

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**August 23, 2016**

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**THE WAYNESVILLE BOARD OF ALDERMEN** held a regular meeting on Tuesday, August 23, 2016 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER**

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

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

Alderman Gary Caldwell was absent due to recovering from a medical procedure. Mayor Brown noted that he is doing well.

The following staff members were present:

Mike Morgan, Interim Town Manager  
Rob Hites, Town Manager  
Woody Griffin, Town Attorney  
Amie Owens, Assistant Town Manager/Town Clerk  
Brittany Buchanan, HR Specialist  
Eddie Caldwell, Finance Director  
David Foster, Public Services Director  
Preston Gregg, Town Engineer  
Bill Hollingsed, Police Chief  
Rhett Langston, Recreation and Parks Director  
Elizabeth Teague, Development Services Director  
Joey Webb, Fire Chief

The following media representatives were present:

Mary Ann Enloe, the Mountaineer  
Cory Vaillancourt, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting and noted the following calendar events including:

- September 10 – Emergency Services Appreciation Day – Frog Level, Commerce Street; 3:00 p.m. until 8:00 p.m.; event co-sponsored by Haywood County
- September 11 – 9-11 Remembrance Ceremony – Clyde Fire Department, 2:00 p.m. Elected officials are invited to attend. Police as well as fire fighters will be honored this year.

- September 15 – Annual Meeting of the Downtown Waynesville Association for its 30<sup>th</sup> anniversary – Waynesville Inn 5:30 p.m. to 7:30 p.m.

2. Adoption of Minutes

***Alderman Roberson made a motion, seconded by Alderman Freeman, to approve the minutes of the August 9, 2016 regular meeting, as presented. The motion carried unanimously.***

3. Invitation to Board for Open House

Philan Medford invited the board to visit her newly renovated building/home at 62 Church Street and to share in an ethnocentric meal. The event is on Tuesday, September 13 from 5:30 p.m. until 6:15 p.m.

**B. CONTINUING BUSINESS**

4. Personnel Policy Revisions – Section IV – Overtime Pay Provisions

Interim Manager Mike Morgan explained that there was an error in the previous revision to the Overtime Pay Provision that needed to be rectified. The Federal Labor Standards Act (FLSA) dictates that overtime must be paid after 40 hours in a seven-day work week; not 80 hours in a fourteen-day pay period as was adopted. He further clarified that hours worked does not include vacation or sick or other type of leave. If any of these hours are used during the work week, overtime is not required under the FLSA and would be paid at regular time.

***Alderman Feichter made a motion, seconded by Alderman Roberson to approve the revision of Section IV, Overtime Pay Provisions, to reflect language of the FLSA and examples, as presented. The motion carried unanimously.***

**C. NEW BUSINESS**

5. Request Approval of Resolution Updating the Corporate Resolution Designating Fiscal and Contractual Agency and Authorized Signers

Mayor Brown noted that this was a transition requirement from Mr. Morgan to Mr. Hites. This resolution will allow Mr. Hites to begin signing checks, contracts, etc., as the Town Manager. Mayor Brown explained that there are four authorized signers – Town Manager, Assistant Town Manager, Finance Director and Assistant Finance Director. Checks require two signatures; unless there is an emergency circumstance, one signer from Administration and one from Finance is standard procedure.

***Alderman Freeman made a motion, seconded by Alderman Roberson to approve the Resolution Updating the Corporate Resolution Designating Fiscal and Contractual Agency and Authorized Signers to include newly hired town manager Robert W. Hites, Jr., as presented. The motion carried unanimously.***

#### D. CALL FOR PUBLIC HEARING

6. Call for a Public Hearing to be held on September 13 to consider a request for annexation from Lake Junaluska Assembly for PIN 8616-59-1245 at 1023 Dellwood Road in order to receive municipal services

Manager Morgan explained that this was a call for Public Hearing to be held at the next regular meeting of the Board of Aldermen on September 13. Elizabeth Teague, Development Services Director explained that the parcel in question, 1023 Dellwood Road, was the site of the Shining Rock Academy. In order to receive municipal services such as water and sewer, the town ordinance requires annexation into the town. The charter school is ready to proceed to its next phase in building. Ms. Teague noted that she was appreciative of the work done with the contractor Civil Design Concepts.

Mayor Brown noted that the request could be denied and that the water and sewer could be connected at an outside rate or that the board could waive annexation.

***Alderman Roberson made a motion, seconded by Alderman Freeman to call for a public hearing to be held on September 13, 2016 at 6:30 p.m. or as closely thereafter as possible in the Town Hall Board Room located at 9 South Main Street, Waynesville to consider a request for annexation from the Lake Junaluska Assembly for PIN 8615-59-1245 at 1023 Dellwood Road in order to receive municipal services. The motion carried unanimously.***

#### E. PRESENTATION

7. Allen's Creek Sewer Project

Public Services Director David Foster explained the purpose of this presentation was to provide the Board with an overview of a situation in the Allen's Creek area that will have to be addressed in some manner due to environmental and health concerns. Mr. Foster outlined the current sewer conditions including the age of the infrastructure and the length of the lines.

Mr. Foster explained that from the private property owner side, there are numerous homes that currently have septic issues and would not pass percolation tests and due to the proximity of the homes along Allen's Creek Road, there is not enough of a repair area for these systems. Mr. Foster provided a map of the area noting which homes would be affected by such an addition. If a project was undertaken to extend sewer service up Allen's Creek to the Water Treatment facility, it would be approximately 4 miles of sewer line. If private systems have to be repaired, it is very cost prohibitive and individuals may begin to straight pipe into Richland Creek. Haywood Waterways and the Haywood County Health Department have already identified impacted homes in the area.

Mr. Foster noted that in the 2020 Plan there was already a goal to steer infill development within the urban service district (USD). The sewer extension would not be an impediment to this plan or to any future land use and falls within the USD.

Mr. Foster presented information on how such a project could possibly solve some of the Town and private issues. For example: connecting the line to the Water Treatment facility would allow for

limited dredging required to remove sediment. Private systems that are failing could tie in to the new infrastructure. Such a project in the planning phases now could allow for increased grant potential.

Mr. Foster reiterated that no matter what the Town chooses to do, there will be costs involved. He outlined the potential costs as follows:

- A solution that addresses both public and private infrastructure needs= \$2.5 to \$5 Million
- A solution only addressing the Town's Issues = \$1+ Million
- A feasibility study could cost = \$60,000 to \$80,000
- Design of a the expanded system = \$120,000 to \$150,000
- New System Construction= \$2.5 to \$3 Million

Mr. Foster added that some of the potential obstacles included:

- Cost- The cost of the project could be prohibitively expensive
- Urban Service Boundary- Many of the impacted homes are within the USB, but there is a concern of where future sewer projects may lead.
- Annexation- The current sewer ordinance requires petition for annexation with sewer connections that are outside of the Town proper. This could be an impediment as citizens may not wish to have their properties annexed into the Town.
- Time- This is likely a 10 year project and many of the impacted homes are in need now.

Mayor Brown asked how the impacted parcels were identified. Mr. Foster noted that some had reported issues with the Town, Health Department and Haywood Waterways. Alderman Feichter followed by asking how many individuals have requested to be added to the Town's sewer system in that area. Mr. Foster commented that some had reached out to the Health Department or the Town. At this point he estimated between 25 and 30. In meetings with Haywood Waterways and the Health Department, 71 specific properties were identified that require immediate attention.

Alderman Feichter inquired if the feasibility study would help to identify which properties should be added. Manager Morgan reiterated that there were about 71 families in immediate need. He acknowledged that the project would take some time, possibly 2 – 3 years before construction could begin with the project being potentially as long as 10 years. Manager Morgan explained that he wanted to have David talk with the Board and get this ball rolling, so that when grant funds come available, the Town is positioned to move forward with applications quickly. He added that a sewer project just for the Water Treatment facility was not cost effective.

Alderman Roberson inquired that if there was an imminent need for sewer from a health perspective, could there be cooperation from all organizations. Mr. Foster answered that the Town could make a joint application with Health Department and Haywood Waterways.

Mayor Brown asked what precludes the residents of Old Balsam Road asking about an expanded sewer system. Mr. Foster responded that as most properties were not within the USB, that would be a Board decision as to future sewer expansions.

Mr. Foster concluded that due to the fact this was a geographically confined area with a limited expansion. He added that this project could utilize a phased approach. Alderman Roberson noted that the Town needs some expertise as to what needs to be done from an engineering perspective and need to have county involvement.

Alderman Feichter commented that even though this is a limited area, ultimately the problems that they are having affects all of us. He noted he was floored by an email that mentioned that septic tank providers were saying pipe directly to the creek.

***Alderman Feichter made a motion, seconded by Alderman Freeman to authorize Public Services to continue with development of a long term plan to address concerns, as presented.***

As a point of interest, Mayor Brown inquired as to Town Manager Rob Hites' opinion. Manager Hites noted that this was already a health hazard and he did not want to get calls from citizens that there are fecal issues with the creek. Knowing that the Health Department will eventually have to condemn these houses if something is not done, it is important to move forward in developing a plan. He added that, on occasion, the Clean Water Management Trust Fund (CWMTF) has been helpful in providing grants due to health related issues and noted that if all of the organizations come together to get grant monies, it would defray costs. Manager Hites concluded by noting he thought that the study would be a good start to take care of this.

***There was a motion and second on the floor. The motion carried unanimously.***

Manager Morgan reminded the Board that once RFPs are submitted, to make sure to look for someone who has CWMTF experience. Mr. Foster noted that in 2010 the Town had engaged McGill and Associates for another project. Manager Hites added that he was familiar with McGill and that they had been instrumental in transforming Statesville and utilizing grant funds.

**F. COMMUNICATIONS FROM STAFF**

8. Manager's Report - Interim Town Manager Mike Morgan

Manager Morgan had no additional report.

9. Attorney's Report – Town Attorney Woody Griffin

Town Attorney Griffin had nothing to report.

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

Mayor Brown requested that Alderman Feichter read aloud the Proclamation declaring September 11, 2016 as National Day of Service and Remembrance. The proclamation urged citizens to recognize the heroism of firefighters, rescue and law enforcement personnel, military service members and volunteers who responded and remember those who lost their lives to the tragic events of September 11, 2001.

Manager Morgan thanked the Board for the opportunity to work with and serve with them over the past seven months. He added that the Town of Waynesville had excellent staff and he had enjoyed working with them and that he felt as a team they had accomplished much in his tenure. Mayor Brown

thanked his wife Sharon for allowing him to come out of retirement to assist when the Town needed him.

Mayor Brown noted that when the Board met with both Mr. Morgan and Mr. Hites in January, they were equally impressed with both. Mayor Brown noted that he enjoyed working with Mr. Morgan and called him an ultimate professional. He commented that he felt Mr. Hites has the same ilk. Mayor Brown said that this was not really a change, but a continued continuity in the Town of Waynesville. Mr. Morgan has offered to provide assistance in the future, if necessary.

Alderman Feichter echoed the Mayor's comments and personally thanked Mr. Morgan for being enjoyable to work along side. He added that it was a measure of Mr. Morgan's character and ability as a manager to be able to step into a less than ideal situation and hit the ground running.

Alderman Roberson thanked Mr. Morgan for the great leadership and guidance.

Alderman Freeman added that the Town would not have gone wrong with either Mr. Morgan or Mr. Hites and that they had been lucky to have both. The staff in the Town from the department heads and down through the ranks the workers will give Mr. Hites the utmost respect. She added that she appreciated Mr. Morgan and felt that his time in Waynesville had shown some incredible results.

Fire Chief Joey Webb added that Mr. Morgan had shown great leadership and had been instrumental in getting the additional needed fire fighters. Mayor Brown added that the department heads had come to the meeting on their own volition to thank Mr. Morgan and to show support for their new manager in Mr. Hites.

Mayor Brown reminded those present that there would be a reception immediately after the meeting to allow individuals to speak to both Mr. Morgan and Mr. Hites.

**G. CALL ON THE AUDIENCE**

No one addressed the Board.

**H. ADJOURN**

*There being no further business to discuss, Alderman Roberson made a motion, seconded by Alderman Feichter to adjourn the meeting at 7:16 p.m. The motion carried unanimously.*

ATTEST

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Gavin A. Brown, Mayor

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Robert W. Hites, Jr., Town Manager

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Amanda W. Owens, Town Clerk