net>  
Sent: Wednesday, January 02, 2019 4:34 PM  
To: Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
Subject: Green Hill Cemetery

I am very unhappy with the current situation at the above cemetery. I do not put junk on my parent's headstone, it is almost always a saddle with an artificial floral arrangement. I do not believe that white flowers are likely to fade. When my Mother died; over 800.00 in flowers were discarded in less than a week; some family members from out of town weren't even able to see their flowers. THIS is ridiculous. My husband and I keep their site clean; pick up trash from others that have blown away and I do NOT appreciate the way this is being debated. Grave sites are not cheap and I do not put cheap trash on theirs.

B. Freeman

**Attachment Q**

From: Sara Buckner <sarabuckner@ymail.com>  
Sent: Wednesday, January 02, 2019 8:53 PM  
To: Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
Subject: Greenhill Cemetery

To whom it may Concern: My family is very upset with the way you have moved items from our parents graves, at the very least you could have sent out letters or tried in some form to let family members know that our property was being moved yes it is our property I have the deed! And also the items that were removed was also our property because we paid for them. You need to correct what you did because it was wrong!!!! Also the people that are stomping around during the night to have their whatever you want to call it, I call it a SEANCE at least that is what the dictionary says it needs to STOP because after all this is what caused the problem. Any question call me.

Sara Jane Buckner

828-276-8130

#### **Attachment R**

**From:** Tanna Timbes <tannatimbess@gmail.com>  
**Sent:** Wednesday, January 02, 2019 9:47 PM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** Green Hill Cemetery

Our forefathers did not purchase plots at Green Hill Cemetery so that the property could be used for graveyard tours for profit of those who benefit from that tour or anybody associated with them. In addition, to the lack of respect shown to our deceased family members this is also disgusting. Furthermore, I do understand why cemeteries need to have rules about what's put out on grave sites so that the sites can be mowed and kept up, however, personal items should never have been removed without letters sent out to persons who have family members buried at Green Hill Cemetery. Please honor those who have gone before us by STOPPING the cemetery tours!

Tanna Timbes  
14 Hugh Massie Rd  
Waynesville, NC 28786

#### **Attachment S**

**From:** Tim Lindsey <tlindsey222@gmail.com>  
**Sent:** Wednesday, January 02, 2019 10:38 PM  
**To:** Mayor & Board of Aldermen <BoA@waynesvillenc.gov>  
**Subject:** Green Hill Cemetery

To the Alderman and Mayor of the Town of Waynesville.

This entire fiasco concerning the Green Hill Cemetery is a total disgrace on you all. I have many family and friends who are laid to rest there and I am ashamed of the town of Waynesville. People own deeds to these burial plots yet you remove personal items claiming they interfere with upkeep or mowing. This is laughable, you should watch your employees and realize they have an abundance of time to work around any items that may be placed on graves.

Then you allow people to conduct tours of the graveyard for profit, I guess you are making some sort of money from those buried in the cemetery. You should be seeking approval of those with loved ones buried there and paying them for profit made in a disrespectful manner. I am a resident and a voter in Waynesville and I will be watching this closely, you can bet I will work diligently to vote out anyone who disrespects those lying in rest in Green Hill Cemetery.

Waynesville Voter  
Tim Lindsey

**TOWN OF WAYNESVILLE**

**PROCLAMATION HONORING THE RETIREMENT OF**

***Assistant Fire Chief Shannon Morgan***

**WHEREAS,** On July 3, 1989, Shannon Morgan began his career with the Town of Waynesville as a Firefighter; and

**WHEREAS,** Shannon served as a Fire Fighter where he served from July 1989 through July 1999; and

**WHEREAS,** From July 1999 to July 2008 he served as the Fire Engineer/Inspector; and

**WHEREAS,** He was promoted to Assistant Fire Chief on July 24, 2008 and served in this capacity until his retirement effective December 13, 2018; and

**WHEREAS,** Shannon has served the citizens of Waynesville in all of his positions, holding to his values and integrity, while making decisions in the best interests of the citizens of Waynesville and department personnel; and

**WHEREAS,** he has served as a Level II Fire Training Instructor for the fire department, and in that capacity has helped to ensure that the fire service professionals for the Town of Waynesville receive training which will save lives in the field; and

**WHEREAS,** In each role Shannon has served with the same intensity, passion, concern for the citizens of Waynesville; and

**WHEREAS,** Shannon has provided sound, effective leadership within the Town of Waynesville Fire Department, fostering positive relations, demonstrating humility and strength, while leading by his example of being ready to serve with pride and excellence.

**NOW, THEREFORE, BE IT RESOLVED, THAT I,** Gavin A. Brown, Mayor of the Town of Waynesville, on behalf the Town of Waynesville Board of Aldermen and Town Staff, formally thank Assistant Fire Chief Shannon Morgan for his years of service to the Town of Waynesville and its citizens, for his many contributions, dedication, and commitment. We wish him well in his future endeavors and retirement.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the Town of Waynesville to be affixed,

This the 11th day of December 2018.

**TOWN OF WAYNESVILLE**

---

Gavin A. Brown, Mayor

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: January 8, 2019**

**SUBJECT:** Request a budget amendment to use additional Medford Grant Funds from 2017-18 fiscal year toward Chestnut Park Playground equipment.

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** C4  
**Department:** Development Services  
**Contact:** Rhett Langston, Park and Recreation Director  
Elizabeth Teague, Development Services Director  
**Presenter:** Rhett Langston, Park and Recreation Director

**BRIEF SUMMARY:**

The Town successfully applied for grants to the Medford Grant program of the Community Foundation of Western North Carolina in support of Chestnut Park redevelopment. We learned this fall that there was additional grant monies left over from a previous grant that could go toward the purchase of playground equipment this fiscal year.

**MOTIONS FOR CONSIDERATION:**

1. To approve the budget amendment increasing the amount available to purchase playground equipment for Chestnut Park.

**FUNDING SOURCE/IMPACT:** This will use funding already allocated to the General Fund.

**ATTACHMENTS:**

- Budget Amendment

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Recommend approval



Ordinance No. O-01-19

Amendment No. 8 to the 2018-2019 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2018-2019 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2018-2019 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

103350-436129 Miscellaneous Grant  
(\$20,000 Original Adopted Budget 2018-2019 for Playground Equipment  
for Chestnut Park)

Other Financing Sources

Medford Grant from FY 2017-18 \$2,485

Total General Fund revenue increase \$2,485

(Town received permission from Medford Fund to carry over unspent grant funds from last year to increase budget amount for Chestnut Park playground.)

Increase the following appropriations:

Parks and Recreation

Material and Supplies 106120-532920 \$2,485

Total General Fund appropriation increase \$2,485

Adopted this 8<sup>th</sup> day of January 2019.

Town of Waynesville

\_\_\_\_\_  
Gavin A Brown  
Mayor

Attest:

\_\_\_\_\_  
Eddie Ward  
Town Clerk

Approved As To Form:

\_\_\_\_\_  
Bill Cannon  
Town Attorney

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: January 8, 2018**

**SUBJECT:** Call for Public Hearing on a Text Amendment to the Land Development Standards, Section 4.4. Measurement of building height.

**AGENDA INFORMATION:**

**Agenda Location:** Call for Public Hearing  
**Item Number:** D5  
**Department:** Development Services  
**Contact:** Elizabeth Teague, Planning Director  
**Presenter:** Elizabeth Teague, Planning Director

**BRIEF SUMMARY:** At the direction of the Planning Board, the Planning Department is making application to clarify how the Town measures building height. This text amendment was discussed at the November and December Planning Board Meetings and will be heard at the Planning Board Special Called Meeting on January 7, 2019. This text amendment will distinguish the way in which a sloped, pitched-roof building and a flat-roofed building are measured.

**MOTION FOR CONSIDERATION:**

1. Motion to call for a public hearings to be held on January 22, 2018 at 6:30pm to consider identified text amendments.

**FUNDING SOURCE/IMPACT:** N/A.

**ATTACHMENTS:**

1. Materials and the draft ordinance under consideration by the Planning Board.

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** This is a call for public hearing only.

## Planning Board Staff Report

Subject: Text Amendment to the Land Development Standards (LDS) regarding the measurement of building height.

Ordinance Section: 4.4

Applicant: The Planning Department

Meeting Date: December 17, 2018

### Background:

At the Planning Board's direction, staff is bringing forward recommendations for a text amendment for the purpose of eliminating any confusion in how the Town measures building height. The Board and staff identified several issues related to interpreting the ordinance at the last meeting:

1. Ordinance provides 2 illustrations, one with a pitched roof and one with a flat roof. The flat roofed illustration shows an additional "attic story" of up to 7 feet. In a flat roof building, the additional 7' allows for attic space, a building cap, mansard roof, or parapet above the top story to accommodate storage, roof access, or electrical equipment. The text of the ordinance is not clear as to whether this applies to just flat-roofed structures or all structures, including a pitched roof structure, such as a typical residence. In a pitched roof building, there could be well more than 7' of space under the roof structure, such as with a cathedral ceiling and any "attic" space under the roof may not be visible from the exterior of the building or even be "habitable". The ordinance further confuses by stating that: "The under-roof area with dormers does not count as a story," when a loft or habitable attic space may be under the roof and could meet the definition of a story.
2. The 6' allowable below the first story at street level, is needed in that structures within the floodplain may have to be elevated one foot above the "base flood" which could exceed 6' in some areas. Many residential areas within floodplains have raised foundations with stairs and porches that are above grade at the street level.
3. The pitched roof illustration is used to show that stories are measured from the "highest ground level at the structure's foundation." This appears to mean that a building could be three stories on one side, but then have additional stories on the other "downhill" side. A windshield and picture survey around town indicates that both residential, "pitched roof" structures and commercial buildings such as those along Main Street and Wall Street, have stories below the highest adjacent grade. Therefore, it seems that this illustration would apply to all types of buildings and that stories below the highest adjacent grade do not count toward the building height as allowed in the Dimensional standards by zoning district.
4. The ordinance's additional qualifications struck the Board and the staff as confusing as well: "A mezzanine shall be considered a story if it is contiguous with at least 60% of the building's front façade, is designed to be occupiable, and maintains an average depth of at least 16 feet. A penthouse shall be considered a story if it exceeds one-third of the area of the roof. The under-roof area with dormers does not count as a story."

Staff consulted with architect Odell Thompson, current and past ordinances, building codes and "as-built" precedent around Town. The 2006 version of the LDS uses the same illustration of a pitched roof to apply to all buildings with the definition: "Building Height is measured from the highest adjacent ground level

at the structure foundation to the highest point of the structure excluding chimney's and antennas." The revised ordinance appears to try and bring clarity and more detail to that former guideline, but may have also opened up new questions.

The NC Building Codes measure height from a "grade plane" which represents "the average of finished grade level adjoining the building at exterior walls," to the "average height of the highest roof surface." Notably, building codes are enforced at the time of building permit and construction, and zoning cannot (nor should it) impede or supercede building codes. Rather, designers must design to the desired scale and guidelines of the Land Development Standards and meet the building codes at the same time.

Staff concludes that this ordinance's should:

- 1) maintain a certain scale within zoning districts, not changing the table of dimensional standards by district (Table 2.4),
- 2) work with the Town's topography,
- 3) accommodate both commercial and residential styles of structures; and
- 4) give architects and designers some leeway in designing to the guidelines without being too proscriptive.

## **Consistency with the 2020 Comprehensive Land Development Plan**

In the Waynesville: Our Heritage, Our Future, 2020 Land Development Plan, one of the stated actions is to "Revise the Zoning Ordinance, other development ordinances and the zoning map to reflect the Land Use Map and concepts contained in the plan." (4-2). Additionally there is an objective to "Work to preserve the important character and scale of each unique area within the larger Waynesville community by building on those elements identified as important to defining each area." (4-5).

Clarifying the way in which the Town measures building height will re-inforce the goal of keeping new construction within the scale and dimensional requirements of the designated zoning districts.

## **Recommended Text Amendment**

Staff recommends the attached text replace LDS Section 4.4. The current version is also attached for reference. Staff seeks the Planning Board's input, edits and possible recommendation for approval as part of this hearing.

## **Recommended Motions**

1. To find that updates to LDS Section 4.4 are Consistent with the Comprehensive Plan and are reasonable and in the public interest (per identified findings; see worksheet)
2. To recommend to the Board of Aldermen adopt changes to the Land Development Standards text as provided (or as amended).

ORDINANCE NO. \_\_\_\_\_

***DRAFT***

**AN ORDINANCE AMENDING THE TEXT OF THE  
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

**WHEREAS**, the Town of Waynesville has the authority, pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety and welfare; and

**WHEREAS**, the Town of Waynesville Planning Board has reviewed the proposed amendment at a notified public hearing, and adopted a Statement of Consistency with findings that the ordinance is consistent with the 2020 Comprehensive Land Development Plan, and that the Ordinance is both reasonable and in the public interest, and voted to recommend its enactment by the Board of Aldermen; and

**WHEREAS**, the Town of Waynesville Board of Aldermen reviewed the proposed amendment and adopted a Statement of Consistency with findings that the text amendment is consistent with the 2020 Comprehensive Land Development Plan and is both reasonable and in the public interest, prior to this ordinance; and

**WHEREAS**, after notice duly given, a public hearing was held on \_\_\_\_\_, 2018;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON \_\_\_\_\_, 2018 AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:**

**Replacement of Section 4.4 of the Land Development Standards, with the following text and illustrations:**

**4.4 - Measurement of Building Height.**

**4.4.1 Applicability**

Building heights shall be specified in Section 2.4, Dimensional Standards by District and use “stories” as the standard unless otherwise regulated in Chapter 5 Building and Development Design. Where a specific dimension is used in the calculation of maximum height for certain types of buildings in Chapter 5, the height shall be measured from the highest adjacent grade to the highest point of the structure **or** at the structure’s “primary façade.” Wherever one Section of the Town’s Land Development Standards may differ from another, the more restrictive ordinance shall apply. All structures are subject to regulations under the North Carolina State Building Codes in addition to this Section.

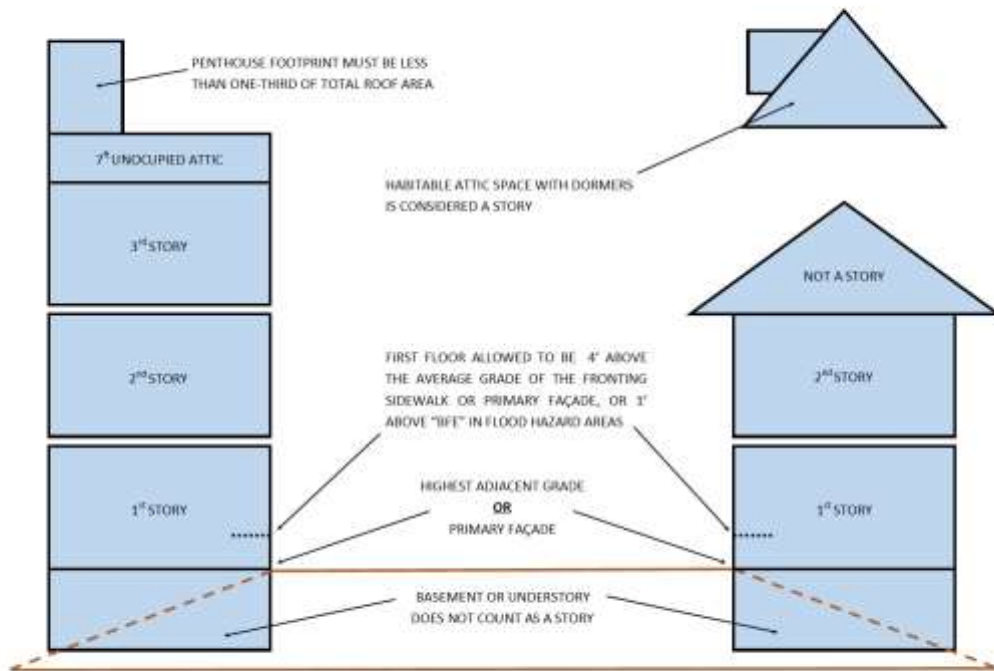
#### 4.4.2 Measurement of Building Height by Story

A story is a habitable level within a building of no more than 14 feet in height from finished floor to finished floor. The number of stories is measured from the highest adjacent grade **or** at the structure's "primary façade." The primary façade is that side of the building that is considered the front of the structure architecturally, and that contains the primary entrance or front door.

For buildings with flat roofs, unoccupied attics or building caps less than 7 feet in height are not considered stories for the purposes of determining building height. A penthouse on top of a flat roof shall be considered as a story, if it is equal to or exceeds one-third of the total roof area.

For buildings with pitched roofs, uninhabitable attic space or cathedral ceilings within the roof structure, with or without dormers or vents, are not considered stories for the purposes of determining building height. Habitable space within the pitched-roof structure with dormers are considered stories.

For either pitched or flat roofed structures, the first floor may be up to 4' above the average grade of the fronting sidewalk or primary façade, or be one foot (1') above base flood elevation for the lot if within a special flood hazard area. Basements or under-stories below the highest adjacent grade or facing away from the structure's primary façade, do not count as stories for the measurement of building height.



#### **4.4.3 Items Not Included in Height Calculations.**

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, mechanical penthouses (provided they are set back 20 feet from the front elevation), observation towers, transmission towers, chimneys, smokestacks, conveyors, flagpoles, masts and antennas (provided evidence from appropriate authorities is submitted to the effect that such building or buildings will not interfere with any airport zones or flight patterns). See Chapter 3 Supplemental Standards related to communication towers and wireless communication facilities.

**ADOPTED** this    Day of    , 2018.

TOWN OF WAYNESVILLE

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Gavin A. Brown, Mayor

ATTEST:

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Town Clerk

APPROVED AS TO FORM:

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Bill Cannon, Town Attorney

## **RESOLUTION # R-01-19**

### **A RESOLUTION DESIGNATING THE BOARD OF ALDERMEN AS A REDEVELOPMENT AUTHORITY**

**WHEREAS,** The Town of Waynesville through the authority granted by GS 160A-3 has a duty to protect the health, safety and welfare of its residents; and

**WHEREAS,** GS 160A-505 enables the Board of Aldermen to act as a redevelopment authority; and

**WHEREAS,** the Board recognizes that blighted areas exist in a number of areas of the Town; and

**WHEREAS,** the redevelopment of these areas is necessary to address deterioration and blight in the interest of the public health, safety, morals and welfare of the residents of Waynesville; and

**WHEREAS** the Board of Aldermen held a public hearing on the creation of such an authority in accordance with GS160A-504.

**BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE THAT IT DESIGNATE ITSELF TO CARRY OUT THE POWERS, DUTIES AND RESPONSIBILITIES OF A REDEVELOPMENT AUTHORITY.**

Adopted this the 8th day of January, 2019

**Town of Waynesville**

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**Gavin A. Brown, Mayor**

**Attest:**

**Eddie Ward, Town Clerk**



## **RESOLUTION # R-02-19**

### **A RESOLUTION DESIGNATING “THE OLD HOSPITAL” AREA AS A REDEVELOPMENT AREA**

**WHEREAS**, The Board of Aldermen acting as a Redevelopment Authority as defined in GS 160A-505 recognizes that areas of blight exist in the Town; and

**WHEREAS**, The Board of Aldermen of the Town of Waynesville hereby initiates the project and has invested community development resources in the Half Mile area within the last ten years as outlined in the “North Main and Old Haywood Hospital Redevelopment Plan”; and

**WHEREAS**, The Board has authorized a study of an area of one half mile surrounding “The Old Haywood County Hospital” and found that it meets the definition of “blighted area”; and

**WHEREAS**, the Board finds that the rehabilitation of this area is necessary to address deterioration and blight in the interest of the public health, safety, morals, and or welfare of the residents of Waynesville; and

**WHEREAS**, the Planning Board recommends that the Board of Aldermen designate the study area as a redevelopment area; and

**WHEREAS** the Board of Aldermen held a public hearing on the designation of “The Old Haywood County Hospital” area as a redevelopment area.

**BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE THAT IT; DESIGNATE THE “OLD HOSPITAL REDEVELOPMENT AREA DESCRIBED BELOW:**

The half mile study area originating from the Old Haywood Hospital is to be bounded by:  
West Marshall Street, Vance Street, Parkview Street, Keller Street, Parcel 8616-60-5907, Parcel 8616-60-6918, Parcel 8616-61-6193, Parcel 8616-71-3067, Underwood Drive, Parcel 8616-81-4316, Parcel 8616-81-5222, Parcel 8616-81-7194, Joyce Street, Parcel 8616-80-9979, Parcel 8616-91-0054, Hillside Terrace Drive, Asheville Road, Ratcliff Cove Road, Parcel 8615-99-9587, Parcel 8615-99-4360, Parcel 8615-99-4032, Parcel 8615-99-3213, Parcel 8615-98-2217, Sunnyside Road, Parcel 8615-87-9516, Parcel 8625-87-6632, Parcel 8615-87-5211, Parcel 8615-87-3237, Parcel 8615-77-9373, Parcel 8615-77-5501, Test Farm Road, Hamer Avenue, Parcel 8615-58-6472, Woolsey Heights, Parcel 8615-58-6726, Parcel 8615-59-6071, Nelson Park Drive, Parcel 8615-59-5179, Parcel 8615-59-6206, and North Main Street and more particularly described in Attachment “A” of this Resolution.

Adopted this the 8th day of January, 2019

**Town of Waynesville**

**Attest:**

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Gavin A. Brown, Mayor

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Eddie Ward, Town Clerk

**RESOLUTION # R-03-19**

**A RESOLUTION PLEDGING FINANCIAL ASSISTANCE TO THE REHABILITATION OF THE “OLD HAYWOOD COUNTY HOSPITAL” IN THE FORM OF WAIVERS, GRANTS AND PUBLIC IMPROVEMENTS**

**WHEREAS**, The Board of Aldermen acting as a Redevelopment Authority as defined in GS 160A-505 recognizes that areas of blight exist in the Town; and

**WHEREAS**, The Board of Aldermen of the Town of Waynesville hereby initiates the project and has invested community development resources in the Half Mile area within the last ten years as outlined in the “North Main and Old Hospital Redevelopment Plan”; and

**WHEREAS**, The Board has authorized a study of an area of one half mile surrounding “The Old Haywood County Hospital” and found that it meets the statutory definition of “blighted area”; and

**WHEREAS**, the Board finds that the rehabilitation of this area is necessary to address deterioration and blight in the interest of the public health, safety, morals, and or welfare of the residents of Waynesville; and

**WHEREAS**, the Planning Board recommends that the Board of Aldermen designate the study area as a “redevelopment area”; and

**WHEREAS**, the lack of safe, sanitary affordable housing is one of the most critical needs within the “Old Hospital Redevelopment Area”; and

**WHEREAS** the Board of Aldermen have the opportunity to partner with Haywood County and Landmark Asset Services Inc. to rehabilitate the “Old Haywood County Hospital” into an affordable housing community known at the “Brookmont Lofts”.

**BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE THAT IT;  
OFFER THE FOLLOWING WAIVERS, GRANTS AND SERVICES:**

1. Waive permitting, taps and system developments fees through a \$7,200 grant.
2. Provide the necessary water and sewer to the master meter at an estimated value of \$58,000.
3. Construct sidewalks to meet ADA and the Town’s Development Standards in an amount not to exceed \$106,842.

Adopted this the 8th day of January, 2019

**TOWN OF WAYNESVILLE**

**ATTEST:**

\_\_\_\_\_  
Gavin A. Brown, Mayor

\_\_\_\_\_  
Eddie Ward, Town Clerk

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: January 8, 2019**

**SUBJECT:** Affordable Housing Policy

**AGENDA INFORMATION:**

**Agenda Location:** Manager's Report  
**Item Number:** G9  
**Department:** Administrative Services  
**Contact:** Rob Hites, Town Manager  
**Presenter:** Rob Hites, Town Manager

**BRIEF SUMMARY:** The staff has held numerous calls and visits from organizations that wish to construct affordable rental and for sale housing in Waynesville. One of the most frequent questions is whether the Town has a program to help reduce the cost of the development through grants or incentives. The General Statutes give a town the ability to provide grants to affordable housing developments so long as the developer is willing to stipulate through contract that they will rent or sell their product to low to moderate income clients. Given the interest that we are receiving in this area we recommend that you adopt a policy establishing the process the Town would use to consider requests for incentive grants to promote affordable housing.

**MOTION FOR CONSIDERATION:** Call for a Public Hearing to receive public comment on an Affordable Housing Policy.

**FUNDING SOURCE/IMPACT:** Affordable Housing Grants may be funded through General, Water, Sewer, and Electric funds depending on the area where the grants are targeted. For example: If the grant is to extend a water line the water fund may provide the grant. If the grant is to provide "closing costs" for housing the General Fund may supply the grant.

**ATTACHMENTS:**

- Draft Affordable Housing Policy

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** As with Economic Development Grants it is best to have an adopted Policy when considering making grants. The presence of a policy shows that the Board is following an adopted program rather than making arbitrary funding decisions.

## **TOWN OF WAYNESVILLE AFFORDABLE HOUSING POLICY**

### **POLICY STATEMENT:**

It is the policy of the Town of Waynesville to promote affordable rental and owner occupied housing within its corporate limits. In the spirit of this policy the Town Board may find it necessary to stimulate development of affordable housing opportunities by offering incentive grants to offset development costs associated with the construction and occupancy of such housing. Such grants may be used to offset the cost of expenses including, but not limited to: environmental testing, clearing, grading, stormwater mitigation, water/wastewater/power line extensions road construction and buying down the construction cost of the project, closing costs and sales price and rental subsidies.

### **CRITERIA FOR INCENTIVE CONSIDERATION:**

The Town will entertain requests for incentives on a case by case basis and will weigh their merit according to the following:

- Incentives may be granted for location and construction of a specific affordable housing development where the Town's participation will have an immediate impact on the ability of low to moderate income residents to rent or purchase dwellings. The Town will evaluate projects to determine the economic feasibility of such a development and the extent to which the Town may reasonably provide grants or loans. The Town shall determine the "gap" between the construction cost of the development and the rental or sales price for persons who qualify under HUD guidelines as having 80% of the median household income for moderate income and assess its ability bridge the "gap".
- The Town will evaluate the impact of the request on the rental or sales price of the development to determine the extent to which it may aide in lowering rents or sales prices to a meaningful level.
- The dwelling design and floorplan will be studied to insure that it is efficiently and economically designed and it is energy efficient and economical to maintain.
- The applying party must be a business, nonprofit corporation or a CHDO (Community Housing Development Organization) with a successful track record in the development and construction of low to moderate income housing.
- The business, nonprofit or CHDO must be willing to guarantee, through contract, that 20% of the rental units will be available to low to moderate income persons for a period of twenty (20) years and that housing sale prices will be set to attract low to moderate income persons through the sell-out of the development.
- The recipient party shall reimburse the Town for any grants should the project not be completed. If only a portion of the project is completed the Town shall be reimbursed for that percentage of the project grant not completed.

- The Town shall approve any sale or assignment of the development to another qualifying party.
- The Town will take into consideration the tax value of the development in determining its ability to offer grants to affordable housing developments.

## **PROCEDURES:**

In concert with GS 160A-456 (b) and GS 157-4.1 the Town adopts the following procedures for requesting an affordable housing grant or loan:

The Applicant shall provide the following information in order to be considered for an affordable housing grant:

- A. Name, address and list of officers of the development entity.
- B. Number of years entity has been in business and list of affordable housing projects completed.
- C. Site Plan, dwelling floorplans and elevations, energy efficient features, phasing, projected buildout, proforma of development, projected unit costs, rents and sales prices.
- D. Target market,
- E. Funding sources
- F. Projected tax base at buildout

The project will be evaluated based on the efficiency of design, energy efficiency of the dwellings and cost. The staff will compare the unit cost or rents with the prices that the eligible clients can afford to determine the “gap” that needs to be funded.

The staff will determine the Town’s ability to meet the gap and estimate the payback in property taxes necessary to restore the grants of funds to Town’s fund balance.

The staff will recommend a course of action to the Town Board.

Should the Board wish to present the proposal to the Public it will set a date for a public hearing to solicit input. After such a hearing the Board will determine the amount of a grant to offer the applicant and direct the town attorney to prepare a contract outlining the terms of the grant.

The grant shall be paid to the applicant as construction progresses if the grant is to construct infrastructure. If the grant is to buy down the cost of the dwellings, the grants will be paid as the dwellings are completed.

Policy Effective Date: January 2019

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Gavin A. Brown, Mayor

# AFFORDABLE HOUSING POLICY



# STATUTORY BASIS

- TOWNS MAY EXERCISE ANY AUTHORITY GRANTED TO REDEVELOPMENT AUTHORITIES AND HOUSING AUTHORITIES (NCGS 160A-456 (b)).
- TOWNS MAY OFFER GRANTS TO REDEVELOP OR CONSTRUCT NEIGHBORHOODS OR BUILDINGS FOR LOW TO MODERATE INCOME PEOPLE.
- TOWNS MAY OFFER GRANTS OR IN-KIND SERVICES TO EXTEND UTILITIES, BUY DOWN CLOSING COSTS, RENTS, SALES PRICE OF HOUSING OR OTHER HOUSING AUTHORITY OR REDEVELOPMENT ACTIVITY

# WHO CAN APPLY FOR AFFORDABLE HOUSING GRANTS?

- For profit, nonprofit corporations, CHDOs (Community Housing Development Organizations)
- Organizations must have a positive track record in development and construction of affordable housing.



# PROCESS TO APPLY FOR GRANT

- Development Corporation must provide:
  - List of Officers, Years in Business, Affordable Housing Track Record,
  - Site Plan, House Plans, Energy Efficiencies, Development Budget, Phasing of Development, Project Buildout, Projected Rents and Sales Prices, Projected Buildout.
  - Target Market (ex. Affordable Housing for Elderly? First Time Buyers?)
  - Target Income: 80% of Haywood County median family income
  - Projected increase in Waynesville Tax Base at Buildout.

# HOW WILL THE TOWN EVALUATE THE REQUEST?

- Study the Site Plan and Building Design to Determine the Efficiency of the Project
- Study the Energy Efficient Components of the Designs (ex. Rating of Windows, Heating Systems, Appliances)
- Compare Cost of Development, Cost Per Unit with Affordability for Low to Moderate Income Buyer or Renter
- Determine “Gap” in affordability between cost and sale/rent price
- Recommend a grant or loan based on the payback in taxes and the Town’s ability to fund the grant or loan.

RESOLUTION NO. R-04-19

UPDATING THE CORPORATE RESOLUTION DESIGNATING FISCAL &  
CONTRACTUAL AGENCY AND AUTHORIZED SIGNERS

WHEREAS, new authority certificates and signature cards are needed for each financial institution holding town funds; and

WHEREAS, all checks or contracts requiring two signatures will be signed by the Town Manager and Finance Director; however, any two signatures from among the four authorized signers will be considered valid. It is the intent, that any time two signatures are required, one shall be from Finance and the other from Administration.

Administration

Finance

Town Manager Robert W. Hites, Jr.

Assistant/Interim Finance Director Dean Trader

Assistant Town Manager Amanda W. Owens

Tax Collector James Robertson

NOW, THEREFORE, the Town of Waynesville Board of Aldermen resolves:

That Town Manager Robert W. Hites, Jr. and Assistant/Interim Finance Director Dean Trader be designated as signers of Authority Certificate(s) and as signers on signature cards and additional authorized designated signers on signature cards include Assistant Town Manager Amanda W. Owens and Tax Collector James Robertson.

This action is to become effective January 8, 2019.

Adopted this 8th day of January, 2019.

TOWN OF WAYNESVILLE

ATTEST:

\_\_\_\_\_  
Gavin A. Brown  
Mayor

\_\_\_\_\_  
Eddie Ward  
Town Clerk