

## Town of Waynesville, NC Board of Aldermen – Regular Meeting

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

Date: **January 26, 2016**      Time: **6:30 p.m.**

---

*The agenda and all related documentation may be accessed electronically at [www.waynesvillenc.gov](http://www.waynesvillenc.gov).  
Click on "Government/Mayor & Board" to download materials for town board meetings.*

**Consider the environment ♦ Conserve resources ♦ Print only when necessary**

*The Town of Waynesville provides accessible facilities, programs and services for all people, in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or accommodation for this meeting, please contact the Town Clerk at:*

**(828) 452-2491**

[aowens@waynesvillenc.gov](mailto:aowens@waynesvillenc.gov)

---

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

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

***Motion:*** *To approve the minutes of the January 12, 2016 (regular meeting and closed session), and January 19, 2016 (special called meeting and closed session) as presented [or as corrected].*

### **B. PRESENTATIONS**

3. Haywood County Tourism Development Authority 1% Zip Code Sub Committee Report
  - Lynn Collins, Executive Director, Haywood County TDA
4. Request to Consider a Proposal to Rename Pigeon Street to Martin Luther King, Jr. Blvd.
  - Philip Gibbs (and others on behalf of various citizen constituencies and organizations )

### **C. PUBLIC HEARING**

5. Public Hearing to consider Ingles Conditional District Master Plan Amendment Request related to wall signage in the Russ Avenue Regional Center Conditional District (RC-CD)

***Motion:*** *To adopt the Conditional District Master Plan Amendment related to wall signage in the Russ Avenue Regional Center Conditional District (RC-CD), as presented, and as unanimously approved by the Planning Board.*

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

January 26, 2015

- 2 -

---

D. NEW BUSINESS

6. Sponsorship of Haywood Waterways 4<sup>th</sup> Annual Polar Plunge on Feb 6<sup>th</sup>, 2016

***Motion:*** To sponsor Haywood Waterways 4<sup>th</sup> Annual Polar Plunge in the amount of \$500 as requested.

7. Street Closure Requests

- a) Mountaineer 2-Miler Foot Race, hosted by Waynesville Middle School PTA and Mountain Fit – rolling closures through Hazelwood (Brown Ave., Sulphur Springs Rd., Elysinia Ave., Hazelwood Ave., Brown Ave.) beginning and ending at Waynesville Middle School, **9:30 – 11:30 AM on Saturday, March 19, 2016.**
- b) West Haywood Relay for Life – Main Street from Church Street to Depot Street from **4:00 pm Saturday, April 23, 2016 until 1:00 a.m. on April 24, 2016.**
- c) Haywood Chamber of Commerce’s Gateway to the Smokies Half Marathon – rolling closures for 13 miles through Haywood County from the intersection of Main & Depot Streets and ending in Frog Level, **from 6:00 am – 1:00 pm, Saturday, May 14, 2016.**

***Motion:*** To approve the three street closures as requested  
[ or motions may be made separately for each request]

8. Fire Fighters Relief Fund Board Appointments – 2 vacancies / 2 applicants

- Mack W. Noland --2-Year term ending 01/01/2018
- Daniel R. Pottinger, Jr. -- 2-Year term ending 01/01/2018

***Motion:*** To appoint Mack Noland and Daniel Pottinger to the Firefighters Relief Fund Board for two year terms ending 01/01/2018.

E. UNFINISHED BUSINESS

9. Reconsideration of Request by Haywood Regional Theatre for Waiver of Tap Fees and Development Permits and for In-kind Contribution of Materials and Labor related to Installation of Water and Electric Service to Theatre Expansion Project

***Motion:*** [At Board’s Discretion]

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

January 26, 2015

- 3 -

---

**F. COMMUNICATIONS FROM STAFF**

10. Manager's Report – Town Manager Marcy Onieal

- Weather Response Update
- Career Track & HR Updates
- Mid-Year Operational & Finance Reports - Staff
- Pending Projects

11. Attorney's Report – Town Attorney Woody Griffin

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

12. Consideration of Candidates, Contractual Terms, and Appointment of Interim Town Manager

- Robert Hites, retired Town Manager, Statesville, NC
- Michael Morgan, retired Town Manager, Weaverville, NC

***Motion:*** To appoint [name of candidate] as interim town manager, effective February 1, 2016, under terms of the contract as presented [or as amended].

13. Announcement of a Special Called Meeting of the Board of Aldermen on Wednesday, January 27, 2016, at 2:00 PM, in the Board Room of Town Hall, 9 South Main Street, Waynesville, for the purpose of consulting with North Carolina League of Municipalities' Human Resources Consultant Hartwell Wright regarding the initiation of a town manager search process and transitional human resources matters – Mayor Brown

14. French Broad River MPO Agenda – January 28, 2016 – Alderman Roberson

**H. CALL ON THE AUDIENCE**

**I. 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

## CALENDAR January 26, 2016

2016	
Mon, Jan 25 6:30 PM Boiler Room Steakhouse, Franklin	Southwestern Commission Board Meeting
Wed, Jan 27 2:00 PM Board Room, Town Hall	Board of Aldermen, Special Meeting w/ NCLM HR Consultant Hartwell Wright
Tue, Jan 26 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Thu, Jan 28 8:30 AM UCB Board Room	Downtown Waynesville Association –Annual Board Retreat
Thu, Jan 28 12:30 PM Land of Sky Council Offices	French Broad River MPO Board Meeting (Alderman Roberson)
Fri, Jan 29 1:00 – 5:00 PM Municipal Building	Farewell Reception for Town Manager, hosted by Leadership Team
Fr-Sa, Jan 29-30	Board of Aldermen Annual Board Retreat <b>CANCELLED</b>
Sat, Feb 6 11:00 AM Lake Junaluska	Haywood Waterways 4 <sup>th</sup> Annual Polar Plunge Benefitting Kids in the Creek
Tue, Feb 9 8:30 – 10:00 AM Chamber Offices	Haywood Chamber of Commerce Governmental Relations Committee 2016 Legislative Agenda Workshop
Tue, Feb 9 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Thu, Feb 18 5:30 – 7:30 PM Wells Event Center	Elected Officials Reception sponsored by the Haywood Chamber of Commerce
Mon, Feb 22 5:30 PM Location TBD	Haywood COG – Canton Hosting
Tue, Feb 23 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting

Thu, Feb 25 12:30 PM Land of Sky Council Offices	French Broad River MPO Board Meeting (Alderman Roberson)
Th – Sa, Mar 3-12 8:30 a.m. – 5:00 PM	One Stop Voting in Haywood County 81 Elmwood Way
Sa – We, Mar 5-9	National League of Cities Congressional City Conference Washington, DC
Tue, Mar 8 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Tue, Mar 15 6:30 AM – 7:30 PM All Voting Precincts	Presidential Preference and Primary Election Day
We-Fr, Mar 16-18	NC Main Street Conference Goldsboro, NC
Sat, Mar 19 9:30 – 11:30 AM Waynesville Middle School	Mountaineer 2-Miler Foot Race, Waynesville Middle School PTA and Mountain Fit (if approved)
Tue, Mar 22 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Thu, Mar 24 12:30 PM Land of Sky Council Offices	French Broad River MPO Board Meeting (Alderman Roberson)
Fri, Mar 25	Good Friday Holiday Town Offices Closed
Mon, Mar 28 6:30 PM Location TBD	Southwestern Commission Board Meeting
Tue, Apr 12 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, Apr 23 4:00 PM – 1:00 AM Main Street	West Haywood Relay for Life (if approved)
Mon, Apr 25 5:30 PM Location TBD	Haywood COG – Clyde Hosting
Tue, Apr 26 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, May 6 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Tue, May 10 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, May 14 6:00 AM – 1:00 PM Main Street to Frog Level	Gateway to the Smokies Half Marathon – Haywood Chamber of Commerce - rolling street closures for 13 miles through Haywood County from the intersection of Main & Depot Streets and ending in Frog Level

Mon, May 23 6:30 PM Location TBD	Southwestern Commission Board Meeting
Tue, May 24 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, May 28 6:00 – 9:00 PM Downtown	Another Rockin Block Party - DWA
Mon, May 30	Memorial Day Holiday Town Offices Closed
Fri, Jun 3 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Wed, Jun 8 All Day Raleigh, NC	NCLM Town Hall Day
Sat, Jun 11 10:00 AM – 5:00 PM Downtown	Appalachian Lifestyle Celebration - DWA
Tue, Jun 14 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Jun 24 6:30 – 9:00 PM Historic Courthouse	Mountain Street Dance – DWA
Mon, Jun 27 5:30 PM Location TBD	Haywood COG – Haywood County Hosting
Tue, Jun 28 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Jul 1 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Mon, Jul 4	Independence Day Holiday Town Offices Closed
Mon, Jul 4 11:00 AM – 3:00 PM Downtown	Stars & Stripes Celebration – DWA
Fri, Jul 8 6:30 – 9:00 PM Historic Courthouse	Mountain Street Dance – DWA
Tue, Jul 12 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Jul 22 1:00 PM Main Street / Historic Courthouse	Folkmoot USA Parade of Nations & Opening Ceremonies Parade: Line-up at 11:30 AM from Blue Ridge Books/Academy Street Opening Ceremonies: 1:00 PM
Fri, Jul 22 6:30 – 9:00 PM Historic Courthouse	Mountain Street Dance – DWA

Tue, Jul 26 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Jul 29 6:30 PM Location TBD	Southwestern Commission Annual Dinner
Sat, Jul 30 10:00AM – 5:00 PM Main Street, Downtown	“Where the World Meets on Main Street” International Day Festival
Fri, Aug 5 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Fri, Aug 5 6:30 – 9:00 PM Historic Courthouse	Mountain Street Dance – DWA
Sat, Aug 6 9:00 AM – 1:00 PM Courthouse Lawn	Sarge’s Annual Downtown Dog Walk
Tue, Aug 9 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Mon, Aug 22 5:30 PM Location TBD	Haywood COG – Maggie Valley Hosting
Tue, Aug 23 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Sep 2 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Fr-Sa, Sep 2-3	47 <sup>th</sup> Annual Smoky Mountain Folk Festival Lake Junaluska
Mon, Sep 5	Labor Day Holiday Town Offices Closed
Tue, Sep 13 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Sat, Sep 17 6:00 – 9:00 PM Downtown	Block Party - DWA
Mon, Sep 26 6:30 PM Location TBD	Southwestern Commission Board Meeting
Fri, Oct 7 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Sat, Oct 8 10:00 AM – 5:00 PM Main Street, Downtown	33 <sup>rd</sup> Annual Church Street Art & Craft Show
Tue, Oct 11 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting

Sat, Oct 15 10:00 AM – 5:00 PM Main Street, Downtown	28 <sup>th</sup> Annual Apple Harvest Festival – Haywood Chamber of Commerce
Su-Tu, Oct 23-25	NCLM Annual Conference CityVision 2016 Raleigh, NC
Mon, Oct 24 5:30 PM Location TBD	Haywood COG – Waynesville Hosting
Tue, Oct 25 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Mon, Oct 31 5:00 – 7:00 PM Main Street, Downtown	Treats on the Street - DWA
Fri, Nov 4 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Tue, Nov 8 6:30 AM – 7:30 PM All voting precincts	Election Day - General Election
Tue, Nov 8 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fri, Nov 11	Veterans' Day Holiday Town Offices Closed
Th-Fr, Nov 24-25	Thanksgiving Holiday Town Offices Closed
Mon, Nov 28 6:30 PM Location TBD	Southwestern Commission Board Meeting
Fri, Dec 2 5:00 – 9:00 PM Downtown	Art After Dark – Waynesville Gallery Association
Fr-Mo, Dec 2-5	Holly Days Downtown – seasonal events downtown throughout the weekend
Mon, Dec 5 6:00 PM Main Street, Downtown	Waynesville Holiday Parade Line-up begins at 4:30 PM at Walnut and Main Parade begins at 6:00 PM
Sat, Dec 10 5:00 PM Fire Station #1	Waynesville Fire Department Annual Holiday Family Dinner (tent)
Sat, Dec 10 6:00 – 9:00 PM Main Street, Downtown	A Night Before Christmas / Bethlehem Market Place – DWA & First Baptist Church
Tue, Dec 13 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Fr-Tu, Dec 23, 26-27	Christmas Holiday Town Offices Closed

<b>2017</b>	
	New Year Holiday Town Offices Closed
	Martin Luther King Jr Holiday Town Offices Closed

## Board and Commission Meetings – February 2016

ABC Board	ABC Office – 52 Dayco Drive	February 16 3 <sup>rd</sup> Tuesdays 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	February 2 1 <sup>st</sup> Tuesdays 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	February 25 4 <sup>th</sup> Thursdays 12 Noon
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	February 3 1 <sup>st</sup> Wednesdays 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	February 15 3 <sup>rd</sup> Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	February 11 2 <sup>nd</sup> Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	February 16 3 <sup>rd</sup> Tuesdays 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	February 3 1 <sup>st</sup> Wednesdays 5:30 PM

## BOARD/STAFF SCHEDULE

We – Fr, Feb 3-5, 2016	Town Manager	NCCCMA Manager’s Continuing Ed - Winter Seminar Durham, NC
We – Fr, Feb 17-19, 2016	Town Clerk	IIMC/NCAMC Municipal Clerks Region III Annual Conference Carolina Beach, NC
Th – Sa, Jun 23-25, 2016	Town Manager	NCCCMA Manager’s Continuing Ed - Summer Seminar Asheville, NC
Th – Sa, Aug 4-6, 2016	Town Attorney	NC Association of Municipal Attorneys Summer Seminar Asheville, NC
Th – Sa, Aug 18-20, 2016	Town Clerk	NC Association of Municipal Clerks Summer Seminar Asheville, NC

# Haywood County Board of Elections

Robert Inman, Director



Elizabeth Norris, Chair

Carrie Ann Chavez, Secretary

Grover Bradshaw, Member

63 Elmwood Way Suite A  
Waynesville, North Carolina 28786  
(828) 452-6633  
(828) 452-6750 (facsimile)

MARCH PRIMARY 2016 ELECTION SCHEDULE		NC General Statute #
Candidates file notice of candidacy for state & county offices	Tuesday, December 1, 2015 – 12noon through Monday, December 21, 2015 12noon	NCGS 163-106(b)
Request for Absentee by Mail Applications Requests Begins <i>In Person</i>	Monday, January 25, 2016 8:30 am	NCGS 163-227.3(a)
Registration Books Close	Friday, February 19, 2016 – 5:00 pm	NCGS 163-82.6(c)(1)
One Stop Voting Begins	Thursday, March 3, 2016 8:30 am	NCGS 163-227.2(b)
Request for Absentee by Mail Applications Ends	Tuesday, March 8, 2016 5:00 pm	NCGS 163.230.1(a)
One Stop Voting Ends	Saturday, March 12, 2016 1:00 pm	NCGS 163-227.2(b)
<b><i>Presidential Preference &amp; PRIMARY ELECTION DAY</i></b>	<b><i>Tuesday, March 15, 2016 6:30AM-7:30PM</i></b>	NCGS 163-1(b)
Canvass of Primary Election	Tuesday, March 22, 2016 11:00 am	NCGS 163-182.5 (b)
<b><i>Second Primary (if needed)</i></b>	Tuesday, May 3, 2016 –Federal office Tuesday, May 24, 2016 – State office 6:30AM-7:30PM (Not Both dates)	NCGS 163-111(e)
Soil & Water Filing	June 13, 2016 12:00 – July 1 <sup>st</sup> 12:00	NCGS 139-6
School Board Filing	July 5, 2016 12:00 – July 15 <sup>th</sup> 12:00	SL 2009-29
Sanitary Districts Filing	July 1, 2016 12:00 – July 15 <sup>th</sup> 12:00	NCGS163-291(2)
<b><i>General Election</i></b>	<b><i>Tuesday, November 8, 2016 6:30am – 7:30 pm</i></b>	NCGS 163-1 (b)

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**January 12, 2016**

---

**THE WAYNESVILLE BOARD OF ALDERMEN** held a regular meeting on Tuesday, January 12, 2016 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER**

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

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

The following staff members were present:

Marcy Onieal, Town Manager  
Chase Wells, Acting Town Attorney  
Amie Owens, Town Clerk

The following media representatives were present:

Mary Ann Enloe, The Mountaineer  
Vicki Hyatt, The Mountaineer  
Becky Johnson, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting. He thanked the board members who went to Hickory for the N.C. League of Municipalities' educational session for newly elected and veteran public officials last week and commented that he hoped they had a fruitful session. He noted that the session included Essentials for Local Government Officials and the state-mandated Ethics Training for all local elected officials.

Mayor Brown asked Manager Onieal to update regarding calendar events. Manager Onieal called attention to the following events:

- January 16 - 18– Martin Luther King, Jr. Celebration Weekend with multiple events including the Monday, January 18<sup>th</sup> annual prayer breakfast at the Lambuth Inn, noting that each board member had a ticket and that she and several staff members would also be in attendance.
- January 25 – Southwestern Commission meeting

2. Adoption of Minutes

*Alderman Freeman made a motion, seconded by Alderman Caldwell, to approve the minutes of the December 3, 2015 special called meeting and the minutes of the December 8, 2015 regular meeting, as presented. The motion carried unanimously.*

**B. CALL ON THE AUDIENCE**

Mayor Brown noted that there would be a change in the order of the agenda with the call on the audience being held at the beginning of the meeting rather than the end. He reminded individuals to limit their comments to three minutes.

**Janet Clark, Park Drive, Waynesville** asked to speak in favor of the town manager's reappointment. She commented that she felt the town is in great shape and the media had reported no performance problems. She worked with Manager Onieal during the Cycle NC event and found her to be open and receptive. Ms. Clark added that while she was excited for Alderman Feichter to be on board, it was difficult for him to be impartial in this decision given his past business history with the Town.

**Bob Clark, Park Drive, Waynesville** also spoke in favor of the town manager's reappointment. He commented that it appears that there is a consensus she is doing a good job and that she has been given many things to do and make changes; no one can do that without ruffling feathers. He added that from the media he saw quotes from individuals from all political affiliations and all spoke highly of her. Mr. Clark continued by noting that at the end of Mr. Galloway's first term, he was facing a similar situation and was allowed to stay and became a fabulous town manager. He concluded by noting Manager Onieal had done what she was called to do and had done so honorably.

**Phillip Gibbs, Town of Waynesville Planning Board member**, first congratulated Alderman Feichter on his election. He also spoke in favor of the town manager's reappointment. Mr. Gibbs noted that he had talked to many individuals and that Manager Onieal has done an amazing job, and all that she and staff had done had been at the request of the board. He added that the board should do what is in the best interest of the majority rather than the minority, and that is to keep the town manager.

**Jack Wadham, Frog Level Merchant**, spoke regarding ongoing problems in the Frog Level business district he perceives as being associated with the location and policies of the Open Door Soup Kitchen. He requested that the town end their special appropriation to Open Door for utility services. He indicated that there had been multiple calls for service to the Police Department to the area in recent weeks. Mayor Brown explained that an agreement had been reached with the Open Door some months back, but that he would take the time to follow up with the Open Door and report back to Mr. Wadham. He also spoke favorably with regard to his experience with Manager Onieal, stating that she had always been responsive to his concerns and followed through exactly as promised.

**Steve McNeill, 165 Country Club Drive, Waynesville** spoke in favor of Manager Onieal's reappointment. He commented he was upset about media coverage regarding the town manager. He provided examples of transitions to new leadership at the County and at HRMC and noted that similar attrition and personnel changes were not uncommon at the level of these positions after long tenures and changes in CEOs. Mr. McNeill added that the board had appointed Ms. Onieal and gave her support on issues and that they did a good job in their selection and he would like to see her continue in this role.

**Jim Bothwell, 78 Chelsea Road, Waynesville** presented a packet of information to board members and described his concerns about perceived discrepancies in utility billing. Mayor Brown offered Mr. Bothwell a meeting with Finance Director Eddie Caldwell to discuss his concerns regarding this billing on January 13 at 10:00 a.m.

## **C. PRESENTATION**

### 3. Tuscola AFJROTC Cadets

Cadet Joy Kelly from Tuscola High School's Air Force Junior ROTC (AFJROTC) unit provided an overview of the current year goals and accomplishments of the group during the past year. She noted that the instructors were Lieutenant Colonel Kevin Sutton and Senior Master Sergeant Steven Robertson. Cadet Kelly noted that the goals were developed by the unit and had to be measurable in order to help them stay on track and know where to focus manpower. She highlighted the various unit, school and community activities that had occurred over the past year noting that the motto – Service Before Self - was how each of the activities were approached. Cadet Kelly added that in five months, the unit had provided 858.39 hours of community service.

Cadet Captain Michaela Moore explained that the Cadets in Action (CIA) had two trips planned this year, one to the Civil Air Patrol in Asheville and a joint trip with Pisgah's NJROTC to Pensacola, Florida to Eglin Air Force Base. She elaborated on the various activities of the color guard and drill team and the Kitty Hawk Air Society which is an academic honor society and offers tutoring to other cadets.

Mayor Brown thanked the cadets for their participation and their instructors for mentoring these young people and applauded their potential for the future. The presenters and the other cadets were met with a standing ovation.

## **D. NEW BUSINESS**

### 4. Request from Haywood County for Approval of Economic Development Plan for Old Haywood County Hospital

Haywood County Tax Administrator David Francis explained that the County had received a proposal from the NC Historic Preservation Foundation (NCHPF) to repurpose the old Haywood County Hospital. The NCHPF is working with Landmark Group to develop affordable housing utilizing the Low Income Tax Credits (LITC) and Historic Tax Credits which were approved by the legislature in late 2015. Mr. Francis noted that the cost of upkeep for the building has totaled \$505,000 from 2012 through 2015.

Mr. Francis highlighted that some of the conditions of the sale include maintaining the historic appearance of the exterior, while repurposing the interior. Landmark has been known for affordable housing projects and would serve as the property manager.

Several questions were posed to Mr. Francis about the project, including who gets the benefit of the tax credits? Would there be a cost to Town? What type of arrangement is being considered? Mr. Francis answered as follows: the tax credits are given to the partner (Landmark). At this point there is

no cost to the Town. Manager Onieal noted that at this point the only request is for formal support from the Town for the project and to consider some in-kind permitting, water/sewer or electric and/or site work when the time comes.

Mr. Francis continued by noting that in order to sell the facility, it would be transferred to NCHPF who would sell it to Landmark. If the applications are approved in January, then a closing could occur in January – March 2017. The County would receive \$200,000 at closing and then would pledge by second tier deadline a \$450,000, no interest forgivable loan for 30 years to complete the project with \$225,000 due in March of 2017 and the balance due within 90 days of the completion of the project in second or third quarter of 2018. Landmark Group would stay in place as the General Partner, and Managing Member throughout the 30 year term.

Alderman Roberson inquired about possible extension of the agreement. Mr. Francis noted that once the 30 year period is over, then Landmark Group owns the property.

Alderman Feichter asked if the plans that Mr. Francis saw included renderings. Mr. Francis confirmed that the renderings would bring the building back to its original design from 1927.

Manager Onieal reiterated that in the future, if this project is approved, then the board may be asked to approve economic incentives, but at this point, the consideration is for formal support of the application as an affordable housing application using historic and low income tax credits. She again noted that in all likelihood, if approved, the Town would be approached by both County and developer to seek assistance in the form of fee and/or permit waivers and possibly economic development incentives in the form of in-kind participation related to utility or other public infrastructure work as part of the development of the project to ensure that the units can indeed remain affordable. It is anticipated that between the increase in property tax value and income from utility customers on both the electric and water/sewer systems, any economic incentive the Town may offer would realize a reasonable return on investment within a relatively short period of time and would certainly be worth offering in order to ensure a competitive application on the front end.

Alderman Freeman expressed kudos to the County for looking to serve the underserved citizens of Haywood County such as the senior population, veterans and low-income families.

Alderman Feichter added that there is a lot of good in this project. He stated that “the old hospital is part of who we are, if it preserves that aspect of history and provides the resources for people in need and is supported by the community. I can’t see any bad in that.”

John Stiltner with Landmark spoke and explained that Landmark Group always tries to focus on rural communities and historic buildings, and has been successful with adaptive re-use projects many times. He added that the site should receive a perfect score on the application based on the recently revised criteria established by the state. Mr. Stiltner added that the project is slated for 55 units at this time, with 22 two-bedroom and 33 one-bedroom units. At this point, the goal is to target 20% of units for veterans. Landmark is working with Mountain Projects to put the building on the transit listing for regular stops. He noted that there is still much to accomplish and that the NCHPF and Landmark are still working on the application. Mr. Stiltner closed by noting that the Old Hospital is a beautiful building, which is why he is excited about the project and he gets to live in the community for a year during the project, which he considers another plus.

Mayor Brown inquired if all on the board understood the tax credits and how they worked. He noted that the tax credits are typically sold to investors, which gives the leverage and financial capacity to do these types of renovations. Mayor Brown thanked Mr. Francis for the presentation and Mr. Stiltner for coming.

Alderman Roberson asked what the about the projected monthly rental for the units. Mr. Stiltner answered that at this point projections are around \$600 per month or about 50% of the average fair market rental rate. He added that criminal background checks will be done for all residents of the units as well as credit checks. At least 10% of the units will be handicapped accessible and this percentage may increase depending on need and interest.

***Alderman Roberson made a motion, seconded by Alderman Caldwell, to support the County's efforts to submit an application to renovate the old Haywood County Hospital and to provide in-kind services should the application be approved. The motion carried unanimously.***

5. 2014/2015 Annual Audit Report

Nancy Lux with Ray, Bumgarner, Kingshill and Associates (RBK) delivered the annual audit report. She explained that there are two types of audits that could be performed; one is a full-blown, lengthy and more detailed regular audit, the other being a yellow book audit, which is more limited in scope. The yellow book audit is what was performed and all that was required, since the Town had no state or federal funding during the past year, which is what would have triggered the requirement for a more extensive, lengthy and expensive audit process.

Ms. Lux reviewed the audit letter addressed to the Board of Aldermen noting the significant audit findings including the change to standard accounting and reporting for pensions in adopting the Governmental Accounting Standards (GASB) 68 and the change in internal service costs to more closely mirror true allocation of funds across departments. There were no significant difficulties in dealing with management in performing or completing the audit. She noted no corrected or uncorrected misstatements; no disagreements with management and that RBK requested and received all representations from management. There was no need to have additional external independent audit consultations. The report noted that no deficiency in internal controls, compliance or financial reporting was identified and the auditors issued an unmodified opinion.

Ms. Lux highlighted the various sections in the audit report based on the table of contents noting each of the respective areas and page numbers. Ms. Lux again announced that the opinion from the audit was an unmodified opinion which reflects excellent financial management practices are in place and with no deficiencies. She added that the transfer from the electric fund to the general fund each year equates to about a 10 cent savings in property taxes to the general fund, so the profit generated by the electric utility continues to be a good investment for the Town overall by keeping taxes lower than they ordinarily would need to be.

Ms. Lux noted that in the interest of time, she would forego the power point presentation she had prepared, noting that the board members had copies of the slides showing the overall financial report as well as supplemental data related to the revenues and expenditures for 2014/2015. A fluctuation analysis of the revenues and expenditures was included in the packet, which provided information explaining the increases and decreases to the various accounts. Graphic representations of

the revenues and expenditures by category, fund (general, water, sewer, electric) and department as compared with the previous year were part of the packet.

Ms. Lux thanked Manager Onieal, Mr. Caldwell and the Financial Services staff for their assistance and thanked the board for allowing RBK to do the audit.

Mayor Brown inquired about the current debt for the Town noting that current debt outstanding is approximately \$10 million but that the Town could borrow an additional \$85 million before hitting the borrowing limit set by the Local Government Commission (LGC). Finance Director Eddie Caldwell confirmed and explained that the LGC looks at the fund balance as the cash on hand that a municipality has and it must be greater than 8%. The fund balance for the town of Waynesville is 44.31% which is slightly lower than electric municipalities of like-size, but on par with where the town has typically been, which is anywhere between 40% and 50%. Alderman Feichter asked what the percentage was from the previous year. Mr. Caldwell answered 37.67%.

Mr. Caldwell explained that last year \$400,000 was added to the fund balance and total expenditures had decreased. One reason was the new accounting model that allowed for allocation of costs to departments and to the enterprise funds.

Mayor Brown commented that when someone asks, how the town is doing, they are usually focused on the debt and fund balance. He voiced that he hoped the citizens were pleased with how things are done. It was noted that in future years, there may be a need to drop the transfer in the Electric Fund to the general fund. Manager Onieal added that this is why the discussion of the wholesale power agreement has been so important and that the return on investment represented by Waynesville's healthy utilities, and the electric system in particular, is what has given Waynesville an edge in providing high levels of service, while weathering economic crises and avoiding excessive tax increases.

Mayor Brown noted that due to the new GASB reporting standards and changes made in allocation models, this audit was different than others previously, making it a little difficult to compare some figures from last year; however, future audits will be more illustrative of current processes and will appear to more accurately allocate costs to appropriate cost centers in the correct time period. He asked Mr. Bruce Kingshill, who was in the audience, how long RBK had been doing the audit. Mr. Kingshill replied many – twenty-plus – years. Mayor Brown thanked Ms. Lux and Mr. Kingshill for the audit presentation.

***No action was required by the board as this was a formal report of the 2014/2015 annual audit.***

6. Appointment to the Non-Power Agency Board of Commissioners for ElectriCities – one member and one alternate – for term ending December 31, 2017

Manager Onieal explained that this appointment was more of a formality as the Non-Power Agency Board rarely meets and is not expected to meet again until November 2016. In the past, this appointment has been staff appointments. The recommendation is that the town manager and the public services director be named in this capacity.

*Alderman Freeman made a motion, seconded by Alderman Roberson, to appoint the town manager and public services director as the member and alternate to serve on the Electricities Non-Power Agency Board of Commissioners, as presented. The motion carried unanimously.*

**E. CALLS FOR PUBLIC HEARINGS**

7. Resolution of Intent to Close Right-of-Way and Call for Public Hearing to close an un-opened and un-named portion of the right of way that is located at 200 Chipping Sparrow Lane

Development Services Director Elizabeth Teague explained that George and Renee Garrett have petitioned the Town to close an unopened right-of-way that runs through their property at 200 Chipping Sparrow Lane, PIN 8615-62-8173. Pursuant to NC General Statutes 160A-299, the Board must adopt a resolution declaring the Town's intent to close the street or alley, provide public notification and posting of property and call for a public hearing on the question. This right-of-way closure petition request has been reviewed by the Technical Review Committee and is not used for any utilities or access to another lot.

*Alderman Caldwell made a motion, seconded by Alderman Freeman, to adopt the resolution of intent to close a right-of-way and to Call for a Public Hearing to be held on February 9, 2016, at 6:30 p.m. or as soon thereafter as possible, in the Board Room of Town Hall located at 9 South Main Street, Waynesville, to consider the closing of an un-opened and un-named portion of right-of-way that is located at 200 Chipping Sparrow Lane. The motion carried unanimously.*

8. Call for Public Hearing to consider Conditional District Ordinance Change for Ingles Markets Signage

Ms. Teague noted that Ingle's Market's was requesting an amendment to the Conditional District regulations for the new Ingles store at Russ Avenue to allow 9 separate wall signs for the façade. This would exceed the maximum number of three signs, which normally would be allowed, and the six wall signs, which are on the building now. The proposed signs are small in size and are not designed to be read from Russ Avenue but to direct customers to appropriate entrances and sections of the store. Ms. Teague explained that the sign area permitted in this district is 15% of the wall, and that the proposed signs would remain well within that percentage. At their October 19, 2015 Meeting, the Planning Board voted unanimously to recommend that the Town amend the Conditional District Regulations to allow an increase in the number of wall signs. Ms. Teague included a copy of the proposed plan for this signage. She added that this request is a legislative change to the Conditional District text, and as such, requires a public hearing and action on the part of the Board of Aldermen.

*Alderman Feichter made a motion, seconded by Alderman Roberson, to call for a public hearing to be held on January 26, 2016 at 6:30 p.m. or as soon thereafter as possible, in the Board Room of Town Hall located at 9 South Main Street, Waynesville to consider Conditional District Ordinance Changes for the Ingles Markets (RC-CD) related to wall signage for the expanded Ingles store. The motion carried unanimously.*

**F. COMMUNICATIONS FROM STAFF**

9. Town Attorney

Attorney Chase Wells was in attendance for Town Attorney Woody Griffin; there were no legal matters to report.

10. Town Manager – Marcy Onieal

Request from HART

Manager Onieal explained that a request had been received from Haywood Arts Regional Theater (HART) for in-kind assistance to install a waterline, move a fire hydrant and install three-phase electric with forgiveness of tap fees for the project. The total estimate for such work is approximately \$36,641 if three-phase electric service is required; roughly \$1,250 would be for the tap fee, the remainder would be the cost of materials and value of in-kind labor for work to be completed by Town staff that would normally be handled by outside contractors or completed by town staff and charged to outside contractors. Manager Onieal noted that due to the fact that work is already underway and the project is nearing completion, a decision by the board is needed in advance of the usual Strategic Partner Funding process through which a non-profit agency would ordinarily request this type of assistance. She reminded the board that it had allocated a total of \$50,000, \$25,000 in cash contributions in each of the last two budget years, to this project and that this request was being received as a third-year capital request to help finish off the project.

Public Services Director David Foster noted that he had recently received the multiple requests from the engineer for the project and that dependent upon the electric needs, the project could be completed easily, especially if the electric lines could be single phase rather than three-phase.

Alderman Freeman inquired if the request for services or waiver of the fees was included in the bid documents? And, why were these issues not addressed as part of the planning?

Mr. Foster indicated he was not aware of how the project was bid, but that it was not within the scope of staff authority to waive fees, nor give away town services and materials to private entities without manager and board approval. He noted, however, that the existing fire hydrant on site is not operational and that the town will add the hydrant as a safety requirement anyway at no cost to the developer.

Alderman Feichter commented that HART does great things and is an economic driver and the new theater will be even better. Even though this request represents additional commitment of town resources for the return, the cash outlay by the Town for the project is insignificant.

Alderman Roberson echoed Alderman Feichter's sentiment explaining that if there are ongoing productions, it serves to increase the revenue that they (HART) produce and the number of people they bring in. It's a win-win, even though this is an unexpected expenditure.

Alderman Feichter added that he agreed with Alderman Freeman that it is outside of the normal schedule of events in terms of budgeting and while he appreciates that their emergency should not necessarily become our emergency, he felt the greater good would be served.

Alderman Caldwell agreed that HART is an economic engine that brings people to restaurants and to stay in hotels and motels.

Alderman Freeman clarified that she was in total support of HART and their economic impact; her concern was that they have a contractor who should have been fully aware of the needs of the project when bidding, and now it suddenly becomes the Town's issue to pick up the tab.

Mayor Brown added that he would like to see the contract to find out why this is coming up now rather than as anticipated during the planning for the project. Mayor Brown asked if action had to be taken at this meeting or if there was a time consideration. Mr. Foster noted that the electric needs must come from the engineers working on the project so it was not extremely time sensitive. That being the case, Mayor Brown recommended tabling the request for consideration until additional information could be received and revisit at the next regularly scheduled meeting.

#### Manager's Comments

Manager Onieal took the opportunity to address the board and the audience regarding the subject of her reappointment. A copy of her prepared statement is incorporated into these minutes as an attachment.

#### **G. CLOSED SESSION**

***Alderman Caldwell made a motion, seconded by Alderman Roberson, to enter into closed session for the purpose of discussing the appointment of the town manager under NCGS § 14.318.11 (a) (6) – Personnel. The motion carried unanimously.***

The board entered closed session at 8:34 p.m.

The board returned from closed session at 10:05 p.m.

***Alderman Roberson made a motion, seconded by Alderman Caldwell, to terminate the contract of the town manager effective as of 5:00 p.m. on January 29, 2016. Aldermen Caldwell, Feichter and Roberson voted in favor of the motion. Mayor Brown and Alderman Freeman voted in opposition to the motion. The motion carried with a 3 – 2 majority in favor of the terminating the town manager's contract.***

Mayor Brown announced there would be a special called meeting on Tuesday, January 19 at 6:00 pm in the Board Room of Town Hall, 9 South Main Street, Waynesville, NC, for the purpose of discussing how the board would move forward from this point, and that the board would most likely go into closed session for the purpose of considering qualifications for one or more candidates to be appointed as interim manager.

I. ADJOURN

*There being no further business to discuss, Alderman Caldwell made a motion, seconded by Alderman Roberson, to adjourn the meeting at 10:07 p.m. The motion carried unanimously.*

ATTEST

---

Gavin A. Brown, Mayor

---

Marcia D. Onieal, Town Manager

---

Amanda W. Owens, Town Clerk

Mayor & Board:

I have no additional reports tonight, but if I may take a brief moment of personal privilege, I would simply like to address the elephant in the room, since I have apparently become that elephant.

While I appreciate the very positive comments that have been reported in the media about my leadership and the many comments and gestures of support I have received from both employees and members of the community, the attention and media circus surrounding the status of my continued employment with the Town of Waynesville have become a most uncomfortable distraction that is detrimental to both employees and the community alike. The last thing I ever expected, or wanted, was to become front page news or a lightning rod for this board and community.

I and the Town's 260 other employees have come to work every day for the past month trying to serve this community with honor, integrity and professionalism, amid rumor, speculation, half-truths, and innuendo, without any formal communication or direction as to what this board is thinking or what direction it is going.

Regardless of what personal agendas may have been at work behind the scenes, both inside and outside the organization, throughout the election campaign season, and regardless of where each of you may individually stand with regard to my continued leadership of this organization, it is imperative that the five of you get back on the same sheet of music for the good of this community as soon as possible, because to do anything else, is unfair to our employees, to me, and to the citizens who have shown their faith in your leadership by electing you to office.

Waynesville, as a local government, has a reputation for being progressive and professional and for having a unified board. Frankly, that's one of the reasons I even wanted to accept a position here. A unified board is a rarity in today's political environment that, at all levels of government, more often showcases incivility in public discourse and a divide & conquer/win-lose mentality.

Having worked with you for the past four years, I know that even though the five of you did not naturally agree on many issues, you were a board that worked hard together to achieve consensus. As has been acknowledged by all of you, everything the staff and I have accomplished in the last four years was done at your direction on a 5-0 vote, with a single exception, which now, Mr. Caldwell has since acknowledged was a mistake and that if he had it to do over, he would vote in favor of individually assigned police vehicles.

I applaud you for having engaged for the first time as a group this weekend in the School of Government's Local Elected Officials Academy. I was hoping this would be an opportunity for the six of us to take advantage of the training available, and our time together, to reach a common understanding of where we are heading. Perhaps had we taken this kind of time together in partnership before now, we would not be where we are tonight. Nonetheless, your commitment to becoming a more effective board, and to understanding the roles and relationships between board and manager is commendable and will only enhance your future work as a board together.

One thing that no doubt resonated from your training this weekend is that all town managers in NC are at-will employees who serve at the pleasure of their boards. I knew when I signed on here, that I could walk in on any given day, and that if three of you didn't like the color of my hair, or what I was wearing, or an election occurred that upset the equilibrium and you just wanted someone else in my place, that with three votes, I would be gone. You don't need a reason to fire me, you just can, and frankly, I appreciate that some of you have recently clarified your interests in the newspaper.

There are three things I cannot deliver on as your town manager. I cannot change my gender; I do not yet have the 20+ year relationship with Mr. Caldwell, Dr. Roberson, and Mr. Feichter that my predecessor had; and I cannot miraculously turn myself into Lee Galloway. Only one person has those qualifications, and that is, in fact, my predecessor.

What I have provided you as town manager and what I can continue to offer you as town manager are those qualities that four of you saw in me when you pointed to me four years ago, after a grueling public assessment process, and said she's the one. I stand today for the same values you said you wanted in a manager and that I have tried to consistently model throughout my entire career – transparency, openness, integrity, responsiveness to our citizens and businesses, commitment to best practices, fairness and equity in treatment of all our citizens and employees, with the energy and enthusiasm to keep moving our community forward.

But I also recognize that we are not dealing with the board that hired me. For better or worse, there is difference of opinion that has emerged about my leadership among the four incumbents on the board. Mr. Feichter, as the newcomer to the board, has been put in a very awkward situation in his first full meeting of this board.

And that brings me back to where we are tonight – the mayor has already mentioned it, and I am asking you, affirmatively, to deal with my employment status tonight -- so that we all can all move on – one way or the other.

Because to fail to deal with my employment status, leaves employees wondering from whom they're to take their marching orders. Is it the two incumbents who feel one way; the two incumbents who feel the other way? Is it the newcomer to the board? Is it the former town manager? Is it the current town manager or some manager yet to be named? Or shall employees feel free to run amok because the board remains divided and will not support its hired manager regardless?

You have four options ahead of you tonight:

- 1) You can take a vote of confidence in my leadership and continue to move forward in partnership on the many projects, plans and opportunities that we have been talking about for the past four years
- 2) You can do absolutely nothing, and although that leaves the future somewhat in limbo, without clearing the air, I remain employed because

my contract is a perpetual contract, until you terminate my employment or until we mutually agree upon alternative terms of employment

- 3) You can terminate me as of a date certain tonight with a majority vote
- 4) You can either continue to employ me, or terminate my employment, on a negotiated basis that changes the terms of my current employment agreement with the Town.

Since none of you have discussed any of those options with me, nor to my knowledge have you discussed them with each other, I recognize that your closed session will need to deal with this issue, and I am pleased to join you in closed session, or not, as you see fit. If you choose to go into closed session without me, I would remind you that you need someone to take minutes, and I will dutifully await your decision, whatever that may be.

I would like to close by saying that I am incredibly grateful to have served this board – all five of you and Mr. Greeley before you -- and to have served the employees and citizens of the Town of Waynesville for the past four years. This has been my dream job. My husband and I committed fully to being here in Waynesville, to making friends here and to contributing positively in every way we can. Regardless of your decision, we have invested in this community in so many ways and love it for the same reason that all of you do, and we have no intention of going anywhere else, because this is our home.

Whether I am employed by the Town of Waynesville one more hour, another month, another year, or another decade, I have the utmost respect for the five of you and will continue to loyally and professionally serve you and this community, to the best of my ability, right up until the moment you no longer require my service, whenever that might be.

And the last thing I want to assure you, and it's something I'm sure you already know and trust – is that regardless of who your manager is – Lee Galloway, Marcy Onieal, or someone yet to come – this town is blessed with outstanding department directors, operations team members and employees at every level of the organization. I was quite fortunate to inherit some outstanding leadership

when I got here and I've hired outstanding leadership since I've been here. So regardless of whether you decide to change coaches tonight, you have a winning team ready to keep serving this Town with integrity and honor. I hope you won't disappoint them whatever your decision may be.

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**SPECIAL MEETING**  
**January 19, 2016**

---

**THE WAYNESVILLE BOARD OF ALDERMEN** held a special meeting on Tuesday, January 19, 2016 at 6:00 p.m. in the Board Room of Town Hall, 9 South Main Street, Waynesville, NC for the purpose of developing a transition plan related to the town manager position.

**A. CALL TO ORDER**

Mayor Brown called the meeting to order at 6:08 p.m. with the following members present:

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

The following staff members were present:

Marcy Onieal, Town Manager  
Woodrow Griffin, Town Attorney  
Phyllis Rogers, Acting Town Clerk

The following media representatives were present:

Mary Ann Enloe, The Mountaineer  
Becky Johnson, Smoky Mountain News

**DEVELOP A TRANSITION PLAN RELATED TO THE TOWN MANAGER POSITION**

Mayor Brown announced that this Special Meeting has been called in order for the Board of Aldermen to move forward with a transition plan, based on the decision made by a 3-2 vote of the board at the January 12, 2016 meeting to terminate the contract of the current town manager, effective January 28, 2016. In order to do this the Board needs to appoint an Interim Manager, who will likely serve in the position five to six months, because this is the estimated amount of time that will be required to go through the process of hiring a new town manager.

Mayor Brown said that although each Board Member was elected individually, it was imperative that moving forward they must operate as a board. He asked each member to acknowledge that while every member takes their individual role seriously, this is a time that everyone needs to be on board together and work collectively. The vote on this issue needs to be 5-0 in order for this board to move beyond this point. Mayor Brown said as Waynesville's Mayor, it is his job to begin this discussion. He explained the difficulties this board will face when hiring an interim manager and then a manager. There may be

some difficulty finding qualified people to take this job because many people will view what has happened as a controversial issue. Potential applicants need to see that board members are willing to work together as a board. Alderman Roberson said he felt that the Mayor summarized this issue well, adding that the Board needs to work together for the benefit of the town. Mayor Brown added that board members can't represent their constituents. Board members are elected by all the citizens of the Town of Waynesville and they need to fulfill their responsibilities to the community as a whole. Aldermen Jon Feichter, Gary Caldwell and Julia Freeman agreed.

Mayor Brown continued with a brief recounting of the previous hiring process. Town Manager Marcy Onieal was hired through a process offered by Stephen Strauss's Company, Developmental Associates. This company and process was recommended by former Town Manager Lee Galloway upon his announcement of retirement. The Board interviewed Developmental Associates and voted to use them for this search. This was a very intensive multi-stage screening process which included a lot of written, role play and presentation type activities. Many citizens in the community and outside professionals participated in the process, including the evaluation rating of the final candidates. Mayor Brown asked the Board if this is the method they wanted to use again, adding that it is the Board's job to decide which type process to choose in hiring a manager. Mayor Brown recognized Aldermen Caldwell and Roberson to speak to the hiring process when former manager Lee Galloway was hired, noting then that no outside firm was used, and that the board did all the screening and interviewing themselves. Another consideration is to contact representatives at the NC League of Municipalities (NCLM). They are available to come and speak to the Board and offer guidance on how to decide which method to use in choosing a town manager. Alderman Feichter said he would like to receive the guidance and involvement offered by the NCLM representatives for this process. It was the consensus of the other Board Members that they would also like to begin with this process through the NCLM. Manager Onieal said Hartwell Wright is the HR Consultant with NCLM, adding that Board members may have met Mr. Wright recently while they were in attendance at the Essentials of Local Government class in Hickory just last weekend.

***It was the consensus of the Board of Aldermen that Mayor Brown contact Hartwell Wright with the NC League of Municipalities and that the Town use his services to begin the process of searching for a Town Manager.***

Mayor Brown will contact the NCLM January 20 to find out what dates are available and poll the Board to determine which date is best suited for everyone.

Mayor Brown then introduced Mike Morgan, retired Weaverville, NC Town Manager and Rob Hites, retired Statesville, NC Town Manager whom he had invited to attend the meeting as potential candidates for the interim position. Mayor Brown has had several conversations with both retired managers and both have offered ideas to consider for this search process and have indicated their availability to serve as interim manager.

**CLOSED SESSION**

*Mayor Brown made a motion, seconded by Alderman Freeman, to go into closed session at 6:18 p.m. to discuss personnel matters, as permitted in NCGS §143-318.11(a)(6), specifically to interview each of the two candidates separately and consider the qualifications of each for appointment as Interim Manager. The motion carried unanimously.*

**RETURN TO REGULAR SESSION**

*The Board returned to regular session at 8:10 p.m.*

Mayor Brown said the Board of Aldermen had spent the last couple of hours speaking separately with Mr. Morgan and Mr. Hites for consideration in possibly hiring one of them to serve as Interim Town Manager. Both individuals submitted their resumes for the interim position, indicating their experience. The Board was impressed with both individuals, and with their demeanors and styles. It was the consensus of the Board to take some time to study the information provided. The plan of the Board is to discuss this further at the next regular board meeting on January 26, 2016 and vote on which individual they would like to move forward with as Interim Town Manager.

**ADJOURNMENT**

*With no further business, Alderman Caldwell made a motion, seconded by Alderman Freeman, to adjourn the meeting at 8:12 p.m. The motion carried unanimously.*

ATTEST

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

\_\_\_\_\_  
Marcia D. Onieal, Town Manager

\_\_\_\_\_  
Amanda W. Owens, Town Clerk

\_\_\_\_\_  
Minutes prepared by  
Phyllis Rogers, Acting Town Clerk

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN  
FOR BOARD INFORMATION  
Meeting Date: January 26, 2016**

**SUBJECT:** TDA 1% Net Occupancy Tax Update for the 28785/86 (Waynesville) Zip Code Area

**AGENDA INFORMATION:**

**Agenda Location:** Presentations  
**Item Number:** 3-B  
**Department:** Administrative Services  
**Contact:** Marcy Onieal, Town Manager  
**Presenter:** Lynn Collins, Exec. Dir., Haywood County Tourism Development Authority

**BRIEF SUMMARY:** An FY15 year-end report and FY16 mid-year report on the TDA 1% Net Occupancy Tax funding for the 28785/86 (Waynesville) zip code area and the FY16 projects being funded by the 1% revenue stream.

The 28785/86 1% Project funding is determined annually by a committee, whose members must reside or operate businesses within the designated zip code(s), and who are appointed by the Haywood County Board of Commissioners upon recommendation by the Board of Aldermen.

**MOTION FOR CONSIDERATION:** N/A

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

**ATTACHMENTS:** Yes

- FY15 Actual 1% Net Occupancy Tax Collections
- FY16 YTD Collections and Projections
- Projects Currently Being Funding by 1% Collections in the 28785/86 Zip Code Area

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** N/A

## **Projects Being Funded Through the HCTDA 1% Partnership Funding in the 28785/86 Zip Code**

- DWA Smoky Mountain Living Ads
- 3<sup>rd</sup> Annual Craft Beer Faire
- Art After Dark
- ARC Smoky Mountain 9 Ball Shoot Out
- HART Advertising for the 2015/2016 Season
- Folkmoot
- Strand Theatre Live Music Series
- Smoky Mountain Folk Festival
- Haywood Chamber Gateway to the Smokies Half Marathon
- Haywood Chamber Apple Harvest Festival
- Haywood Chamber Blue Ridge Breakaway
- Haywood Chamber Mélange of the Mountains
- WNC Dog Fanciers Confirmation Show & Trials
- DWA Design & Layout of HCTDA Funded Ads
- DWA Mountain Street Dances
- DWA Appalachian Lifestyle Celebration
- DWA The Laurel of Asheville Ads
- DWA Shopping & Business Guide
- DWA Church Street Arts & Crafts Festival
- The Wine Seller Live Music Series
- Frog Level Merchants Assoc. Whole Bloomin Thing
- Haywood County Arts Council Arts Fest
- Friends of the Smokies – Cataloochee Valley Bugle Corps support
- Waynesville Inn Advertising
- Smoky Mountain Aquatic Club Electronic Timing System
- DWA July 4<sup>th</sup> Children's Parade
- DWA Event Signs & Traffic Cones

Total Funding for these projects is \$98,432

**2014/2015  
1% NET OCCUPANCY TAX  
Projections**

	PROJECTED 28716 CANTON	ACTUAL 28716 CANTON	PROJECTED 28721 CLYDE	ACTUAL 28721 CLYDE	PROJECTED 28745 LAKE JUNALUSKA	ACTUAL 28745 LAKE JUNALUSKA	PROJECTED 28751 MAGGIE VALLEY	ACTUAL 28751 MAGGIE VALLEY	PROJECTED 28785 & 28786 WAYNESVILLE	ACTUAL 28785 & 28786 WAYNESVILLE
July 2014 Received September 2014	\$2,648	\$2,626.54	\$353	\$255.54	\$2,770	\$1,984.22	\$23,736	\$21,286.38	\$10,490	\$9,511.06
August 2014 Received October 2014	\$1,998	\$2,505.84	\$375	\$337.53	\$2,011	\$1,650.80	\$14,296	\$17,843.57	\$8,893	\$9,386.78
September 2014 Received November 2014	\$1,785	\$2,090.41	\$245	\$116.74	\$883	\$347.77	\$13,487	\$13,730.20	\$8,209	\$7,651.42
October 2014 Received December 2014	\$2,103	\$2,668.72	\$403	\$452.74	\$1,015	\$1,138.81	\$21,039	\$21,964.67	\$12,086	\$11,583.69
November 2014 Received January 2015	\$1,232	\$1,968.91	\$81	\$102.66	\$331	\$467.75	\$6,070	\$8,346.74	\$4,257	\$6,023.01
December 2014 Received February 2015	\$965	\$1,027.38	\$135	\$219.99	\$515	\$525.65	\$10,249	\$11,001.91	\$3,345	\$3,949.51
January 2015 Received March 2015	\$596	\$821.01	\$71	\$60.35	\$196	\$248.82	\$7,283	\$7,210.65	\$1,976	\$2,164.20
February 2015 Received April 2015	\$608	\$885.78	\$64	\$208.03	\$187	\$86.34	\$5,664	\$7,666.94	\$2,356	\$2,593.42
March 2015 Received May 2015	\$738	\$959.21	\$93	\$74.13	\$184	\$129.72	\$3,102	\$4,437.79	\$2,812	\$3,314.71
April 2015 Received June 2015	\$1,628	\$1,691.62	\$125	\$163.68	\$221	\$297.55	\$4,451	\$6,305.60	\$4,641	\$4,854.04
May 2015 Received July 2015	\$2,707	\$2,442.08	\$176	\$262.86	\$1,471	\$1,228.87	\$9,036	\$13,074.26	\$7,297	\$7,796.79
June 2015 Received August 2015	\$2,609	\$2,867.37	\$331	\$255.19	\$2,477	\$2,111.44	\$16,454	\$18,315.92	\$9,654	\$10,277.08
<b>Total Received After Year End (Unavailable)</b>	<b>\$5,316</b>	<b>\$5,309.45</b>	<b>\$507</b>	<b>\$518</b>	<b>\$3,948</b>	<b>\$3,340.31</b>	<b>\$25,490</b>	<b>\$31,390.18</b>	<b>\$16,951</b>	<b>\$18,073.87</b>
<b>Grand Total Estimate</b>	<b>\$19,617</b>	<b>\$22,555</b>	<b>\$2,452</b>	<b>\$2,509.44</b>	<b>\$12,261</b>	<b>\$10,217.74</b>	<b>\$134,867</b>	<b>\$151,185</b>	<b>\$76,016</b>	<b>\$79,106</b>
<b>TOTAL 1% Projections</b>										
<b>Comparison to Budget YTD</b>		15%		2%		-17%		12%		4%
<b>Percentage of Total Collections YTD</b>		8%		1%		4%		57%		30%
<b>Comparison to June, 2014</b>		17%		(-14%)		11%		(-7%)		8%

**2015/2016  
1% NET OCCUPANCY TAX  
Projections**

	PROJECTED 28716 CANTON	ACTUAL 28716 CANTON	PROJECTED 28721 CLYDE	ACTUAL 28721 CLYDE	PROJECTED 28745 LAKE JUNALUSKA	ACTUAL 28745 LAKE JUNALUSKA	PROJECTED 28751 MAGGIE VALLEY	ACTUAL 28751 MAGGIE VALLEY	PROJECTED 28785 & 28786 WAYNESVILLE	ACTUAL 28785 & 28786 WAYNESVILLE
July 2015 Received September 2015	\$2,113	\$2,889.95	\$152	\$476.70	\$2,902	\$2,744.03	\$19,314	\$23,637.46	\$9,836	\$11,828.33
August 2015 Received October 2015	\$2,167	\$2,791.59	\$121	\$322.18	\$2,089	\$1,593.21	\$16,513	\$16,751.13	\$9,036	\$9,955.27
September 2015 Received November 2015	\$1,914	\$2,518.44	\$864	\$311.61	\$967	\$1,028.82	\$13,002	\$16,446.13	\$8,157	\$9,271.64
October 2015 Received December 2015	\$2,131	\$2,941.24	\$266	\$288.38	\$1,284	\$1,944.49	\$21,380	\$23,378.61	\$11,207	\$13,004.33
November 2015 Received January 2016	\$1,120	\$1,798.77	\$95	\$174.86	\$297	\$556.09	\$7,945	\$10,328.35	\$6,398	\$7,600.21
<b>YTD</b>	<b>\$9,444</b>	<b>\$12,939.99</b>	<b>\$1,498</b>	<b>\$1,573.73</b>	<b>\$7,520</b>	<b>\$7,866.64</b>	<b>\$78,154</b>	<b>\$90,541.68</b>	<b>\$44,634</b>	<b>\$51,659.78</b>
December 2015 Received February 2016	\$957		\$139	\$619	\$619		\$9,823	\$3,699	\$3,699	
January 2016 Received March 2016	\$722		\$34	\$52	\$52		\$6,934	\$2,049	\$2,049	
February 2016 Received April 2016	\$650		\$15	\$116	\$116		\$6,790	\$2,479	\$2,479	
March 2016 Received May 2016	\$397		\$28	\$193	\$193		\$4,478	\$3,839	\$3,839	
April 2016 Received June 2016	\$1,517		\$462	\$219	\$219		\$6,212	\$5,438	\$5,438	
							\$190,545		\$106,770	
May 2016 Received July 2016	\$1,932		\$132		\$1,960		\$11,557		\$7,757	
June 2016 Received August 2016	\$2,438		\$271		\$2,218		\$20,514		\$10,076	
<b>Total Received After Year End (Unavailable)</b>	<b>\$4,370</b>		<b>\$403</b>		<b>\$4,178</b>		<b>\$32,071</b>		<b>\$17,833</b>	
<b>Grand Total Estimate</b>	<b>\$18,058</b>		<b>\$2,579</b>		<b>\$12,897</b>		<b>\$144,462</b>		<b>\$79,969</b>	
<b>TOTAL 1% Projections</b>										
Comparison to Budget YTD		37%		5%		5%		16%		16%
<b>YTD Comparison with 14/15</b>		<b>9%</b>		<b>24%</b>		<b>41%</b>		<b>9%</b>		<b>17%</b>
Monthly Comparison to November, 2014		-9%		70%		19%		24%		26%

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: January 26, 2016**

**SUBJECT:** Citizen Request to Consider a Proposal to Rename Pigeon Street (US 276) within town limits to Martin Luther King, Jr. Blvd. *(request of Philip Gibbs on behalf of various citizen constituencies and organizations)*

**AGENDA INFORMATION:**

**Agenda Location:** Presentations  
**Item Number:** 4-B  
**Department:** Administrative Services  
**Contact:** Marcy Onieal, Town Manager  
**Presenter:** Philip Gibbs (and others)

**BRIEF SUMMARY:** As a result of community discussions leading up to and during the remembrances and celebrations around the life and legacy of Rev. Martin Luther King throughout the recent MLK Holiday weekend events this past week, Waynesville Planning Board Member Philip Gibbs has approached the Town with a proposal to rename Pigeon Street/US 276 within the Town's jurisdiction to Martin Luther King Blvd.

Community conversations about this proposal have recently been and are continuing to be initiated within such diverse groups as the MLK Planning Committee, the Pigeon Community Center, the Changemakers, the local chapter of the NAACP, various church groups, the Waynesville Planning Board, and other local boards and commissions and through inquiries with Town, County and State staff, (particularly as regards the logistics and authoritative, legal and regulatory issues around renaming any street) .

The request to present this proposal to the board of aldermen is being made in a good faith effort to initiate a community-wide dialogue on the idea, to honor and celebrate the accomplishments of a national figure in our nation's collective history, celebrate the diversity of our community through recognizable place names, while also being sensitive to the history, sentiment and business value of well established place names that are already in place.

**MOTION FOR CONSIDERATION:** No formal motion necessary at this time, but board input and direction is desired.

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

**ATTACHMENTS:** N/A

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Staff is prepared to assist with this community dialogue and providing information regarding the authority and logistics of street re-naming with the board's support of this request.

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN  
REQUEST FOR BOARD ACTION  
Meeting Date: January 26, 2016**

**SUBJECT:** Public Hearing to Consider Ingles Conditional District Master Plan Amendment Request related to wall signage in the Russ Avenue Regional Center-Conditional District

**AGENDA INFORMATION:**

**Agenda Location:** Public Hearing  
**Item Number:** 5-C  
**Department:** Development Services  
**Contact:** Elizabeth Teague, Development Services Director  
**Presenter:** Elizabeth Teague, Development Services Director

**BRIEF SUMMARY:**

Ingles requests an amendment to the Conditional District regulations for the new Ingles store at Russ Avenue to allow 9 separate wall signs for the façade. This would exceed the maximum number of three normally allowed and the six wall signs on the building now. Eight of the proposed signs are small and designed not to be read from Russ Avenue but to direct customers to the appropriate entrance and section of the store. The maximum sign *area* permitted in this district is 15% of the wall, meaning that the maximum size for attached signage on the new store could be nearly 1,500 square feet. However, the 9 signs proposed by Ingles total only 397.27 square feet, well within the overall 15% limit. At their October 19, 2015 Meeting, the Planning Board voted unanimously to recommend that the Town amend the Conditional District Regulations to allow an increase in the number of wall signs. As a legislative change to the Conditional District text, this requires approval by both the Planning Board and a public hearing and action on the part of the Board of Aldermen.

**MOTION FOR CONSIDERATION:** *To adopt the Conditional District Master Plan Amendment related to wall signage in the Russ Avenue Regional Center Conditional District (RC-CD), as presented, and as unanimously approved by the Planning Board.*

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

**ATTACHMENTS:**

1. Staff Report
2. Planning Board Minutes from October, 2015
3. Ingles Wall Signage Plan sheet
4. Zoning Location Map

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Recommend approval based on staff review and recommendation and unanimous approval by the Planning Board.

**Board of Aldermen Staff Report**

**Ingles Conditional District Master Plan Amendment Request: Ingles Wall Signage  
January 26, 2016**

**Project:** Signage on Ingles Expansion Project  
**Location:** 201 Barber Boulevard (off Russ Avenue)  
**District:** Russ Avenue Regional Center – Conditional District  
**Applicant:** Ingles – Store #23

**Background:**

Ingles would like to amend the regulations governing wall signage within the Russ Avenue Regional Center – Conditional District. The District consists of 19.86 acres on which is situated a large retail building that is occupied by Ingles Store #23 and 2.89 acres of adjacent land which together is governed by a Master Plan and the specifics of the Conditional District Zoning text.

The purpose and intent of the underlying Regional Center district is described by the Land Development Standards as:

A gateway for the community and often defines the first image a visitor has of the town. This district shall be a setting for high intensity land uses addressing the needs of the Waynesville community and surrounding areas. The Russ Avenue Town Center is envisioned as supporting dense development options due to the ample infrastructure in place and the proximity to downtown and the other municipalities in the county. The past emphasis in the Russ Avenue area on automobile traffic only shall be reduced by changing the nature of the district to make the area comfortable for other modes of transit including pedestrian, bicycle and mass transportation options. Central to this transformation is the redesign of Russ Avenue — turning the existing middle lane into a tree-lined landscaped median. The standards for future development along this corridor will also be important to this transformation, incorporating principles designed to manage access along Russ Avenue.

Various types of signs are proposed for the area described above, and most of the sign elements meet all the Land Development Standards for the underlying district, including 9 individual signs to be placed on the façade of the redeveloped Ingles store; attached signage on the I Market; a ground sign to be located in front of the I Market; a ground sign to be located at the property entrance on Howell Mill Road; and a refacing of the existing pylon sign on Russ Avenue.

For the expanded Ingles store building itself, however, Ingles would like to include a greater number of wall signs than is currently allowed by Ordinance. This is currently “no more than three attached signs (excluding a single Pedestrian Sign where permitted) ... provided the total surface area permitted is not exceeded.” The maximum sign area permitted in this district is 15% of the wall to which the signs are attached. For the proposed building’s façade, the maximum allowed size for attached signage would be nearly 1,500 square feet.

### **Current Request**

Currently on the Ingles store building, there are 6 signs. Ingles would like to replace this existing wall signage with 9 new separate attached wall signs for the renovated and expanded store. In addition to the main “Ingles” sign, additional signs are designed to direct people from the parking lot to the appropriate entrance (signage plan attached). The 9 signs proposed by Ingles total only 397.27 square feet in total area, well within the overall 15% limit, but exceeding the allowed number of signs.

### **Staff Review Comments:**

With the expansion of the building, the addition of three more signs as proposed would not be visually more obtrusive or out of scale with the building. Even though this plan would exceed the current number allowed, the total area of the signs together is much less than 15% of the total wall frontage. Therefore, a change to the specific text of the Conditional District governing this sight would not be inconsistent with the purpose and intent of the underlying Russ Avenue District. The use of multiple signs on a building of this scale (the redeveloped building will be the second largest retail store in Waynesville) does not seem out of place with the goal of supporting dense development. The proposed signs are surely preferable to the enormous signs that could be used if Ingles chose to maximize its allowed square footage. Additionally, 8 of the signs are small enough that their purpose is clearly not to be read from Russ Avenue, but to direct customers to the appropriate entrance and section of the store.

To allow this signage will require a minor amendment to the Conditional District Ordinance No. 2-11 and subsequent revisions. As a modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance, such a change would be considered substantial, pursuant to Section 15.15.3 of the Town Code of Ordinances. This requires approval by both the Planning Board and the Board of Aldermen.

### **Staff Recommendation:**

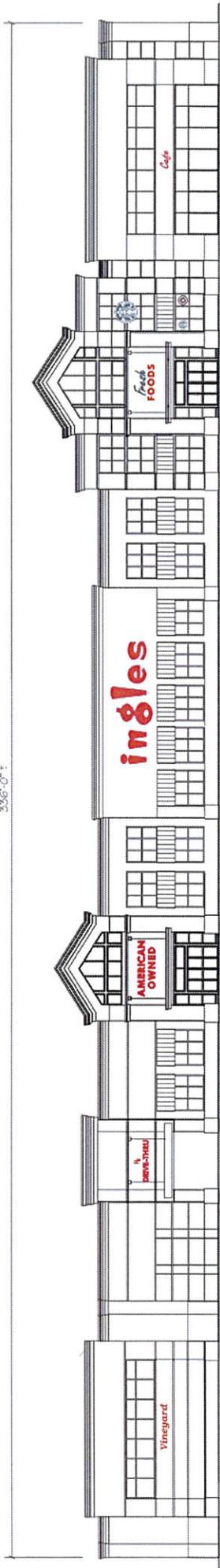
Staff recommends an amendment to the Conditional District in order to approve of the proposed signage as submitted by Ingles Markets Inc. The amendment would to establish an additional modification of the Development Standards within the Conditional District Ordinance 2-11, as 4.d:

- d. **Signage.** The number of signs allowed to be attached to buildings exceeding 80,000 square feet may exceed three, but not more than 10, provided that the total surface area of signage is no more than 15% of the wall surface area to which the signs are attached.

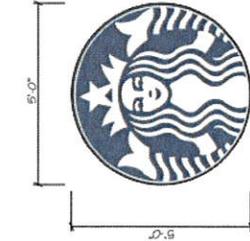
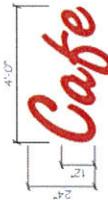
### **Planning Board Action:**

At the Planning Board meeting held on October 19, 2015, the Planning Board voted unanimously to approve the modification of the Conditional District sign standards recommended by the planning staff, as specified above.

3,366'-0" ±

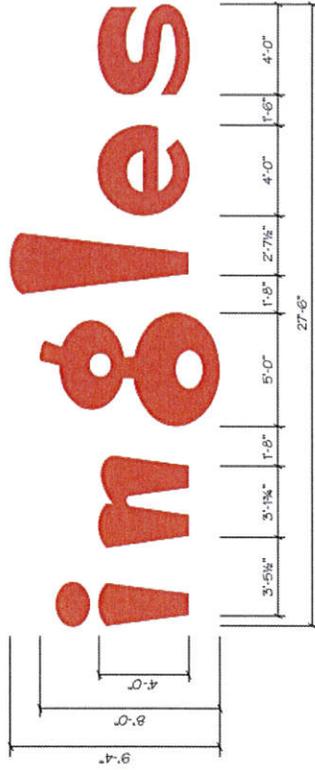


Scale: 1/16" = 1'-0" SIGN ELEVATION

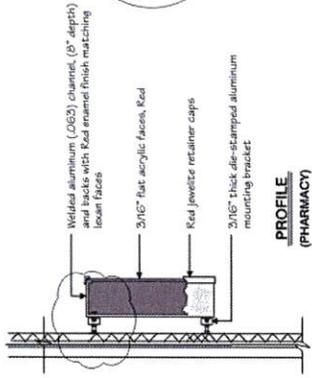


Note: Signs to be installed inside of store

SIGN SQUARE FOOTAGE	
INGLES	@ 9'-4" X 27'-6" = 256.56
AMERICAN OWNED	@ 3'-6" X 12'-0" = 42.00
DRIVE THRU	@ 1'-0" X 9'-0" = 9.00
FRESH FOODS	@ 4'-7" X 8'-0" = 36.64
VINEYARD	@ 2'-0" X 10'-4" = 20.66
STARBUCKS	@ 2'-0" X 5'-0" = 10.00
CAFE	@ 2'-0" X 4'-0" = 8.00
<b>TOTAL</b>	<b>= 397.27</b>



INTERNALLY ILLUMINATED  
Scale: 1/4" = 1'-0" SIGN ELEVATION



TYPICAL MOUNTING PROCEDURE

ACC. EXEC. C. Frost	JOB NO. 15-185-2	APPROVED BY CUSTOMER:
DESIGNER C. Johnson	DATE 03/24/15	
SCALE AS NOTED	FILE #23 Waynesville Rd. Front-2	
CUSTOMER NAME: INGLES (Store #23)		
ADDRESS: 201 Barber Blvd. - Waynesville, NC		
SIGN TYPE: Illuminated Letters		
COPY RIGHTS NOTICE: This design, artwork and printed presentation is the sole property of Rainbow Sign Company, Inc. and may not be used without written permission from Rainbow Sign Company, Inc.		



Structural content to sign location and final connection will be by Rainbow Sign Co., Inc.



1 inch = 200 feet

October 13, 2015

## Russ Avenue Regional Center Ingles site

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Heywood county and the website provider assume no legal responsibility for the information contained on these maps.



# TOWN OF WAYNESVILLE Planning Board

9 South Main Street  
Waynesville, NC 28786  
Phone (828) 456-8647 • Fax (828) 452-1492  
www.waynesvillenc.gov

**Chairman**

Patrick McDowell

**Planning Board Members**

Danny Wingate (Vice)

John Feichter

Marty Prevost

Robert Herrmann

Phillip Gibbs

H.P. Dykes, Jr.

Shell Isenberg

L. Brooks Hale

**Development Services**

**Director**

Elizabeth Teague

## MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD REGULAR MEETING

Town Hall – 9 South Main St., Waynesville, NC 28786  
October 19, 2015

---

THE WAYNESVILLE PLANNING BOARD held a regular meeting on October 19, 2015 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

### A. CALL TO ORDER

1. Welcome/Calendar/Announcements

Chairman Patrick McDowell welcomed everyone and called the meeting to order at 5:30 p.m.

The following members were present:

Patrick McDowell

Danny Wingate

Bucky Dykes

Robert Herrmann

Jon Feichter

Phillip Gibbs

Marty Prevost

Absent:

Brooks Hale

Shell Isenberg

The following staff members were present:

Elizabeth Teague, Development Services Director

Byron Hickox, Land Use Administrator

Eddie Ward, Deputy Town Clerk

Also present was Ron Sneed, Attorney to the Planning Board, property owners Robert and Alex McKay, Todd Rogers representing Chick-Fil-A, John Cox, Preston Kendall representing Ingles and Craig Inabinett representing Rainbow Signs.

Representing the media were Jesse Stone from Smoky Mountain News, and Allison Olcseway from The Mountaineer.

2. Adoption of Minutes

Board Member Jon Feichter noted that on page 5 of the Minutes for September 21, 2015, the motion should read:

*A motion was made by Board Member Jon Feichter, seconded by Board Member Robert Herrmann, to deny the request for a Conditional Land Use Request for Carolina Furniture Concepts at 121 Eagles Nest Road, PIN 8605-64-6237. The motion passed with seven ayes (Patrick McDowell, Dany Wingate, Shell Isenberg, Robert Herrmann, Jon Feichter, Marty Prevost, and Brooks Hale) and one nay (Phillip Gibbs).*

*A motion was made by Board Member Danny Wingate, seconded by Board Member Robert Herrmann, to approve the minutes of September 21, 2015 as corrected. The motion passed unanimously.*

**B. NEW BUSINESS**

1. Public Hearing for a Map Amendment (Rezoning) Request for rezoning 4 lots at 263 Riverbend Street and 9 Camp Street; PINs 8605-81-5526, 8605-81-6618, 8605-81-7716, and 8605-81-6705.

Chairman McDowell opened the Public Hearing and asked Development Services Director Elizabeth Teague to present the staff report. Ms. Teague stated the request was to rezone four lots, owned by Mr. Bobby McKay, located at 263 Riverbend Street and 9 Camp Street (PIN's 8605-81-5526, 8605-81-6618, 8605-81-7716 and 8605-81-6705) totaling 1.38 acres from Hazelwood Urban Residential to Hazelwood Business District. She referred to a 1977 Hazelwood Zoning Map indicating that the "triangle" where Riverbend Street and Brown Avenue meet was zoned commercially and the lots across the street were zoned industrially prior to when Hazelwood merged with the Town of Waynesville in 1993. Waynesville kept the zoning of the triangle lot the same and what is now Haywood Vocational Services is zoned commercially. Currently, the triangle lot where Brown Ave and Riverbend Street meet is zoned commercial with an existing business, Triangle Automotive, located there.

The four lots owned by Mr. McKay contain an apartment building, warehouse, two mobile homes, and an empty lot for storage. At the corner of Camp Street and Riverbend Street, which is zoned residential, John and Susie Fenselson own lots and they wish to remain residentially zoned.

Ms. Teague said that by changing the zoning at this location, there would be more allowable uses for the property, and Mr. McKay indicated he would like to improve the pre-existing, non-conforming commercial structure, which is noted in tax records as warehousing and apartments. Also, rezoning to Hazelwood Business District would create more opportunity to redevelop the other properties containing mobile homes.

Chairman McDowell asked if anyone would like to speak.

**Alex McKay**  
**96 Rolling Drive**  
**Waynesville, NC 28786**

Mr. Alex McKay, speaking for his father, stated that one of the mobile homes on the property had been removed, and the remaining mobile home is occupied. He said he and his father had been discussing the possibility of opening an organic feed/gardening supply store on this property. Mr. McKay told the Board that this business opportunity will create more business and jobs for the area. He said if the rezoning request is granted, the remaining mobile home on the property will be removed.

**Dustin Smith**  
**Triangle Automotive**

Mr. Smith stated his concerns with the stop sign located near his automotive shop. He indicated there have been multiple accidents at this stop. If the property is rezoned, and another business is located on the McKay's property, traffic will increase and the possibility of more accidents is a probability.

**Susie Fenlenson**  
**61 Camp Street**  
**Waynesville, NC 28786**

Ms. Fenlenson had some questions concerning what business Mr. McKay would be allowed to operate on this property if this request is granted. She stated she had read through the uses that are permitted in a Commercial District, and she would not have a problem with an organic feed/gardening supply, but would object to another automotive business.

There was discussion about what buffering would be required for a business in this area. Mr. Byron Hickox, Land Use Administrator, said that with general Commercial Zoning no extra buffering would be required.

Chairman McDowell closed the Public Hearing and asked for a motion.

***Board Member Danny Wingate made a motion, seconded by Board Member Phillip Gibbs to grant the request for a Map Amendment (rezoning) for four lots at 263 Riverbend Street and 9 Camp Street (PINs 8605-81-5526, 8605-81-6618, 8605-81-7716, and 8605-81-6705) from the Hazelwood Urban Residential District to the Hazelwood Business District. The motion passed unanimously.***

2. Conditional District Master Plan Additional Changes for review and possible approval for Chick-Fil-A outparcel, PIN 8616-22-7311

Chairman McDowell brought the Board's attention to the first pages in the agenda packet. He said this information is the original Conditional District Ordinance amending the zoning map of the Town of Waynesville creating the Ingles Market's Conditional District. Staff provided this information for reference concerning three of the items on the agenda for Ingles and for the outparcel that Chick Fil-A would be discussing.

Ms. Teague referred the Board to the Ingle District Conditional Master Plan. She said this is a request to amend the Master Plan for the out parcel north of Hometruster Bank. This parcel is adjacent to Russ Avenue, and is bordered on three sides by planned access roads. As part of the Master Plan, the out parcel is connected to the Ingles I-Market and parking lot by an access road as well as connected to Russ Avenue by two other access roads. This parcel was approved as a future drive thru restaurant. In August 2012, Ingles received approval from the Planning Board for changes to the Master Plan to relocate the I-Market store with gas pumps to the western corner of the property fronting Russ Avenue.

Ms. Teague explained that Chick-Fil-A is requesting changes to the revised Master Plan to develop the site to the north of the I-Market. In the existing plan, the building is located in the center of the property with a drive-thru going all the way around the building. Chick-Fil-A is requesting relocation of the building from the center of the property to the southeast side of the lot, a reduction of driveways from three to two, and also a change in the location of driveways from access roads that are perpendicular to Russ Avenue, to the access road that is parallel with and further away from Russ Avenue. Ms. Teague stated that the relocation of driveways eliminates the driveways along the access road that intersects Russ Avenue. She said this will make a safer driveway scheme and improve vehicular safety.

Staff believes that the proposed changes do not constitute substantial changes and can be approved by the Planning Board.

**Todd Rogers**  
**Roswell, Georgia**

Mr. Rogers stated Chick-Fil-A's intent for moving access roads is for better circulation of the double drive thru lane. These lanes will merge into one lane, and will accommodate a larger number of vehicles. The Board asked about seating capacity. Mr. Rogers said approximately 134 for this building with an outdoor patio.

Ms. Teague said that 55 parking spaces area provided, exceeding the minimum requirement based on the number of seats. Parking for three bicycles will be provided. When asked about landscaping, Ms. Teague said the site plan for Chick-Fil-A is still evolving. Staff will be working with them as the process moves forward. Chick-Fil-A has standard landscaping, but they have a lot of flexibility in the landscaping plan based on the Conditional District Ordinance.

Mr. Rogers added that Chick-Fil-A will be adding landscaping. The building will be similar to other Chick-Fil-A buildings in which the short end of the building will be the front entrance and have landscaping.

*A motion was made by Board Member Robert Herrmann, seconded by Board Member Marty Prevost to approve the site plan for Chick-Fil-A as a minor amendment to the Russ Avenue Regional Center Conditional District. The motion passed unanimously.*

3. Conditional District Master Plan Additional Changes for review and possible approval for Ingles' Signage Plan, PIN 8616-22-7311.

Chairman McDowell asked Byron Hickox, Land Use Administrator, to present the staff report for this request.

Mr. Hickox stated that property consists of 19.86 acres with a large retail building that is currently occupied by Ingles Store # 23. Ingles is in the process of redeveloping their main property by expanding their store and making site alterations. Also, they are proposing to develop the adjacent property with an Ingle I-Market (gas station). Six separate sign elements are being requested for both the Ingles site and the I-Market as follows:

1. 9 individual signs to be placed on the façade of the redeveloped Ingles store
2. Attached signage on the I-Market
3. A ground sign to be located in front of the I-Market
4. A ground sign to be located at the property entrance on Howell Mill Road
5. Refacing the existing pylon sign on Russ Avenue
6. Signage to be installed on the multitenant portion of the main building

Mr. Hickox said the sign elements 2 thru 6 meet Land Development Standards requirements regarding size, placement and design. The main issue to be considered by the Planning Board is the proposal of 9 separate signs to be attached to the façade of the redeveloped Ingles store. Chapter 11, Section 7.2€ of the Land Development Standards state:

**No more than three attached signs (excluding a single Pedestrian Sign where permitted) may be erected provided the total surface area permitted is not exceeded.**

In the Russ Avenue Regional Center District, 15% of the wall is the maximum area permitted. Mr. Hickox said that 15% of a building as large as Ingles would be an enormous amount of signage, about 1500 square feet. The nine signs proposed by Ingles total only 397.27 square feet which is well within the 15% limit, but exceeds the allowed number of signs. Mr. Hickox stated that staff felt like even though there are more signs than allowed, this would most certainly be more preferable to what could be done if they maximized their signage. Staff recommends amending this section of the Conditional District Ordinance 2-11, as 4.d:

**d. Signage.** The number of signs allowed to be attached to buildings exceeding 80,000 square feet may exceed three, but not more than 10, provided that the total surface area of signage is no more than 15% of the wall surface to which the signs are attached.

Mr. Hickox referred the Board to their agenda packet for pictures of the proposed signs. He said the only sign intended to be seen from Russ Avenue is the large Ingles sign. The other signs are intended to direct patrons to the different sections of the store.

The Board asked Mr. Hickox if this amendment would only apply to the Ingles Conditional District. Mr. Hickox verified to the Board that this amendment would only apply to Ingles Conditional District Zoning. Unlike a non-substantial change to the Master Plan, this is a change to the ordinance text and so would have to go to the Board.

**Preston Kendell  
West Vista Drive  
Candler, NC**

Mr. Kendell stated that most of Ingles signs are directional signs so customers know what entrance to use to enter the store. He said the two smaller signs (Starbucks and Chop Sticks) are located inside the store and are visible from the outside. The existing sign that is visible from Russ Avenue will basically be the same, but in the future Ingles will have tenants in the shopping area and the sign will reflect those tenant's names.

*A motion was made by Board Member Jon Feichter, seconded by Board Member Phillip Gibbs, to approve an amendment for the proposed signage as submitted by Ingles Markets, Inc., to the Conditional District Ordinance 2-11 4.d: Signage. The number of signs allowed to be attached to building exceeding 80,000 square feet may exceed three, but not more than 10, provided that the total surface area of signage is no more than 15% of the wall surface to which the signs are attached. The motion passed unanimously*

4. Conditional District Master Plan Additional Changes for review and recommendation to the Board of Aldermen for Ingles' parking lot and store front PIN 8616-22-7311

Ms. Teague stated that in 2011 the Town of Waynesville rezoned property at 201 Barber Blvd. to a Conditional District, with the Master Plan showing redevelopment of the Ingles grocery store, new convenience store with gas pumps, and two areas for future restaurant development. She referred the Board to a memo from John Cox in the agenda packet outlining seven specific changes that Ingles is requesting.

**1) Move landscape parking islands 19 feet away from the Ingles store front.**

This move would align the islands with the island now east of the Belk building. It will relocate several light poles, and this means Ingles will have to recalculate lighting. Ms. Teague explained that the location of parking spaces relevant to planted islands is a performance standard measure in our Ordinances which says that no parking space can be forty

feet away from a planted island. Ms. Teague stated that in the plan that is approved, this performance standard is not met. Moving the islands still does not meet the performance standards. She posed the question to the Board as to if the board would consider this a substantial change to the Master Plan. If the Board decides it is a substantial change, then it will then go before the Board of Aldermen for approval. Ms. Teague said she felt staff could support the relocation of the islands from a design standpoint.

**2) Changes in signage plan that will require separate action by the planning Board and Board of Aldermen which staff has placed on the agenda as a separate item.**

This item has already been discussed and approved by the Planning Board.

**3) The addition of five car charging stations (two to be installed now and three to be planned for future installations).**

Ms. Teague said Ingles wanted to install a total of five car charging stations, two to be installed immediately, and three planned in the future. Ms. Teague pointed out to the Board where the stations would be located, and said that from staff's point of view, this would be a welcome addition and would not change the parking lot lay out. Mr. Kendell stated these stations have already been installed in four other locations of Ingles, and gave a brief history of how Ingles decided to place these stations in their parking lots.

**4) Modification of the outdoor seating area to be on both sides of the front door instead of just one.**

Mr. Kendell explained that in the approved Master Plan, there was an area that would have an ornamental fence separating patrons from the driveway. After reviewing this area, Ingles has decided to make the area with less square footage and tables and make outdoor seating on both sides of the front. He stated this change will make the area more welcoming. Ms. Teague commented that this relocates a portion of the seating area without changing the safety or function of the site and feels this is not a substantial change in the plan.

**5) Reconfiguration of retail spaces to the west( left of the Ingles front), with no change in square footage from original request**

Ms. Teague stated that Ingles would like to change the interior retail space to the left of the Ingles front. Mr. Kendell said that they did not know what retail business would be going into this space, but Ingles wants to be able to accommodate the needs of any tenant that might want to move there. This would change the footprint, but not the square footage which was originally approved and which will preserve that area for future development. Once there is a specific plan, Ingles will come before the Planning Board for approval.

The consensus of the Board is that this is not a substantial change and can be approved by the Planning Board.

**6) Revisions to the car wash from a two bay automated carwash to a single bay tunnel that would be fully staffed.**

Ms. Teague stated that before her arrival as Development Services Director for the Town of Waynesville, Ingles had been in contact with former Director Paul Benson concerning a carwash being constructed on the property. The plans that were originally approved did not include a carwash. Ingles believed they had staff level approval for the carwash. In submitting plans for this Master Plan Change request, the plans showed a carwash that Ingles wanted to decrease from two bays to one fully staffed tunnel bay.

**John Cox  
Land Planning Associate  
Ingles**

Mr. Cox stated that in December of 2014, he had emailed Paul Benson concerning revising the plans for a 7000 square carwash to a 2450 square foot two bay carwash. Mr. Benson conveyed staff approval for the revision. Ingles is now asking for revisions to the carwash from a two bay automated carwash to a single bay tunnel that would be staffed. The design of the original carwash is outdated and the tunnel type is a modern version. There were questions from the Board concerning the validity of the planned carwash, and the revisions approved by Mr. Benson.

Board Members Robert Herrmann and Jon Feichter stated they remembered approving the carwash for the Master Plan. Mr. Herrmann and Mr. Feichter referred to Planning Board Minutes from the August 18, 2014 meeting reaffirming the Planning Board approval of the carwash. Ms. Teague said because the carwash was approved in those minutes, the revisions from a two bay to an automated two bay tunnel could be made. She felt that the reduction of the car wash footprint would not constitute a substantial change and could be approved by the Planning Board but deferred to the Boards thoughts on it. The Board was in consensus that it was not a substantial change to the Master Plan.

**7) Addition of parking area to the east (right) side of the Ingles store**

Ms. Teague said that Ingles determined that the tenants to the right of the store would have little or no parking in front of them. The revised site plan would add parking to that area. She stated that adding these parking spaces would require some additional landscaping and asked the Board how they wanted to handle this landscaping issue. She said the performance standard stated every parking space should be within 40 feet of a tree, but that under the Conditional District Zoning the proposed landscaping was deemed adequate. Mr. Kendell said that Ingles has full intentions of keeping the required amount of landscaping with the additional parking spaces.

The Board had questions concerning the distance the islands will be moved, and how many parking spaces will be created. Mr. Kendell said they will be moved 19 feet, and this will create 12 to 14 spaces for the tenant.

*A motion was made by Board Member Bucky Dykes, seconded by Board Member Danny Wingate, to approve the requested revisions to the Master Plan for the Ingles site as a minor amendment to the Russ Avenue Regional Center Conditional District and contingent upon State permitting approval. The motion passed unanimously.*

Board members asked Mr. Kendell about the Belk Building on the property. He said they had tried to find a tenant, but so far had no luck. When the Ingles project is complete, a decision will be made as to what to do with the building. Mr. Kendell estimates a fall of 2016 completion date for the Ingles project.

**C. ADJOURN**

*With no further business, a motion was made by Board Member Marty Prevost, seconded by Board Member Phillip Gibbs, to adjourn the meeting at 7:29 pm. The motion passed unanimously.*

---

Patrick McDowell, Chairman

---

Eddie Ward, Deputy Clerk

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: January 26, 2016**

**SUBJECT:** Sponsorship of Haywood Waterways 4<sup>th</sup> Annual Polar Plunge – February 6, 2016

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 6-D  
**Department:** Administrative Services  
**Contact:** Marcy Onieal, Town Manager  
**Presenter:** Marcy Onieal, Town Manager

**BRIEF SUMMARY:** Haywood Waterways Association works to maintain and improve surface water quality in the Pigeon River Watershed of Haywood County by offering educational programs and working with public agencies, conservations interests, businesses, community groups and public & private land owners to implement water quality improvement strategies. The Town of Waynesville partners with HWA to provide stormwater management programs, streambank restoration and greenway enhancement projects, and youth education programs.

The Polar Plunge is a county-wide fundraising effort aimed at supporting the Kids in the Creek educational program, which teaches students in Haywood County about water quality and brings out environmentally-responsible behavior in kids.

For the last two years, the municipalities of Haywood County have engaged in a friendly fundraising competition fielding teams of costumed “plungers”. The 2014 competition brought out town managers, with Town Manager Marcy Onieal dressed as “Mad Anthony Wayne”, Waynesville’s namesake. In 2015, the Town of Waynesville’s leadership team took first place in the costume category as the cast from the movie “Frozen”. This year the focus is on the law enforcement community. With Clyde and Canton Boards having already committed \$250 each to this friendly face-off, we are once again seeking the Waynesville Board of Aldermen’s support of Kids in the Creek and the Town’s Polar Plungers with a contribution of \$500 toward this worthy effort.

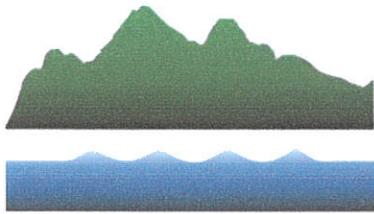
**MOTION FOR CONSIDERATION:** To approve sponsorship of Haywood Waterways 4<sup>th</sup> Annual Polar Plunge in the amount of \$500 as requested.

**FUNDING SOURCE/IMPACT:** \$500 from General Fund-Special Appropriations (already budgeted but non-designated)

**ATTACHMENTS:**

- Info Sheet / photos

**MANAGER’S COMMENTS AND RECOMMENDATIONS:** Approve as presented.



# HAYWOOD WATERWAYS ASSOCIATION

Become A Member  
Make A Donation

[Home](#) [Our Impact](#) [About](#) [Conservation Products](#) [Volunteer](#) [Education](#) [Restoration](#) [Monitoring](#) [Partners & Programs](#) [Contact](#)



Haywood Waterways and Lake Junaluska Assembly are hosting the 4th Annual Polar Plunge Benefit-t-t-ting Kids in the Creek & Youth Education Saturday, February 6. It all begins at 11:30am at the Lake Junaluska Assembly beach (by the pool). **There will be great prizes for the top fundraisers and best costumes.** All Plungers receive a free t-shirt to commemorate their courage and a free chili lunch. Everyone, including spectators, get a chance to win one of many great door prizes. We're seeking as many valiant souls as possible to brave the frigid waters of Lake Junaluska and help raise money for our premier education event - Kids in the Creek - that teachers call *extremely valuable for teaching about water quality* and the students call *cool*. We'll save you the long details but we do have data that demonstrates the program is a very effective tool for bringing out environmentally-responsible behavior in kids.

Come join us just so you can say you plunged into Lake Junaluska in the middle of winter.

Plungers will have two options, be part of the

group run into the beach or a spotlight plunge off the dock. All ages welcome, though kids will need their parent's to sign the liability form [here](#). Shirt and shoes are mandatory, costumes are encouraged.

The cost is \$25 or FREE by raising sponsorships (\$10 for under age 18). Register by *Joining the Team*, then "Donate" your \$25 (all donations are tax deductible), and even better, send the link to all of your family, friends, coworkers, and anyone else you can think of to sponsor you (\$1, \$5, \$25, everything counts) and have a chance for one of the top fundraiser prizes.

You can also register by mail - Sponsorship, Registration, and Information Packet.

The Assembly will have a bonfire going to help folks warm up as well as indoor changing and eating facilities. Since it is a "Polar" Plunge, the event will happen rain or shine!

We're also seeking Event Sponsors. Want to see your business in lights? Everything you need to know is in the Sponsorship Packet.

Need more info? Contact Eric Romaniszyn - 828.476.4667 or [info@haywoodwaterways.org](mailto:info@haywoodwaterways.org).





## Polar plungers brave cold lake

By Kevin Fuller | Feb 01, 2015 (from The Mountaineer)

A young polar plunger attempts to head to the bonfire at Lake Junaluska after taking the plunge. Several schools including Bethel Middle, Pisgah, Tuscola and Waynesville Middle came out for the cause.

Organizer's casually laughed about the numbers being down at this year's Polar Plunge for Haywood Waterways.

That's because the numbers they were referring to were the numbers on the thermometer.

While last year's weather seemed to be a little cooler, seeing organizers breaking ice from Lake Junaluska for the plungers, this year's temps were slightly down, which was much to the dismay of the swimmers.

"It was horrific," said Waynesville Police Chief Bill Hollingsed with a laugh. "Every year I do this I say it's going to be my last — but I keep coming back. It was cold."

Hollingsed was one of about 200 brave souls that raised money for Haywood Waterways' programs that allowed them to jump into the frosty waters. While the temperature was down, organizers said it was a record turnout for the event.

“We’ve got more people going in the water,” said Haywood Waterways COO Rob Huckabee. “That means we have more people who’ve lost their mind in Haywood County.”

The event was created to draw attention to the need of keeping Haywood County waterways clean.

“We need clean water,” said Eric Romaniszyn, executive director of Haywood Waterways.

The Polar Plunge had towns across the county vying to earn the most money for a worthy cause.

Maggie Valley's Town Planner Andrew Bowen volunteered to endure the cold — dressed as the town's signature citizen, Miss Maggie.

Waynesville's team, which included Hollingsed, dressed as the cast of “Frozen,” and the town board members contributed to the cause at the last board meeting.

Town Clerk Amie Owens spurred the donation after she advised board members that Clyde's town board had bested them with its corporate contribution.

"I won't be bested by Clyde's board," said Mayor Gavin Brown said with a laugh.

The event raised more than \$25,000 for the organization’s cause



*Photo by: Kevin Fuller* Polar Plungers hit the water at Lake Junaluska.

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN  
REQUEST FOR BOARD ACTION  
Meeting Date: January 26, 2016**

**SUBJECT:** Rolling Street Closure: Mountaineer 2 Miler Road Race, hosted by Waynesville Middle School and Mountain Fit

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 7a - D  
**Department:** Administrative Services  
**Contact:** Amie Owens, Town Clerk  
Susanna Barbee (828-279-5123)  
**Presenter:** Susanna Barbee, Regan Wyatt (possibly Jason Bodner and/or Brad Dodson)

**BRIEF SUMMARY:**

The Waynesville Middle School PTA in conjunction with several community members propose to host a race on March 19, 2016. The race is called the Mountaineer 2 Miler. The race will run through a portion of Waynesville and Hazelwood for approximately one hour on that day (10:00-11:00 am). (See course route). Registration for the race will raise money for the Waynesville Middle PTA; raised monies will go toward academic and athletic purposes at WMS and possibly Mountain Fit (a local organization that supports youth in running sports).

**MOTION FOR CONSIDERATION:** To approve a rolling street closure and provide in-kind public safety support for the Mountaineer 2-Miler race on March 19, 2016.

**FUNDING SOURCE/IMPACT:**

**ATTACHMENTS:**

- Race course
- Electronic flyer

**MANAGER'S COMMENTS AND RECOMMENDATIONS:**

This is a new event request for the Town.



**Mountaineer**  
**2 miLER**

MARCH 19, 2016

**1ST annual**  
**mountaineer**  
**2 miLER**  
**a FLAT and FAST Race**

**march 19**  
**10:00 am**

WAYNESVILLE MIDDLE SCHOOL  
495 BROWN AVE  
WAYNESVILLE, NC 28786

PROCEEDS WILL SUPPORT  
WAYNESVILLE MIDDLE SCHOOL PTA  
AND MOUNTAINFIT

**W** *Mountaineers* **MOUNTAIN FIT**



[WWW.COMMUNITYFITNESSEVENTS.COM](http://WWW.COMMUNITYFITNESSEVENTS.COM)

Maintain ave 2 miles (M2M)



S. Barber

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN  
REQUEST FOR BOARD ACTION  
Meeting Date: January 26, 2016**

**SUBJECT:** Street Closure: West Haywood Relay for Life -- Main Street from Church Street to Depot Street

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 7b - D  
**Department:** Administrative Services  
**Contact:** Amie Owens, Town Clerk  
**Presenter:** Marcy Onieal, Town Manager

**BRIEF SUMMARY:** A request was received from Mark Scott, Relay for Life Lead, for a street closure of Main Street from Church Street to Depot Street and the Miller Street parking area, to hold the annual Relay for Life event. The requested closure date is Saturday, April 23, 2016 from 4:00 p.m. to 1:00 a.m.

**MOTION FOR CONSIDERATION:** *To approve the street closure of Main Street from Church Street to Depot Street and the Miller Street Parking Area on Saturday April 23, 2016 from 4:00 p.m. to Sunday, April 24, 2016 at 1:00 a.m. for the annual Relay for Life event.*

**FUNDING SOURCE/IMPACT:** Will require placement of barricades prior to the event and pick up of barricades after. Public Services could set out the initial barricades and police could pick up.

**ATTACHMENTS:**

- Email request from Mr. Scott

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Approve request as presented; this is the second year for the event downtown.

(Mr. Scott will be present at the meeting to make a brief presentation to the Board).

Amie Owens

---

**From:** Mark Scott <mttop20@hotmail.com>  
**Sent:** Wednesday, January 13, 2016 3:54 PM  
**To:** Amie Owens  
**Subject:** Re: Relay For Life/West Haywood Street Closure /2016 Relay On Main

Thank You for your help and kindness, Waynesville is a great town.

---

**From:** Amie Owens <[aowens@waynesvillenc.gov](mailto:aowens@waynesvillenc.gov)>  
**Sent:** Wednesday, January 13, 2016 2:59 PM  
**To:** 'Mark Scott'  
**Cc:** John Sanderson; Carrie Schuler  
**Subject:** RE: Relay For Life/West Haywood Street Closure /2016 Relay On Main

Thank you, Mark. I received your email and voice mail. I will put you on the agenda for the upcoming meeting and wish you the best of luck with your upcoming event!

Amie Owens  
Administrative Services Director  
[aowens@waynesvillenc.gov](mailto:aowens@waynesvillenc.gov)

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

---

**From:** Mark Scott [<mailto:mttop20@hotmail.com>]  
**Sent:** Wednesday, January 13, 2016 2:54 PM  
**To:** Amie Owens  
**Cc:** Mark Scott; John Sanderson; Carrie Schuler  
**Subject:** Relay For Life/West Haywood Street Closure /2016 Relay On Main

Please add our request to the agenda for the Jan. 26th council meeting. We are asking to close main street on Saturday April 23rd at 4PM, our event will run until midnight and we will have the road reopened by 1:00AM. Also at this time we would like to present the council with a certificate of appreciation for their support of our 2015 event. We are so pleased to be able to have our event in down town Waynesville.

Respectfully,

Mark Scott  
Relay For Life/ West Haywood Leadership Team

## **GATEWAY TO THE SMOKIES HALF MARATHON**

Gateway to the Smokies Half Marathon will take your breath away...even if the run doesn't! The race is a beautiful course, developed by runners for runners, through the high mountain valleys of Haywood County just outside the Great Smoky Mtns National Park. The course begins on Main Street in downtown Waynesville where the sights, sounds and shops will delight the visual senses. Rolling through neighborhoods and scenic rural farmlands, the course will take you far from the hustle and bustle of big city life. Each turn or hill top opens up scenic vistas of the surrounding mountain peaks. The course finished in Waynesville's Frog Level, a revitalized railroad district listed on the National Register of Historic Plaes. There you can visit our local craft breweries, enjoy delicious post-race food and refreshments. Aid stations complete with mountain musicians and dancers will encourage and celebrate you throughout the race. Following the race you just might find you wish to try your hand at square dancing with the locals. The course is spectator friendly with numerous locations to watch family and friends. This race is certified and an OPEN course with road traffic along with runners. Please do not step off the designated course as you will be disqualified. We want everyone to be safe. Register NOW and also like us on Facebook where you can enter to win a free race registration. If this is your first half marathon, please indicate so on the registration. If this is your first half marathon, please indicate so on the registration form. We want to recognize you in a special way as a first half marathon is a really big deal! Your host, the Haywood Chamber looks forward to welcoming you to our beautiful Smokies and the Gateway to the Smokies Half Marathon! The course is certified and spectator-friendly, and a portion of the proceeds will go toward the Richland Creek greenway initiative in Waynesville. Register at [www.smokieshalfmarathon.com](http://www.smokieshalfmarathon.com) or on [www.active.com](http://www.active.com). See you in May!

## **PROPOSED ROUTE**

The 13.1-mile race, organized by the Haywood County Chamber of Commerce, will start off at the intersection of Main and Depot streets and continue down Main until heading up Country Club Drive. It'll loop around the Waynesville Inn golf course before moving down into Hazelwood and out Plott Creek Road for a loop around Log Cabin Road before heading back into town. The route climbs the hill up Boyd Avenue and Bryson Street before following Haywood Street toward Depot and into Frog Level for the finish.

APPLICATION FOR APPOINTMENT TO BOARDS/COMMISSIONS

NAME MARK W. NOLAN  
STREET ADDRESS 712 PIGEON STREET  
MAILING ADDRESS WAYNESVILLE, N.C. 28786  
PHONE 828-456-6945  
E-MAIL MMNOLAN4@CHARTER.NET

*Please consider me for appointment to the following board(s) or commission(s):*

- |   |   |
|---|---|
| <input type="checkbox"/> Alcoholic Beverage Control Board       | <input type="checkbox"/> Planning Board                         |
| <input type="checkbox"/> Community Action Forum                 | <input type="checkbox"/> Public Art Commission                  |
| <input type="checkbox"/> Board of Adjustment                    | <input type="checkbox"/> Recreation & Parks Advisory Commission |
| <input checked="" type="checkbox"/> Firemen's Relief Fund Board | <input type="checkbox"/> Waynesville Housing Authority          |
| <input type="checkbox"/> Historic Preservation Commission       |   |

I am interested in serving on this board or commission because: I BELIEVE IN  
GIVING BACK TO THE COMMUNITY (TOWN) I  
LIVE IN

I have experience/expertise in the following areas and/or have served on the following board or commission: I SERVED 20 YRS. ON BOARD OF ADJUSTMENT -  
FOR THE "TOWN OF WAYNESVILLE"

I feel that I can contribute the following to this board or commission I SERVED  
20 YEARS AS VOLUNTEER FIREMAN FOR THE  
TOWN OF WAYNESVILLE

Tell us about yourself and your background: RETIRED AFTER 30 YEARS  
AT ENKA + BASF AS "SENIOR ACCOUNTANT"

If a vacancy exists and I qualify for appointment, I will be contacted for my permission to the appointment. If I am chosen, I will faithfully execute my duty on the selected board or commission.

Mark W. Nolan  
Signature

1-20-2016  
Date

Upon appointment to a Board/Committee, the information contained herein becomes a matter of public record per NCGS 132-1. - Return Application to Town Clerk's Office -

APPLICATION FOR APPOINTMENT TO BOARDS/COMMISSIONS

NAME Daniel R. Pottinger, Jr  
STREET ADDRESS 458 Farley Street, Wyal NC 28786  
MAILING ADDRESS Same  
PHONE 828-734-6573  
E-MAIL pottinger54@yahoo.com

**Please consider me for appointment to the following board(s) or commission(s):**

- |   |   |
|---|---|
| <input type="checkbox"/> Alcoholic Beverage Control Board       | <input type="checkbox"/> Planning Board                         |
| <input type="checkbox"/> Community Action Forum                 | <input type="checkbox"/> Public Art Commission                  |
| <input type="checkbox"/> Board of Adjustment                    | <input type="checkbox"/> Recreation & Parks Advisory Commission |
| <input checked="" type="checkbox"/> Firemen's Relief Fund Board | <input type="checkbox"/> Waynesville Housing Authority          |
| <input type="checkbox"/> Historic Preservation Commission       |   |

I am interested in serving on this board or commission because: give back to the community

I have experience/expertise in the following areas and/or have served on the following board or commission: literacy council, several civic groups

I feel that I can contribute the following to this board or commission help support the fire department

Tell us about yourself and your background: General Manager Wells Financial Home Moved to Waynesville 1992

If a vacancy exists and I qualify for appointment, I will be contacted for my permission to the appointment. If I am chosen, I will faithfully execute my duty on the selected board or commission.

Signature [Handwritten Signature] Date 1/21/16

Upon appointment to a Board/Committee, the information contained herein becomes a matter of public record per NCGS 132-1. **- Return Application to Town Clerk's Office -**

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: January 26, 2016**

**SUBJECT:** Reconsideration of Request by Haywood Regional Theater for Waiver of Tap Fees and Development Permits and for In-Kind Contribution of Materials and Labor related to Installation of Water and Electric Service to Theater Expansion Project

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** 9-E  
**Department:** Public Services  
**Contact:** Marcy Onieal, Town Manager  
David Foster, Public Services Director  
**Presenter:** Marcy Onieal, Town Manager

**BRIEF SUMMARY:** The Town has received a letter from HART Executive Director Steve Lloyd seeking a cash grant equal to the amount of tap fees expected to be charged for water line installations on the theater expansion project and for the Town to bear the cost of labor and materials for installing waterlines and moving the required fire hydrant associated with the expansion project. Additionally, as part of this same request for in-kind contribution by the Town, Public Services Director David Foster has received a request from project engineer Pat Burgin that the town absorb the costs for installing underground electric service to the facility.

Ordinarily, such a request for funding and in-kind assistance would be referred to the Town's application process for strategic partner funding, with applications being due by March 31 of each year for consideration by the manager and board during the town's annual budget process. Because the theater project is nearly complete and a decision is needed right away, this request is coming to the board outside the normal channels and schedule for funding consideration.

In recognition of HART's cultural and economic impact on the town as a whole, the Town has contributed a total of \$50,000 to the capital expansion to date (\$25,000 in each of the last two fiscal years). The estimated cost of tap fee waiver (\$1,250), installation of waterlines & new hydrant (\$10,000), and 3-phase electric service (\$25,250), as requested is approximately \$36,500.

**MOTION FOR CONSIDERATION:** At the board's discretion.

**FUNDING SOURCE/IMPACT:** up to \$36,500 to be expended from the water and electric fund, if approved.

**ATTACHMENTS:** Letter of request from HART Executive Director Steve Lloyd

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** This request was brought before the board at its regular meeting on January 12, 2016. The board declined to take action, and instead requested additional information from HART regarding the construction contract and need for additional funding at this late date. Information should be forthcoming at the January 26 meeting.

If the board is inclined to grant the tap fee waiver, it is recommended that the board provide a cash grant to the non-profit applicant equivalent to the tap fee, rather than waive the fee, in keeping with policy and recent practice with other non-profit community partners (such as Habitat for Humanity), so that the tap fee can be paid by the private contractor, as is customary with any contracted construction project, rather than set a precedent of waiving established development fees on a case-by-case basis.

*HART*  
*THE HAYWOOD ARTS REGIONAL THEATER*  
*Celebrating our 32nd Anniversary Season*

January 7, 2016

TO: The Town of Waynesville

I am writing to formally request that the Town install the waterline and move the fire hydrant for the new addition to the Performing Arts Center at the Shelton House as discussed with architect Joe Sam Queen and the project engineer Pat Burgin a few weeks ago. We would also like to request a cash grant from the Town in the amount of the Tap fees for this project, which we will be paying as a part of Town policy.

Your consideration of this request is appreciated. The new facility is expected to be completed in early spring and we are also grateful for the Town's prior support of this project.



Steve Lloyd  
HART Executive Director  
828 400 2633

P.O. BOX 1024, Waynesville, NC 28786  
[harttheater@gmail.com](mailto:harttheater@gmail.com) [www.harttheatre.com](http://www.harttheatre.com)  
Performing Arts Center at the Shelton House,  
250 Pigeon St. Downtown Waynesville



Town of Waynesville  
General Fund  
Schedule of Revenues and Expenditures  
Budget and Actual (Non-GAAP)  
For the Period Beginning July 1, 2015 thru December 31, 2015

The % of budget used should be 6/12 ths or 50.00%.

	Actual		Budget		One Year Prior Comparison		Two Year Prior Comparison	
	Total*	% of Budget Collected To Date	6/12 ths of Budget	Full Year's Budget	Total*	% of Budget Collected To Date	Total*	% of Budget Collected To Date
<b>Revenues:</b>								
Ad Valorem Taxes-current year	3,894,987	84.86%	2,294,850	4,589,700	3,894,476	85.67%	3,551,215	85.48%
DWA Ad Val. Taxes-current year	82,416	84.37%	48,845	97,690	79,514	82.33%	77,164	79.90%
Motor Vehicle Ad Val.-current year	126,813	42.27%	150,015	300,030	115,641	45.22%	146,624	58.90%
Ad Valorem Taxes-prior year	42,683	40.27%	53,000	106,000	61,970	67.07%	106,618	137.75%
DWA Ad Val. Taxes-prior year	318	2.19%	7,250	14,500	483	3.33%	2,828	19.50%
Motor Vehicle Ad Val.-prior year	236	11.81%	1,000	2,000	15,566	45.38%	19,039	55.51%
Penalties, Interest , Other	17,610	28.73%	30,650	61,300	22,897	36.06%	27,848	52.74%
Sale Taxes	646,152	26.46%	1,221,210	2,442,420	611,160	27.45%	555,526	25.28%
Cable and Privilege License	30,336	22.29%	68,050	136,100	164,303	63.06%	158,542	60.41%
Franchise Taxes	222,190	30.69%	361,940	723,880	169,649	26.04%	161,366	24.24%
Restricted Intergovernmental								
Revenues (Pow. Bill & Grants)	363,455	79.21%	229,420	458,840	169,982	37.64%	412,611	87.08%
Building and Planning fees	67,872	44.33%	76,550	153,100	57,887	53.80%	45,737	43.31%
Connect & Late Payment fees	51,351	51.87%	49,500	99,000	53,343	56.75%	54,174	60.03%
Charges to other funds	-		-	-	-		433,285	49.47%
Fire Protection fees	76,560	28.89%	132,500	265,000	74,819	27.31%	118,779	48.48%
Garbage fees	366,672	46.34%	395,675	791,350	396,142	39.81%	416,993	41.11%
Recreation fees	309,894	44.13%	351,100	702,200	301,543	45.22%	329,918	50.72%
Other sales and services	57,622	67.32%	42,800	85,600	20,588	21.63%	8,903	9.41%
Other revenues	93,550	64.95%	72,015	144,030	15,035	11.91%	34,919	24.35%
ABC Distributions	13,713	49.81%	13,765	27,530	12,950	73.87%	-	0.00%
Transfers from Other Funds	739,050	50.00%	739,050	1,478,100	737,720	49.66%	734,310	50.00%
Fund Bal. Approp.-Pow. Bill	-	0.00%	55,135	110,270	-	0.00%	-	0.00%
Fund Balance Appropriation	-	0.00%	501,180	1,002,360	-	0.00%	-	0.00%
<b>Total Revenues</b>	<b>7,203,479</b>	<b>52.23%</b>	<b>6,895,500</b>	<b>13,791,000</b>	<b>6,975,666</b>	<b>50.53%</b>	<b>7,396,399</b>	<b>50.56%</b>



**Town of Waynesville**  
**General Fund**  
**Schedule of Revenues and Expenditures**  
**Budget and Actual (Non-GAAP)**  
**For the Period Beginning July 1, 2015 thru December 31, 2015**

The % of budget used should be 6/12 ths or 50.00%.

**Our General Fund:**

Actual	
Total*	

Budget			
% of Budget Used To Date	6/12 ths of Budget	Full Year's Budget	Full Year's Budget
41.17%	51,145	102,290	
36.15%	243,525	487,050	
49.57%	167,385	334,770	
76.56%	307,500	615,000	
52.24%	2,097,580	4,195,160	
30.92%	40,000	80,000	
50.71%	636,830	1,273,660	
47.51%	1,291,095	2,582,190	
28.56%	221,900	443,800	
38.08%	78,775	157,550	
51.20%	297,665	595,330	
60.53%	187,860	375,720	
50.44%	1,257,740	2,515,480	
37.43%	16,500	33,000	
50.35%	6,895,500	13,791,000	

**Expenditures:**

Governing Board	42,112	
Administration	176,061	
Finance	165,940	
Public Building/Debt Pymts	470,828	
Police Department	2,191,638	
Police Grant Projects	24,739	
Fire Department	645,876	
Streets and Sanitation	1,226,851	
Powell Bill	126,733	
Cemetery	59,992	
Planning & Code Enforcement	304,816	
Special Appropriations	227,421	
Parks and Recreation	1,268,822	
Recreation-Special Projects	12,352	
<b>Total Expenditures</b>	<b>6,944,182</b>	
<b>Revenue Over/(Under) Expenditures</b>	<b>259,297</b>	

One Year Prior Comparison		
% of Budget Used To Date	Full Years Budget	Full Year's Budget
42.06%	87,010	
22.99%	471,730	
44.05%	387,800	
76.20%	623,770	
49.75%	4,211,720	
15.34%	80,000	
48.15%	1,264,430	
41.83%	2,823,730	
43.84%	459,500	
40.80%	160,060	
43.54%	541,480	
55.58%	325,110	
47.50%	2,336,550	
88.16%	33,000	
47.16%	13,805,890	

Two Year Prior Comparison		
% of Budget Used To Date	Total*	Full Year's Budget
41.83%	59,482	142,210
31.31%	411,369	1,313,930
50.74%	431,746	850,870
55.37%	647,256	1,168,900
48.34%	1,749,817	3,620,110
9.25%	7,401	80,000
50.65%	541,138	1,068,410
45.23%	1,104,946	2,443,060
49.16%	217,542	442,500
31.07%	40,429	130,140
49.55%	251,664	507,870
50.08%	124,875	249,370
54.78%	1,411,183	2,576,320
10.46%	3,662	35,000
47.87%	7,002,510	14,628,690
	<u>464,860</u>	
	<u>393,889</u>	

\* includes open purchase orders (except for purchase orders associated loan reimbursements)



Town of Waynesville  
Water Fund  
Schedule of Revenues and Expenditures  
Budget and Actual (Non-GAAP)

For the Period Beginning July 1, 2015 thru December 31, 2015

The % of budget used should be 6/12ths or 50.00%.

	Actual		Budget		One Year Prior Comparison			Two Year Prior Comparison		
	Total*	% of Budget To Date	6/12ths of Budget	Full Year's Budget	Total*	% of Budget To Date	Full Year's Budget	Total*	% of Budget To Date	Full Year's Budget
<b>Revenues:</b>										
Charges to Customers	1,319,435	45.04%	1,464,700	2,929,400	1,268,405	46.17%	2,747,000	1,194,271	45.90%	2,602,100
Taps and Capacity fees	6,900	13.27%	26,000	52,000	20,950	40.29%	52,000	14,300	27.50%	52,000
All Other Revenues	5,755	383.65%	750	1,500	4,672	21.73%	21,500	7,554	2.78%	271,500
Loan from General Fund	-	0.00%	-	-	-	0.00%	-	-	0.00%	-
Transfer from the Elect. Fund	-	0.00%	-	-	-	0.00%	-	-	0.00%	-
Fund Balance Appropriation	-	0.00%	289,525	579,050	-	0.00%	307,840	-	0.00%	246,290
<b>Total Revenues</b>	<b>1,332,090</b>	<b>37.40%</b>	<b>1,780,975</b>	<b>3,561,950</b>	<b>1,294,027</b>	<b>41.36%</b>	<b>3,128,340</b>	<b>1,216,125</b>	<b>38.34%</b>	<b>3,171,890</b>
<b>Expenditures:</b>										
Maintenance	646,395	38.11%	848,090	1,696,180	771,943	50.50%	1,528,500	627,751	34.89%	1,799,130
Treatment	605,616	39.86%	759,720	1,519,440	552,325	43.30%	1,275,690	520,388	51.82%	1,004,270
Administration and Finance	110,070	47.42%	116,070	232,140	100,065	47.17%	212,130	121,755	46.96%	259,260
Transfer to Other Funds	57,095	50.00%	57,095	114,190	56,010	50.00%	112,020	54,615	50.00%	109,230
<b>Total Expenditures</b>	<b>1,419,177</b>	<b>39.84%</b>	<b>1,780,975</b>	<b>3,561,950</b>	<b>1,480,343</b>	<b>47.32%</b>	<b>3,128,340</b>	<b>1,324,509</b>	<b>41.76%</b>	<b>3,171,890</b>
<b>Revenue Over/(Under) Expenditures</b>	<b>(87,086)</b>				<b>(186,316)</b>			<b>(108,384)</b>		

\* includes open purchase orders (except for purchase orders associated loan reimbursements)



**Town of Waynesville**  
**Sewer Fund**  
**Schedule of Revenues and Expenditures**  
**Budget and Actual (Non-GAAP)**  
**For the Period Beginning July 1, 2015 thru December 31, 2015**

The % of budget used should be 6/12 ths or 50.00%.

	Actual		Budget		One Year Prior Comparison		Two Year Prior Comparison	
	Total*	% of Budget To Date	6/12 ths of Budget	Full Year's Budget	Total*	% of Budget To Date	Total*	% of Budget To Date
<b>Revenues:</b>								
Charges to Customers	1,039,128	48.00%	1,082,400	2,164,800	915,298	44.61%	2,051,800	
Taps and Capacity fees	3,625	8.53%	21,250	42,500	12,750	30.00%	42,500	
All Other Revenues	-	0.00%	200	400	249	0.03%	730,400	
Transfers from Other Funds	-	0.00%	-	-	-	0.00%	-	
Fund Balance Appropriation	-	0.00%	78,965	157,930	-	0.00%	144,640	
<b>Total Revenues</b>	<b>1,042,753</b>	<b>44.08%</b>	<b>1,182,815</b>	<b>2,365,630</b>	<b>928,297</b>	<b>31.26%</b>	<b>2,969,340</b>	
<b>Expenditures:</b>								
Maintenance	351,544	43.94%	399,985	799,970	493,631	30.72%	1,607,060	
Treatment	634,135	48.55%	653,010	1,306,020	458,383	43.72%	1,048,380	
Administration and Finance	78,490	45.81%	85,665	171,330	106,040	46.08%	230,110	
Transfer to Other Funds	44,155	50.00%	44,155	88,310	41,895	50.00%	83,790	
<b>Total Expenditures</b>	<b>1,108,324</b>	<b>46.85%</b>	<b>1,182,815</b>	<b>2,365,630</b>	<b>1,099,949</b>	<b>37.04%</b>	<b>2,969,340</b>	
<b>Revenue Over/(Under) Expenditures</b>	<b>(65,571)</b>				<b>(171,652)</b>			

\* includes open purchase orders



**Town of Waynesville**  
**Electric Fund**  
**Schedule of Revenues and Expenditures**  
**Budget and Actual (Non-GAAP)**  
**For the Period Beginning July 1, 2015 thru December 31, 2015**

The % of budget used should be 6/12 ths or 50.00%.

**Our Electric Fund:**

	Actual		Budget		One Year Prior Comparison		Two Year Prior Comparison	
	Total*	% of Budget To Date	6/12 ths of Budget	Full Year's Budget	Total*	% of Budget To Date	Total*	% of Budget To Date
<b>Revenues:</b>								
Charges to Customers	3,709,242	39.64%	4,678,280	9,356,560	3,770,877	39.42%	3,543,703	35.97%
All Other Revenues	75	2.50%	1,500	3,000	6,347	211.57%	339	11.30%
Proceeds from Capital Lease	-	0.00%	-	-	-	0.00%	-	0.00%
Fund Balance Appropriation	-	0.00%	363,800	727,600	-	0.00%	-	0.00%
<b>Total Revenues</b>	<b>3,709,317</b>	<b>36.77%</b>	<b>5,043,580</b>	<b>10,087,160</b>	<b>3,777,224</b>	<b>37.20%</b>	<b>3,544,042</b>	<b>34.86%</b>
<b>Expenditures:</b>								
Maintenance	948,417	55.92%	847,955	1,695,910	780,625	54.89%	754,785	56.53%
Power Purchases	2,130,338	33.41%	3,188,225	6,376,450	2,347,725	34.94%	2,366,137	33.41%
Administration and Finance	341,535	46.20%	369,600	739,200	340,610	46.19%	205,490	43.44%
Transfer to Other Funds	637,800	50.00%	637,800	1,275,600	637,800	50.00%	637,800	50.00%
<b>Total Expenditures</b>	<b>4,058,090</b>	<b>40.23%</b>	<b>5,043,580</b>	<b>10,087,160</b>	<b>4,106,760</b>	<b>40.45%</b>	<b>3,964,212</b>	<b>38.99%</b>
<b>Revenue Over/(Under) Expenditures</b>	<b>(348,773)</b>				<b>(329,536)</b>		<b>(420,170)</b>	

\* includes open purchase orders



**Town of Waynesville**  
**Asset Services Management**  
**Schedule of Revenues and Expenditures**  
**Budget and Actual (Non-GAAP)**  
**For the Period Beginning July 1, 2015 thru December 31, 2015**

The % of budget used should be 6/12 ths or 50.00%.

**Our Public Works:**

	Actual		Budget			One Year Prior Comparison			Two Year Prior Comparison			
	Total*	% of Budget To Date	6/12 ths of Budget	Full Year's Budget	% of Budget To Date	Full Year's Budget	Total*	% of Budget To Date	Full Year's Budget	Total*	% of Budget To Date	
<b>Revenues:</b>												
Charges to Customers	1,027,950	47.68%	1,077,950	2,155,900	50.00%	2,038,070	201,775	50.10%	402,720	201,775	50.10%	402,720
All Other Revenues	2,416	100.00%	-	-	100.00%	-	1,403	28.06%	5,000	1,403	28.06%	5,000
Fund Balance Appropriation	-	0.00%	-	-	0.00%	-	-	0.00%	-	-	0.00%	-
<b>Total Revenues</b>	<b>1,030,366</b>	<b>47.79%</b>	<b>1,077,950</b>	<b>2,155,900</b>	<b>50.01%</b>	<b>2,038,070</b>	<b>203,178</b>	<b>49.83%</b>	<b>407,720</b>	<b>203,178</b>	<b>49.83%</b>	<b>407,720</b>
<b>Expenditures:</b>												
Public Service Administration	201,781	43.21%	233,490	466,980	55.44%	499,830	-	-	-	-	-	-
Public Facilities & Grounds	698,418	48.57%	718,920	1,437,840	43.25%	1,137,630	-	-	-	-	-	-
Purchasing	117,550	46.82%	125,540	251,080	47.74%	400,610	202,794	49.74%	407,720	202,794	49.74%	407,720
<b>Total Expenditures</b>	<b>1,017,748</b>	<b>47.21%</b>	<b>1,077,950</b>	<b>2,155,900</b>	<b>47.12%</b>	<b>2,038,070</b>	<b>202,794</b>	<b>49.74%</b>	<b>407,720</b>	<b>202,794</b>	<b>49.74%</b>	<b>407,720</b>
<b>Revenue Over/(Under) Expenditures</b>	<b>12,618</b>						<b>384</b>			<b>384</b>		

\* includes open purchase orders



Town of Waynesville  
Garage Operations  
Schedule of Revenues and Expenditures  
Budget and Actual (Non-GAAP)

For the Period Beginning July 1, 2015 thru December 31, 2015

The % of budget used should be 6/12ths or 50.00%.

**Our Garage:**

Actual	
<b>Total*</b>	
Charges to Customers	309,545
All Other Revenues	1,796
<b>Total Revenues</b>	<b>311,341</b>

Budget		
% of Budget To Date	6/12ths of Budget	Full Year's Budget
50.00%	309,545	619,090
17.96%	5,000	10,000
49.49%	314,545	629,090

One Year Prior Comparison			Two Year Prior Comparison		
Total*	% of Budget To Date	Full Year's Budget	Total*	% of Budget To Date	Full Year's Budget
330,165	48.06%	686,920	403,655	52.59%	767,600
19,020	380.40%	5,000	15,626	15626.00%	100
<b>349,185</b>	<b>50.47%</b>	<b>691,920</b>	<b>419,281</b>	<b>54.62%</b>	<b>767,700</b>

Operations	240,194
<b>Total Expenditures</b>	<b>240,194</b>
<b>Revenue Over/(Under) Expenditures</b>	<b>71,147</b>

Operations	34.71%	345,960	691,920
<b>Total Expenditures</b>	<b>34.71%</b>	<b>345,960</b>	<b>691,920</b>

Operations	275,395	39.80%	691,920	342,593	44.63%	767,700
<b>Total Expenditures</b>	<b>275,395</b>	<b>39.80%</b>	<b>691,920</b>	<b>342,593</b>	<b>44.63%</b>	<b>767,700</b>
<b>Revenue Over/(Under) Expenditures</b>	<b>73,790</b>			<b>76,688</b>		

\* includes open purchase orders

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN  
REQUEST FOR BOARD ACTION  
Meeting Date: January 26, 2016**

**SUBJECT:** Consideration of Candidates, Contractual Terms and Appointment of Interim Town Manager

**AGENDA INFORMATION:**

**Agenda Location:** Communications from Mayor & Board  
**Item Number:** 12-G  
**Department:** Mayor & Board  
**Contact:** Gavin Brown, Mayor  
**Presenter:** Gavin Brown, Mayor

**BRIEF SUMMARY:** At the special called meeting of January 19, 2016, the Board of Aldermen interviewed separately in closed session two candidates to serve as interim town manager:

- Robert Hites, retired Town Manager, Statesville, NC
- Michael Morgan, retired Town Manager, Weaverville, NC

It is the intent of the board to select one of these two candidates to serve as interim manager for an estimated period of 4-6 months, while the board conducts a search for a new town manager. The interim is expected to report to work February 1, 2016, or as soon thereafter as possible, and generally to work 3.5 – 4 days per week (or roughly 25-35 hours per week). The expected rate of pay will be \$55 – 75/ hour, with out of pocket expenses reimbursed at IRS allowable rates for mileage. As a retiree in the Local Government Retirement System, an interim manager will be considered a part-time employee of the town and will be limited in the total number of hours and salary to which he or she is entitled within a single year.

**MOTION FOR CONSIDERATION:** At board's discretion.

**FUNDING SOURCE/IMPACT:** Approximately \$70,000 in salary and FICA, plus travel and expense reimbursement for 6 months; total will vary depending on length of tenure, which candidate is selected, whether candidate commutes or requires local housing, and any additional negotiated terms.

**ATTACHMENTS:**

- Resumes for each candidate
- Interim Manager – NCLM sample employment agreement

**MANAGER'S COMMENTS AND RECOMMENDATIONS:**

Robert William Hites, Jr.  
704-978-9163 E-mail: rwhites1952@gmail.com

## PROFESSIONAL EXPERIENCE

### Associate, Developmental Associates, April, 2015- Present

Provide services to human resources firm that conducts executive search, assessment processes, and supervisory training

### Interim City Manager: City of Monroe, NC January 6, 2014-October 13, 2014

Provide management of full service municipality of 35,000 citizens, on a 10 month contract. Services include supervising all policy, personnel, and budget development. Supervise the day to day activity of 10 department heads, drafting of the City Council agenda, conducting the Council's priority setting process, negotiating the contracts for the permanent City Manager and Attorney.

### Consultant, The MAPS Group January 2013- January 2014

#### **Summary:**

Carry out pay and classification plans for NC towns and counties. Work with towns on their organizational structures.

### City Manager, City of Statesville, NC, February 1998 – Sept 2012 (Retired)

#### **Summary:**

- Manage full service municipality of approximately 26,000 citizens, \$84 Million annual budget and 400 full time employees.
- Supervise the directors of nine operating departments.
- Statesville provides community policing, full time fire suppression, water, waste water and electric distribution, planning, engineering, finance and personnel.
- Personally responsible for long range planning with council and community, conceptual design with architects on municipal buildings and facilitating meetings with community groups on planning activities.

#### **Accomplishments:**

- Led creation of a vision plan to establish community goals for use in performance budgeting.
- Developed a long term plan to eliminate the use of General Fund Balance to fund a portion of the operating budget. A revaluation reduced the City's tax base and the city lost considerable sales tax due to the recession. The plan was implemented as part of the 2012-13 budget.
- Rewrote land use plan, recreation master plan and adopted and implemented an airport landside development plan.
- Facilitated drafting of unified development ordinance, central business district marketing plan, and RFPs for hangar construction and terminal area improvements at the airport.
- Oversaw construction of a seventy-five acre soccer facility and \$8 Million recreation/aquatics center on an adjacent thirty-six acres.
- Utilized and applied construction experience to serve as Project Manager for new civic center, police station, renovation of city office building, streetscape, recreation center and fire station.

- Applied to State Department of Commerce for \$4 million in Stimulus Funded low interest loans for new fire station and \$7 million in low interest loans for a \$5 million dollar Streetscape and renovation of historic "Victorian City Hall built in 1896.
- Coordinated the selection of the architects for both the Streetscape and City Hall projects and worked as part of a citizen/council/staff concept team to develop plans for both projects. The projects were bid, constructed and completed on time and on budget.
- Supervised use of city, county, state and federal funds to construct over \$21 Million in improvements to regional airport.
- Collaborated to create a city/school partnership to renovate a 1940-era auditorium that can be booked for events by civic center staff.
- Drafted local bills giving Statesville additional powers to protect historic properties and reduce power of the Civil Service Board.
- Testified before NC legislative committees regarding the City's positions on issues.
- Presented at NCLM Annual Convention on Drought Management and Mitigation.
- Facilitated City/ Business Community collaborations resulting in *Site Selection Magazine* naming Statesville its Leading Community of fewer than 50,000 to locate a business for six of the last seven years.
- Contributing Writer to *Statesville Record & Landmark*.
- Negotiated industrial location of Lowes, Newell Rubbermaid Corporate Aircraft Operations, Canac/Kohler Kitchens, and Tube Tech Inc.

#### **City Manager, City of Lumberton, NC, November 1992 - January 1998**

##### **Summary:**

- Administer full service city of approximately 20,000 citizens, \$43 Million annual Budget, and 350 employees.
- Directly supervise nine (9) operating departments responsible for municipal functions including electric distribution, full time fire suppression and community policing.
- Personally responsible for budget, city council agendas and four (4) standing policy committees.

##### **Accomplishments:**

- Orchestrated a successful bid for "All America City" designation.
- Directed an \$18.5 Million wastewater treatment improvement program.
- Managed an \$11.5 Million Bond Referendum to fund sewer plant expansion.
- Procured a \$4.5 Million NC Clean Water Loan and \$1 Million CDBG Economic Development Grant.
- Recruited six major industries to town (adding over 1,000 jobs and \$60 Million in assessed value to the tax base).
- Restored a "Favourable" image for the city government within the development community.
- Reorganized the city staff and reduced its size from 14 to 9 departments by eliminating overlap and duplication.
- Prepared a plan to reduce the size of the general fund departments by 18% to meet reduced long-term revenue projections.
- Introduced a plan to reorganize the city's volunteer boards and commissions.
- Organized and administered two natural disaster recoveries and post recovery including submitting

cost recovery plans to FEMA.

- Taught "Local Government Administration" core course for Bachelor's degree at UNC-Pembroke.
- Honored by the Lumber River Council of Government as "Outstanding Manager of the Year" in 1997 and by the Robeson County Public Library for "Special Recognition for Leadership."
- Served on the NC League of Municipalities Regulatory Advisory Committee.

#### **City Manager, City of Southport, NC, April 1990 - November 1992**

##### **Summary:**

- Manage operation of full service city including supervision of six department heads.
- Responsible for Electric, Police, Water and Sewer, Sanitation, Recreation, Building and Grounds.
- Responsible for preparing annual operating budget, planning, zoning, Board of Adjustment, Beautification Committee, Waterfront Development Committee, Economic Development Committee.

##### **Accomplishments:**

- Prepared application and presentation for successful Governor's Coastal Initiative program.
- Conducted a successful master planning effort carried out by AIA Urban Design Team.
- Redrafted the Personnel Ordinance, Finance and Collection Ordinance, and the Zoning Ordinance.
- Reorganized the financing of the city, including placing solid waste in Enterprise Fund.
- Instituted curbside recycling in 1992.
- Prepared Waterfront Access Plan and "Disaster Plan" for city.
- Organized a non-profit economic development corporation and hired full time director.
- Obtained the following recognition and awards: Waterfront Access Grant, "Mainstreet City" designation and "Finalist Designation" 1992 All American City award.

#### **Owner, R.W. Hites Construction Company, Greensboro, NC, 1986-1990**

##### **Summary:**

- Estimating job-cost, purchasing material, on-site supervision of commercial and residential construction activity.
- Designed both new and renovated housing/commercial structures.

#### **Project Manager, Brown Investment Properties/Brown Pace Inc., Greensboro, NC October 1983 - December 1988**

##### **Summary:**

- Directed site plan design and governmental approval for single and multifamily residential housing development, apartment complexes and shopping centers.
- Prepared detailed cost estimates for construction and marketing real estate developments.
- Presented proposals to company Board of Directors.
- Obtained construction financing for developments.
- Managed the marketing and sales force, advertising and promotional planning, long range planning of building design, development theme, entrance design and model decor.
- Supervised the construction of various types and styles of residences.

## **City Manager, Town of Pittsboro, NC January 1979 - September 1983**

### **Summary:**

- Directed the operation of City including supervision of six department heads -Police, Finance, Water, Sewer, Sanitation, and Streets and Maintenance
- Responsible for preparing the annual Operating and Capital Budgets, purchasing, planning, zoning, annexation, economic development.

### **Accomplishments:**

- Planned and implemented a program of water and sewer line improvements.
- Administered a Historic Property Study which culminated in placing many properties on National Register.
- Initiated and carried out a successful annexation of contiguous and satellite areas.
- Coordinated an Economic Development Program which resulted in the 1981, 1982 and 1983 Governor's Community of Excellence Award.
- Negotiated a joint City/County agreement to construct a governmental complex and create a City/County Water system.
- Completed the City Hall design development and initial construction administration.
- Concluded and closed out the Town's CDBG Grant which involved water, sewer, sidewalk construction and housing rehabilitation.
- Developed a comprehensive street and house numbering system.
- Drafted a zoning ordinance which was adopted in 1979.
- Implemented the Town's containerized refuse collection system.
- Drafted Subdivision regulations for the Town.
- Developed a Central Business District.

## **Assistant to City Manager, City of Durham, NC, February 1977 - 1979**

### **Summary:**

- Assisted City Manager with citizen concerns. Primary duties included public relations and customer service.
- Met with community groups on issues involving City Council and staff.
- Served as mediator between citizens and staff on city service issues.
- Prepared reports to council on a variety of municipal issues.

### **EDUCATION and LICENSURE:**

**Master of Public Administration Degree**, Major: Urban Management  
*The American University, Washington, D.C.*

**Bachelor of Arts Degree**, Major: Political Science, Urban Government; Dean's List  
*University of North Carolina at Greensboro*

**NC General Contractor's License #24782.**

**Continuing Education:**

- Public Executive Leadership Academy (2005, NC Institute of Government),
- Personnel Administration (NC Institute of Government),
- Developing Raw Land and Finished Lots, Certified Commercial Real Estate Investment,
- Hurricane Preparation and Recovery; National Hurricane Center, Miami, FL (1991).

**COMMUNITY INVOLVEMENT:**

- NCLM Planning and Services Legislative Action Committee;
- International City/County Managers Association (ICMA);
- North Carolina City/County Managers Association (NCCMA);
- Treasurer, Iredell County Partnership for Young Children;
- Director, Statesville Chamber of Commerce;
- Executive Board Member, Greater Statesville Development Corporation;
- Board of Directors, United Way of Iredell County,
- Trinity Episcopal Church: Long Range Planning Committee, Choir Member, Usher;
- East Elementary School PTA;
- Volunteer Soccer Coach.

## **MICHAEL JAVAN MORGAN**

9 Scarlet Ridge Lane  
Weaverville, North Carolina 28787  
(828) 231-8288 cell

### **OBJECTIVE**

To secure a temporary and/or part-time position, where my administrative skills, experience and education would be an asset to my employer.

### **SUMMARY OF QUALIFICATIONS**

- ICMA Credentialed Manager 2003 -2011. Life Member
- Over 39 years' experience in Public Administration.
- Extensive background in grant writing, procurement, and financial management.
- Supervision of day-to-day management activities.
- Employee personnel counseling and mediation.
- Strategic planning and policy development.
- Experience serving both partisan and non-partisan elected officials at the state and local level.

### **EDUCATION**

#### **Western Carolina University**

Master of Public Affairs  
Cullowhee, North Carolina

#### **University of North Carolina-Asheville**

Bachelor of Arts in Political Science  
Asheville, North Carolina

#### **University of North Carolina-Chapel Hill**

School of Government- Various Public Administration courses over a twenty -five year period.

### **PROFESSIONAL EXPERIENCE**

#### **November 2011-Present, Interim Town Manager**

Worked with the Town of Sylva, Town of Marshall, City of Asheville and the Town of Weaverville serving as their Manager or Deputy Manager while the unit of government was undergoing a transition in their day-to-day leadership.

#### **January 2011- May 2013, Adjunct Professor Western Carolina University - Masters of Public Affairs Program**

Instruct a Graduate Level Classes in "Public Finance" and "Local Government Management".

#### **September 1992 – November 1, 2010 (Retired)**

#### **Town Manager, Weaverville North Carolina**

Served as the Chief Administrator for a full service town with a council-manager form of government. Weaverville has a population of 3,870 with 59 full-time employees and a General Revenue Budget of over \$5,859,000 and a Water Enterprise Budget of over \$1,566,000. Provided supervision over all municipal employees either directly or through subordinate supervisors. Provided leadership and direction in the development of short and long-range goals for the Town. Assured that Town activities were performed within budget, performed cost control activities, prepared annual budget request and assured the effective and efficient use of budgeted funds, personnel, materials, facilities, and time. Provided professional advice to the Town Council and department heads.

### **Major Accomplishments:**

- Coordinated the funding, design and development of a \$1.7 million Municipal Facility and Police Department, and a \$4.0 million Municipal Fire Station
- Coordinated the funding and construction of a \$6.2 million water treatment plant.
- Supervised the funding and construction of a \$1.2 million Public Works Facility.
- Obtained over 6 million dollars in grants for the Town of Weaverville.
- Completed major annexation efforts and Extraterritorial Zoning activities.
- Started a national award winning comprehensive budgeting process and annual report.
- Started a monthly town newsletter "Focus on Weaverville."

### **February 1982 - September 1992**

**State of North Carolina, Department of Human Resources, Office of Emergency Medical Services Regional Emergency Medical Specialist**, Black Mountain, North Carolina. Coordinated the emergency medical activities of an eight county planning Region F in and around Charlotte, North Carolina. Supervised the certification process for 1,400 Emergency Medical Technicians annually. In May 1990, began coordinating the Emergency Medical Service activities in Region A and Region B. Conducted investigations for the North Carolina Board of Medical Examiners concerning regulatory compliance. Member of the State of North Carolina Emergency Response Team.

### **January 1979 - September 1981**

**Buncombe County, Employment and Training Deputy Administrator** (served as interim Executive Director) Asheville, North Carolina. Responsible to the County Board of Commissioners for directing day-to-day activities of a \$3 million Employment and Training program that involved grant writing, program planning, staffing and budgeting.

### **PROFESSIONAL ACTIVITIES**

- Metropolitan Planning Organization Transportation Technical Coordinating Committee for Asheville-Buncombe County area, Chairman (1996-2002).
- Western North Carolina Management Association, Chairman (1998-1999).
- International City/County Management Association (ICMA). Credentialed Manager
- North Carolina City/County Management Association, Awarded "Lifetime Member"
- United Way of Asheville Buncombe County, Allocation Agency Review Chairman, (1994-2002), Audit and Review Committee (1997-2001), Strategic Planning Committee, Finance Committee (2010-2014).
- Board of Directors for the Mountain Area Red Cross 2000 -2008, Board Chairman (2007-2008), in 2010 appointed "Chapter's First Life-Time Board Member"

### **ACHIEVEMENTS AND AWARDS**

- "*State of North Carolina Commitment to Service Award*" for demonstrating outstanding work performance.
- Region F Council of Governments Outstanding Achievement Award.
- Excellence in "*Public Service Award*" -1997.
- "*Outstanding Executive Manager in Public Service*", Asheville-Buncombe Award for all State, Federal and Local Governments Employees- 1998.
- Certification of Recognition for Excellence in Budget Preparation from the Governmental Finance Officers Association of the United States and Canada 1997 - 2011.
- American Red Cross "*Volunteer of the year for Western North Carolina*" in 2008.
- American Red Cross Certificate of "*Extraordinary Personal Action*".
- Awarded the "*Order of the Long Leaf Pine*" by Governor Beverly Perdue, October 2010.

**HAYWOOD COUNTY  
NORTH CAROLINA**

**AGREEMENT FOR EMPLOYMENT AS INTERIM TOWN MANAGER**

**THIS AGREEMENT** for Employment as Interim Town Manager (hereinafter "Agreement") is made and entered into effective as of this the \_\_\_\_ day of \_\_\_\_\_, 2016 by and between the Town of Waynesville, North Carolina (hereinafter "Town"), by and through the Board of Aldermen of the Town of Waynesville (hereinafter "Board") and [Name of Candidate], (hereinafter "Manager"), to establish and set forth the terms and conditions of the employment of the Manager as the Interim Town Manager of the Town.

**WITNESSETH:**

**WHEREAS**, the Board and Manager believe it is important to thoughtfully consider guidelines that will be consistent with both the letter and the spirit of State law, and to the extent applicable, the Town's charter and personnel policies, that will uphold the principle of "serving at the pleasure of the Board," that will clearly define and incorporate the benefits to the community and organization, and that will address the protection of the Manager through provisions that are reasonable in nature and scope when compared to professional practices and local/regional market conditions and appropriately funded within the Town's budget;

**WHEREAS**, the Town desires to employ the services of the Manager as the Interim Town Manager of the Town, pursuant to the terms, conditions and provisions of this Agreement;

**WHEREAS**, the Manager has agreed to accept employment as the Interim Town Manager of the Town, subject to and on the terms, conditions, and provisions agreed to and set forth in this Agreement;

**NOW, THEREFORE**, in consideration of the Manager accepting employment with the Town, and other good and valuable consideration, including the mutual covenants herein contained, the receipt and legal sufficiency of which are hereby acknowledged, the Town and the Manager hereby contract, covenant, and agree as follows:

**Section 1. Duties.**

The Board hereby employs the Manager as Interim Town Manager to perform the duties and functions as specified in the Town Charter, the Laws of the State of North Carolina, this Agreement, and as the Board shall, from time to time, assign to the Manager consistent with the intent of this Agreement.

The Manager shall report for work and the duties as well as employment of the Manager shall commence on \_\_\_\_\_, 2016 (the "Commencement Date").

The Manager shall assist any subsequently hired Town Manager in his/her transition for a reasonable period of time, as may be required by Board.

## **Section 2. Term.**

Subject to earlier termination, as provided for in Section 8, Subsection D hereof, the term of this Agreement shall continue and Manager shall serve as Interim Town Manager, until a permanent Town Manager commences work, but in no event later than \_\_\_\_\_, 2016.

## **Section 3. Salary.**

Town agrees to pay the Manager \_\_\_\_\_ dollars per hour, payable in bi-weekly pay periods or at the same time as other employees of the Town are paid.

## **Section 4. Automobile, Lodging, Meals, and Cell Phone.**

The Town will reimburse the Manager for miles traveled to and from Town of Waynesville, North Carolina at the IRS allowable rate per mile. The Manager will be reimbursed for any necessary and reasonable lodging expenses (at \$ \_\_\_\_\_ per Diem), and incidentals that are related to his employment hereunder.

The Manager will provide his own vehicle while conducting Town business in the Town and within Haywood County. The use of personal cell phone is included in the Manager's hourly rate. Manager will be reimbursed at the IRS allowable rate per mile for the use of his personal vehicle on Town business outside of Haywood County.

## **Section 5. Benefits.**

It is mutually agreed that the Manager is not entitled to any Town employee benefits except those mentioned herein.

- In accordance with the Local Government Retirement System the Town shall classify the Interim Manager as a "Part Time Employee" and shall contribute FICA as necessary.

## **Section 6. Indemnification.**

To the fullest extent permitted by law and except as specifically limited by Town Ordinances, the Town shall defend, save harmless and indemnify the Manager against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the Manager's duties, and shall obtain and keep in full force and effect liability insurance, or risk pool coverage, including Public Officials coverage on a "wrongful act" basis, in sufficient amounts to assure accomplishment of such hold harmless and indemnification; provided that this section shall not be construed as creating any right, cause of action, or claim of waiver or estoppels for or on behalf of any third party, nor shall it be construed as a waiver or modification of the availability of the defense of governmental immunity or any other legal defense available to either the Town or the Manager as to any third party; and provided further that the Town shall not indemnify or hold harmless the Manager from and with respect to any claim or liability for which the conduct of the Manager is found by the courts to have been outside the course and scope of employment or his official capacity as Interim Town Manager, grossly negligent or intentionally wrongful. The Town may compromise and settle any such claim or suit, and will pay the amount of any settlement reached or judgment rendered on such claim or suit, for which the Town has a duty to defend, save harmless and indemnify the Manager hereunder as hereinbefore more specifically provided. This indemnification shall extend beyond and survive the termination of employment and the expiration of this Agreement.

### **Section 7. Hours of Work and Time Off.**

It is recognized that the Manager will work a cumulative total of no more than four (4.0) days per week, with one day equal to eight (8) hours. The Manager may work in half-day increments. Based upon need and necessity, the Manager will work additional hours per week. The Manager will have the opportunity to use flex time for time worked over compensated time. It is anticipated that the Manager will normally begin his work week at noon on Mondays and end his work week at 5:00 pm on Thursdays, but the parties may adjust that schedule so that he may be available and working on days, or parts thereof, on which Board has scheduled a meeting of the Board.

The Manager agrees to be available by telephone for consultation and advice on days that he is not physically working in the Town. The Manager also agrees to respond to the Town for emergency situations.

### **Section 8. General Provisions.**

- A. Governing Law. This Agreement shall be construed in accordance with, and governed by, the laws of the State of North Carolina. Venue shall lie exclusively in Haywood County, North Carolina.
- B. Entire Agreement. This Agreement incorporates all the agreements, covenants and understandings between the Town and the Manager concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Agreement. No other prior agreements or understandings, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.
- C. Amendment. This Agreement shall not be modified or amended except by a vote of the Board and, upon approval of the Board, a written instrument executed by the Manager and the duly authorized representative of the Board.
- D. Resignation/Termination. Notwithstanding anything herein to the contrary, the Manager serves at the pleasure of the Board and this Agreement may be terminated and canceled by Board, with or without cause, at any time and without recourse from the Manager. This Agreement shall be null and void upon receipt of a written notice from either the Town or the Manager requesting termination of the Agreement.

*(Signatures on following page)*

**IN WITNESS WHEREOF**, the Town and the Manager have executed this Agreement effective as of the date first written above.

**PRE-AUDIT CERTIFICATE**

This Agreement has been pre-audited pursuant to North Carolina General Statute § 159-28 in the manner required by the Local Governmental Budget and Fiscal Control Act.

THE TOWN OF WAYNESVILLE

\_\_\_\_\_  
Chief Financial Officer

**TOWN OF WAYNESVILLE, NORTH CAROLINA**

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

**ATTEST:**

\_\_\_\_\_  
Amanda Owens, Town Clerk

(Town Seal)

**AGREED AND ACCEPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
[Name], Interim Town Manager

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



Marcia D. Onieal, Town Manager  
Woody Griffin, Town Attorney

# NOTICE OF SPECIAL MEETING

A special called meeting of the  
**Town of Waynesville Board of Aldermen**  
will be held on Wed., January 27, 2016  
beginning at 2:00 p.m. in the  
Town Hall Board Room  
9 South Main Street  
Waynesville, NC 28786

The purpose of this meeting is to consult  
with North Carolina League of  
Municipalities Human Resources  
Consultant Hartwell Wright regarding  
initiating a search process for appointment  
of a town manager and other transitional  
human resource matters.

## Governing Board

---

January 28, 2016 – 12:30 P.M., Land of Sky Offices

### Agenda

1. WELCOME AND HOUSEKEEPING (10 min)

---

  - A. Welcome and Introductions, Approval of Agenda Doug Dearth
  
2. PUBLIC COMMENT

---
  
3. PUBLIC HEARING FOR THE TIP AMENDMENTS

---
  
4. CONSENT AGENDA

---

  - A. November Minutes
  
5. REGULAR UPDATES (15 min)

---

  - A. NCDOT Division 13 and 14 updates Jay Swain/Ed Greene or Designee
  - B. Transportation Planning Branch Updates Brendan Merithew
  - C. FHWA/FTA Updates Mitch Batuzich
  - D. Subcommittee/Workgroup Reports, Staff Updates, and Housekeeping MPO Staff
  - E. Legislative Updates MPO Staff
  - F. 5307 Sub-Allocation Formula Study updates MPO Staff
  
6. BUSINESS (45-90 min)

---

  - A. TIP Amendments Including 5310 and LAPP Project Changes MPO Staff
  - B. SPOT Methodology Update MPO Staff
  - C. Request for STP-DA Flex Set-Aside for TDM Program MPO Staff
  - D. Draft UPWP and 5-Year Plan Adoption MPO Staff
  - E. 5310 Transportation for Seniors and Individuals with Disabilities Projects MPO Staff
  - F. I-26 Connector MPO Staff
  
7. ANNOUNCEMENTS, NEWS, SPECIAL UPDATES (3 min)

---
  
8. TOPICS FOR NEXT MEETING? (3 min)

---
  
9. PUBLIC COMMENT

---
  
10. ADJOURNMENT

---