

Town of Waynesville, NC

Town Council Special Meeting

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

Date: November 18th, 2025 Time: 6:00 p.m.

The agenda and all related documentation may be accessed electronically at www.waynesvillenc.gov.
Click on "Government/Mayor & Council" to download materials for Town Council 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 cpoolton@waynesvillenc.gov

A. CALL TO ORDER - Mayor Pro Tem Chuck Dickson

1. Welcome/Calendar/Announcements

B. PUBLIC COMMENT

C. ADDITIONS OR DELETIONS TO THE AGENDA

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

2. a. October 28, 2025 Regular Meeting Minutes

Motion: To approve the consent agenda as presented.

E. PROCLAMATION

3. Veterans Appreciation Month Proclamation

- Mayor Pro Tem Chuck Dickson

F. PRESENTATIONS

4. Haywood Christian Ministries- Food Pantry

- Blake Hart/John Brejot

5. Presentation on the Town of Waynesville's America 250 NC Grant Mural

- Alex Mumby, Land Use Administrator

G. PUBLIC HEARINGS

6. Public Hearing to consider text amendments to Flood Damage Prevention Ordinance, Land Development Standards (LDS) 12.3.3.B.

- Olga Grooman, Assistant Director of Development Services

Motions:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.

2. Motion to adopt the Ordinance as presented (or as amended).

7. Public Hearing to consider a request for annexation for the 5.48-acre parcel at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929).

- Olga Grooman, Assistant Director of Development Services

Motion: To adopt the attached Ordinance to approve the annexation of the described property.

8. Public Hearing to consider a map amendment (rezoning) for the 5.48-acre parcel at 1399 Plott Creek Rd, Waynesville, NC 28786 (PIN 8605-32-8929).

- Olga Grooman, Assistant Director of Development Services

Motions:

1. Motion to find that the map amendment request for the property PIN 8605-32-8929 is consistent / inconsistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.

2. Motion to adopt/reject the map amendment and the attached Ordinance as presented.

H. NEW BUSINESS

9. Presentation of TDA Winter Events, Establishment of Downtown Social District for Ice Block Party, and Society of American Travel Writers Dine Around.

- Corrina Ruffieux and Rob Hites

Motion: Receive the presentation. (Special event permit and ordinance to follow)

10. Approval of Ordinance Creating a Social District for the Ice Block Party on January 30th, 2026 and Society of American Writers Dine-In on October 6, 2026

- Corrina Ruffieux

Motion: *Adopt the attached ordinance for a Social District for events to be held on January 30th, 2026, from 5-8pm and Society of Writes Dine-In on October 6th, 2026 from 5-9pm.*

11. Special Event Permit for January 30, 2026 Ice Block Party and October 6, 2026, Society of Travel Writers Dine-In.
- Corrina Ruffieux

Motion: *Approve the Special Events Permit in accordance with the actions the Council took in previous items.*

12. Request to permit Michael and Mary Lodico to be permitted to contract for the new Solar Rate Schedule retroactive to the installation of their solar system.
- Michael Lodico

Motion: *Review the request and council the staff.*

13. Position reclassification for the Fire Department
- Cody Parton, Assistant Fire Chief

Motion: *Approve the FD Reclassification request*

14. Deannexation
- Rob Hites, Town Manager

Motion: *Motion to refer the de-annexation request to Mr. Robinson's State Representative.*

15. Approval of Service Contract with Davis Engineering and Consultants PLLC
- Rob Hites, Town Manager

Motion: *Approve the contract with Davis Engineering and Consultants PLLC.*

I. COMMUNICATION FROM STAFF

16. Manager's Report
- Town Manager, Rob Hites
17. Town Attorney's Report
- Town Attorney, Martha Bradley

J. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

K. 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

2025 CALENDAR

ALL COUNCIL MEETINGS TO START AT 6:00 PM IN THE BOARD ROOM LOCATED
AT
9 SOUTH MAIN STREET UNLESS OTHERWISE NOTED

2025	
Sat. November 22	Christmas Tree Lighting
Tues. November 25	Town Council Meeting – CANCELLED
Thurs and Fri Nov 27, 28	Town Offices Closed-Thanksgiving
Monday, December 1 st	Christmas Parade
Sunday, December 7	Hazelwood Christmas Parade
Tues. December 9	Town Council Meeting – Regular Session
Wed-Fri, Dec 24, 25, 26	Town Offices Closed-Christmas

Board and Commission Meetings – November 2025

ABC Board	ABC Office – 52 Dayco Drive	November 18th 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	November 4th 1 st Tuesday 5:30 PM
Cemetery Commission	Public Services Building	Every Other Month-November 18th 3 rd Tuesday 2:00 PM
Downtown Waynesville Commission	Town Hall – 9 South Main Street	November 18th 3 rd Tuesday 8:30 AM
Environmental Sustainability Board	Public Services-129 Legion Drive	November 6th 1 st Thursday 4:30pm
Historic Preservation Commission	Town Hall – 9 S. Main Street	November 5th 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	November 17th 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	November 6th-Special Called 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	November 17th 3 rd Monday 5:30 PM
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	November 26 4 th Wednesday 9:00 AM

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
October 28, 2025

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, October 28, 2025, at 6:00pm in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:01 pm with the following members present:

Mayor Gary Caldwell
Mayor Pro Tempore Chuck Dickson
Councilmember Jon Feichter
Councilmember Anthony Sutton
Councilmember Julia Freeman

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Deputy Manager
Candace Poolton, Town Clerk/Assistant to the Manager
Martha Bradley, Town Attorney
Luke Kinsland, Recreation Director
Beth Gilmore, DWC Director
Elizabeth Teague, Development Services Director
Alex Mumby, Land Use Administrator
Ricky Bourne, Public Services Director
Hutch Reese, Deputy Director of Operations
Fire Chief Chris Mehaffey
Police Chief David Adams
Page McCurry, Human Resources Director

The following members of the media were present:

Paul Nielsen, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Special Called Council meeting is November 18th and Treats On the Streets is this Friday, and Hazelween is Saturday.

B. PUBLIC COMMENT

Jane Stamey- Ms. Stamey thanked Council for the donation to Little League and Dutch Fisher field.

Kae Livsey- Ms. Livsey said that her trash is inconsistently picked up. She said she met with staff and it still has not been resolved.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to add to the agenda, "Agreement to Renovate Dutch Fisher Athletic Field", "Resolution Authorizing the Submission of a SRF Loan/Grant for the Browning Branch Pump Station and Canton/Clyde/Waynesville Water Interconnect", "Budget Amendment to purchase two HVAC units for Town Hall", and "Adoption of revised rules for the Waynesville Recreation Center" and approve the agenda as amended. The motion passed unanimously.

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

2.
 - a. Motion to approve the October 14, 2025 Regular Meeting Minutes
 - b. Motion to approve the Budget Amendment for the Fire Department
 - c. Motion to approve the Budget Amendment for the Waynesville Public Arts Commission-DWC
 - d. Motion to approve the Budget Amendment for the Waynesville Public Arts Commission-HCAC
 - e. Motion to approve the Budget Amendment for the Fire Department
 - f. Motion to recommend to Haywood County Commissioners to appoint Noah Ball to the Waynesville Planning Board ETJ seat.
 - g. Motion to adopt the proposed revisions to the *Town of Waynesville Boards and Commissions Manual* as presented.
 - h. Motion to approve the Budget Amendment for Police Department
 - i. Motion to approve the grant contract with the State Historic Preservation Office

Fire Chief Chris Mehaffey reported that the Fire Department received a grant from FEMA to purchase 29 radios that are waterproof and allow first responders to speak across every frequency.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the consent agenda as presented. The motion passed unanimously.

3. Agreement to Renovate Dutch Fisher Athletic Field
 - Town Attorney Martha Bradley

Town Attorney Martha Bradley presented a draft agreement between the Town and Mountain Little League to renovate Dutch Fisher girls' softball field which was destroyed by Helene. Ms. Bradley explained that, following NCGS, Mountain Little League will be required to disclose their financial records to the town. She said the Little League plans to start the project immediately after execution of the agreement and that the

Little League's goal to complete the project within this fiscal year. She added that the Town will be responsible for post-construction maintenance, just as it was before the flood.

Councilmember Feichter said they approved the \$50,000 for the project, as well as using the \$50,000 grant from Dick's Sporting Goods, but the budget is showing a budget of \$110,000 total. Ms. Bradley clarified that the Mountain Little League has donations lined up, which would account for the additional money.

Council thanked everyone involved, including the Mountaineer Little League and Ashely and Richie for being excellent role models.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to approve the agreement with the Mountaineer Little League to renovate Dutch Fisher Field. The motion passed unanimously.

Councilmember Dickson asked what will be done with the Vance Park Field. Mr. Kinsland said FEMA is barely reimbursing the design fees, so they plan on revisiting and bidding it out in house and separating the project out per contractor specialty.

E. PROCLAMATION

4. National First Responders Day Proclamation

- Mayor Gary Caldwell

Mayor Caldwell read the Proclamation, proclaiming October 28th as National First Responders Day.

F. PRESENTATIONS

5. Adoption of Amendments to Tree Ordinance

- Kay Kirkman, Environmental Sustainability Board

Kay Kirkman, on behalf of the Environmental Sustainability Board, presented a proposed update to the Town's Tree Ordinance. The proposed amendments were to increase protection of the existing tree canopy, establish a long-term plan to encourage the planting of trees within the Town, establish a "Tree Board" to provide policy guidance to the Council, and establish an action plan to raise public awareness of the importance of a vibrant tree canopy within the Town. She said the Tree Board would be comprised of up to seven citizens and one member of ESB and Public Works director. She explained the economic and environmental benefits to enacting the local tree ordinance.

Councilmember Sutton emphasized that this tree ordinance would apply to public property, not private property. Councilmember Freeman asked if the staff member who would be in charge of enforcing this ordinance has agreed to do so. Mr. Hites said that the town's horticulturalist, Bill Skelton, is training to become a certified arborist and Thomas Woltz has offered to consult with the ESB. Councilmember Dickson said they also received guidance from the Deputy Director of Sustainability.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to approve the new tree ordinance. The motion passed unanimously.

6. Waynesville Public Art Commission Presentation

- Candace Poolton, Town Clerk and George Kenney, WPAC Chairman

Town Clerk Candace Poolton presented an update on the Waynesville Public Art Commission and their upcoming mural. She explained that the mural was funded through fundraising, private donations, and grants, and will portray 1930s Main Street with the original arch. She said the mural should be completed by mid-April of 2026 and will be painted on the side of High Country Style on Main Street.

G. NEW BUSINESS

7. Approval of Proposal for HR Consulting Services with Lisa DeLane Huneycutt for a Compensation Study focused on Public Works Positions within the Water Treatment, Sewer Treatment, and Electric Divisions.

- Page McCurry, Human Resources Director

Human Resources Director Page McCurry presented a proposed consulting engagement with Lisa DeLane Huneycutt, HR Consultant, to conduct a targeted Compensation Study for key positions within the Public Works Department. She said the purpose of the study is to ensure that salaries and pay ranges for these positions are competitive with the external labor market to meet the Town's current and future business needs for attracting and retaining top quality employees, including positions like Senior Treatment Plant Operator, Chief Treatment Plant Operator (Sewer Treatment), Utility Maintenance Worker, Equipment Operator, and Electric Groundsman. She explained that this study is a critical need, as the Public Works Department has experienced a turnover rate of 39.76% in the current calendar year as of October 17, 2025. Several employees have cited "More Money" as their reason for leaving,

She outlined the consulting proposal as follows:

- Total Hours: 80 hours
- Duration: 11 weeks (October 15, 2025 – December 31, 2025)
- Rate: \$125 per hour plus minimal expenses.
- Expenses shared among the Water Fund, Sewer Fund, and Electric Fund, since those are the departments that the study would be focused on.

Councilmember Feichter said it's frustrating to lose so many employees and agreed that if this is what the Town needs to do, then do it, because public works is vital to operations. He asked if they should do a full study to include all of the staff. Ms. McCurry said she and Mr. Hites met with the "Maps" group to discuss doing an organization wide pay study in the future. Councilmember Dickson asked how many vacancies Public Works currently has and Ms. McCurry stated nine. He thanked staff for the positive organizational changes.

A motion was made by Councilmember Feichter, seconded by Councilmember Dickson, to approve the proposal for HR Consulting Services with Lisa DeLane Huneycutt for a Public Works Compensation Study, as attached, for a total estimated cost of \$10,000 plus minimal expenses to be divided equally among the Water Fund, Sewer Fund, and Electric Fund. The motion passed unanimously.

8. Formation of a 501(c)3 nonprofit as an extension of the Downtown Waynesville Commission
- Beth Gilmore, Downtown Waynesville Commission Executive Director

DWC Director Beth Gilmore presented the Articles of Incorporation for the formation of a 501(c)3 nonprofit, "Friends of Downtown Waynesville," as an extension of the Downtown Waynesville Commission.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve Articles of Incorporation prepared by Town Attorney Bradley for the formation of a 501(c)3 nonprofit, "Friends of Downtown Waynesville," as an extension of the Downtown Waynesville Commission. The motion passed unanimously.

9. Resolution Authorizing the Submission of a SRF Loan/Grant for the Browning Branch Pump Station and Canton/Clyde/Waynesville Water Interconnect.
- Town Manager Rob Hites

Town Manager Rob Hites reminded Council that they applied for a State Revolving Loan with 100% Loan Forgiveness for a water interconnect that links Towns of Canton/Clyde and Waynesville with an emergency water interconnect. He said that Canton and Clyde do not have the assets to apply, so Waynesville has been asked to sponsor the grant/loan due to its ability to have it approved by the Local Government Commission. He added that if the Town does not receive principal forgiveness for the loan, it may reject the offer.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to approve the resolution permitting the SRF application to be filed. The motion passed unanimously.

10. Budget Amendment for purchase of two HVAC units (Town Hall)
- Hutch Reece, Deputy Director of Operations

Deputy Director of Operations Hutch Reece reported that two HVAC units have failed in the Town Hall. He said the units service the Police Department and the second floor including the Council Chamber. Mr. Reece said the unit was installed in 2008 and has lost its ability to hold refrigerant. He said they looked into more efficient units, but he is awaiting more quotes. He added that it appears it will be roughly \$10,000 more for high efficiency units.

A motion was made by Councilmember Feichter, seconded by Councilmember Dickson, to approve the budget amendment as amended to reflect the \$52,000 for the efficient units. The motion passed unanimously.

H. COMMUNICATION FROM STAFF

11. Manager's Report
- Town Manager, Rob Hites

There was nothing to report.

12. Town Attorney's Report

- Town Attorney, Martha Bradley

Town Attorney Martha Bradley proposed an update to the Rec Center's General Rules that allows a ban of a rec center attendee for any legal reason, at the Director's discretion.

A motion was made by Councilmember Feichter, seconded by Councilmember Sutton, to approve the revised general rules as presented. The motion passed unanimously.

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Councilmember Dickson said that NC is suspending SNAP benefits and it would affect 10-15 Town employees. He suggested having some sort of a food pantry for employees.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, that in the event that SNAP benefits are not paid for the month of November, that the HR Director and the Town Manager present a plan at the next meeting to establish and fund a food pantry for Town employees. The motion passed unanimously.

Councilmember Sutton reminded everyone that 74 will be closed near exit 27 November 2nd-6th. He explained that the rumors of a toll road between Waynesville and Asheville are untrue, and they are working on adding a HOV lane and a "freight vehicle" lane, for a total of six to seven lanes on I-40.

J. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to adjourn at 7:30pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk

**TOWN OF WAYNESVILLE COUNCIL MEMBERS
REQUEST FOR COUNCIL ACTION
Meeting Date: November 18, 2025**

SUBJECT: Veteran Appreciation Month 2025 Proclamation

AGENDA INFORMATION:

Agenda Location: Proclamation
Item Number:
Department: Administration
Contact: Anthony Sutton
Presenter: Mayor Pro Temp Chuck Dickson

BRIEF SUMMARY: Veteran's Day was November 11th, and November is Veteran Appreciation Month.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

Veteran Appreciation Month 2025 Proclamation

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Veteran Appreciation Month 2025 Proclamation

WHEREAS, the brave men and women of the United States Armed Forces have selflessly served our nation, defending the freedoms and values we hold dear; throughout history, our veterans have demonstrated unwavering courage, sacrifice, and dedication, ensuring the security and prosperity of our country; and

WHEREAS, Waynesville, North Carolina observes our storied history of supporting the United States military, a legacy stretching back to before the founding of our nation; North Carolina is proud to be the home of more than one million active-duty military service members, veterans, and their families; and

WHEREAS, following the declaration of Armistice Day as a national holiday in 1926, the United States Congress officially recognized November 11 as Veterans Day in 1954; and

WHEREAS, throughout the entire month of November, veterans are celebrated for Military and Veterans' Appreciation Week, National Veterans Small Business Week, and National Veterans and Military Families Month with celebrations all over the state; and

WHEREAS, veterans continue to serve their community through the civil service and participation in groups, including the American Legion, the Veterans of Foreign Wars, nonprofit and volunteer organizations, communities of faith, and much more; and

WHEREAS, approximately 20,000 service members in North Carolina transition to civilian communities annually, and they deserve our help and support during what can be a challenging time as they return to civilian life; and

WHEREAS, today and every day, we encourage all people, communities, and leaders to support and honor veterans;

NOW, THEREFORE, I, Chuck Dickson, Mayor Pro Tem of Waynesville, North Carolina, do hereby proclaim November 2025 as "**VETERANS APPRECIATION MONTH**" and November 11, 2025, as "**VETERANS DAY**" in Waynesville, North Carolina and commend its observance to all citizens.

Chuck Dickson, Mayor Pro Tem

Attest: _____
Candace Poolton, Town Clerk

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 18 November 2025**

SUBJECT: Haywood Christian Ministries- Food Pantry

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number:
Department:
Contact: Blake Hart/John Brejot
Presenter: Blake Hart/John Brejot

BRIEF SUMMARY:

Informational Presentation from Haywood Christian Ministries about their food pantries.

MOTION FOR CONSIDERATION:

None

ATTACHMENTS:

None

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE COUNCIL
PROJECT UPDATE FOR COUNCIL
Meeting Date: November 18th, 2025**

SUBJECT: Presentation on the Town of Waynesville's America 250 NC Grant Mural.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Alex Mumby, Land Use Administrator
Presenters: Alex Mumby, Land Use Administrator

BRIEF SUMMARY:

Video presentation of the creation process of the America 250 NC mural grant.

MOTIONS FOR CONSIDERATION:

N/A

FUNDING SOURCE/IMPACT:

The grant is funded through the America 250 NC grant fund from the State of North Carolina. The grant will provide \$27,000 to the town to commission the mural with the Town providing a match of \$4,050 for a total of \$31,050.

ATTACHMENTS:

None

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: November 18, 2025**

SUBJECT: Public Hearing to consider text amendments to Flood Damage Prevention Ordinance, Land Development Standards (LDS) 12.3.3.B.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact/Presenter: Olga Grooman

BRIEF SUMMARY:

During a recent visit by FEMA and the NC Department of Public Safety, Emergency Management Division, that was conducted to ensure the Town's compliance with floodplain permitting requirements, the auditors noted that the Town's ordinance has mandatory survey requirement. Specifically, it requires a plot plan certified by a licensed surveyor or engineer for *all* development applications within the floodplain, which would include minor projects, such as HVAC replacements, heat pump changes, or interior remodels.

While the state Model Flood Damage Prevention Ordinance has this survey provision as optional, Waynesville's ordinance currently makes it mandatory. Staff find such requirement to be unreasonable for smaller projects as it places unnecessary cost burdens on property owners and causes construction delays.

Staff propose amending the ordinance to remove a mandatory survey requirement for all projects in the floodplain. Instead, this requirement would be left to the discretion of the Floodplain Administrator, who will determine the need for the certified survey based on the scope of the project. Certified plot plans and surveys would still be required for all subdivisions, and major site plans in accordance with LDS.

SUGGESTED MOTION:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

- Staff Report
- Draft Ordinance
- Page 11 from the NC Model Flood Damage Prevention Ordinance
- Signed Planning Board Report
- Consistency Worksheet
- Newspaper Notice

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Town Council Staff Report

Subject: Text amendments related to floodplain regulations
Ordinance Section: Land Development Standards (LDS) Section 12.3.3.B
Applicant: Staff initiated text amendment, Development Services Department
Meeting Date: November 18, 2025
Presenter: Olga Grooman, Assistant Development Services Director

Background:

The Town's current Flood Damage Prevention Ordinance mandates a certified plot plan by a licensed surveyor or engineer for *all* development within the floodplain, even for minor projects such as interior remodels or HVAC replacements. While the NC Model Flood Damage Prevention Ordinance makes this provision optional, the Town's Land Development Standards (LDS) list it as mandatory. Staff find this requirement burdensome and unnecessary for small projects, adding extra costs and permitting delays. To address this, staff propose making the survey requirement discretionary, allowing a Floodplain Administrator to determine when a certified survey is necessary based on the scope of the project. Surveys would still be required for all subdivisions and major site plans, in accordance with the LDS.

On October 20, 2025, the Planning Board held a public hearing on the proposed text amendment and voted unanimously to recommend it to the Town Council.

Staff Recommended Text Changes:

The proposed text amendment removes the mandatory property survey requirement for *all* floodplain permits, except in cases where another ordinance or regulation requires such certification, or where the project may create additional flood hazards or potential increases in erosion, flood heights, or velocities.

The proposed changes to the LDS are **in red**.

Consistency with the 2035 Comprehensive Land Use Plan:

Staff submits that the proposed text amendment to the LDS is consistent with the following 2035 Comprehensive Plan Goal:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.

The proposal is reasonable and in the public interest as it promotes community resilience, ensures timely review of floodplain permits, removes unnecessary survey requirement for all projects in the floodplain, and reduces construction delays- all of which enhances safety of the residents and their properties.

Public Notice:

This hearing was duly advertised in the Mountaineer newspaper on 11/5/2025 and 11/12/2025.

Attachments:

- Cover Sheet
- Draft Ordinance
- Page 11 from the NC Model Flood Damage Prevention Ordinance
- Signed Planning Board Report
- Consistency Worksheet
- Newspaper Notice

Recommended Motions:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

DRAFT ORDINANCE FOR COUNCIL'S CONSIDERATION

ORDINANCE NO. _____

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

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, clarifying local floodplain regulations will promote community resilience and ensures timely review of floodplain applications; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendment to the Land Development Standards (LDS) and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest, and recommends the text amendment for its enactment by the Town Council; and

WHEREAS, the Town Council adopted the 2035 Comprehensive Plan to “enable the growth of a vibrant, healthy, and successful community,”

WHEREAS, the Town Council find this ordinance consistent with the Town’s 2035 Comprehensive Land Use Plan and that it is reasonable and in the public interest, to clarify floodplain regulations and promote public safety and community resilience, specifically meeting the following Comprehensive Plan goal:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.

WHEREAS, after notice duly given, a public hearing was held on **October 20, 2025**, at the regularly scheduled meeting of the Waynesville Planning Board, and on **November 18, 2025**, at the special called meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN SPECIAL SESSION ON NOVEMBER 18, 2025, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows (in red):

1. Amend section 12.3 Flood Damage Prevention as follows:

12.3.3.B. Floodplain Development Application, Permit and Certification Requirements:

1. Application Requirements. Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:

- (a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
 - (i) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
 - (ii) The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Section 12.3.2.B, or a statement that the entire lot is within the Special Flood Hazard Area;
 - (iii) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Section 12.3.2.B;
 - (iv) The boundary of the floodway(s) or non-encroachment area(s) as determined in Section 12.3.2.B;
 - (v) The Base Flood Elevation (BFE) where provided as set forth in Sections 12.3.2.B; 12.3.3.C; or 12.3.3.D;
 - (vi) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
 - (vii) The certification of the plot plan by a registered land surveyor or professional engineer, **unless no other ordinance or regulation requires such certification, and the floodplain administrator deems that such activity does not create new or additional flood hazards or potential increases in erosion, flood heights or velocities.**

ADOPTED this 18th Day of November, 2025.

TOWN OF WAYNESVILLE

Chuck Dickson, Mayor Pro Tem

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

2020 Non-Coastal NC Model Flood Damage Prevention Ordinance

SECTION B. FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION REQUIREMENTS.

- (1) **Application Requirements.** Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:
- (a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
 - (i) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
 - (ii) The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Article 3, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
 - (iii) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 3, Section B;
 - (iv) The boundary of the floodway(s) or non-encroachment area(s) as determined in Article 3, Section B;
 - (v) The Base Flood Elevation (BFE) where provided as set forth in Article 3, Section B; Article 4, Section C; or Article 5, Section D;
 - (vi) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
 - (vii) *The certification of the plot plan by a registered land surveyor or professional engineer.* (OPTIONAL)
 - (b) Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
 - (i) Elevation in relation to NAVD 1988 of the proposed reference level (including basement) of all structures;
 - (ii) Elevation in relation to NAVD 1988 to which any non-residential structure in Zones A, AE, AH, AO, A99 will be floodproofed; and
 - (iii) Elevation in relation to NAVD 1988 to which any proposed utility systems will be elevated or floodproofed.
 - (c) If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures.
 - (d) A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
 - (i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls); and
 - (ii) Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article 5, Section B(4)(d) when solid foundation perimeter walls are used in Zones A, AE, AH, AO, A99.



To: Waynesville Town Council
Meeting Date: October 20, 2025
From: Olga Grooman, Assistant Development Services Director
Subject: Planning Board Report and Statement of Consistency
Description: Text amendment related to floodplain regulations
Ordinance Sections: Land Development Standards (LDS) section 12.3.3.B

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

A motion was made by board member Tommy Thomas and seconded by board member Michael Blackburn that the proposed text amendment is **consistent** with the 2035 Comprehensive Land Use Plan and **it is reasonable and in the public interest** because it meets Goal 1 of the 2035 Comp. Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.

The amendment is also reasonable and in the public interest because it promotes community resilience, ensures timely review of floodplain permits, removes mandatory survey requirement for all projects in the floodplain, and thus reduces construction delays- all of which enhances safety of the residents and their properties.

The motion carried unanimously, 8:0.

A second motion was made by board member Michael Blackburn and seconded by board member Alex McKay to **recommend the text amendment to the Town Council as presented.**

The motion carried unanimously, 8:0.

	
Ginger Hain, Planning Board Chair	Esther Coulter, Administrative Assistant
10/21/2025	10-21-25
Date	Date



To: Waynesville Town Council
From: Olga Grooman, Assistant Development Services Director
Date: November 18, 2025
Subject: Text Amendment Statement of Consistency
Description: Text Amendments to Flood Damage Prevention Ordinance
Ordinance Section: Land Development Standards (LDS) Section 12.3
Address: Town of Waynesville Planning Department (“Development Services Department”)

The Town Council hereby adopts the following statement(s):

☐ The zoning text amendment **is approved and is consistent with the Town’s Comprehensive Land Use Plan** because: _____

The zoning text amendment **is reasonable and in the public interest** because:

☐ The zoning text amendment **is rejected because it is inconsistent with the Town’s Comprehensive Land Plan and is not reasonable and in public interest** because _____

☐ In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town’s Comprehensive Land Use Plan**. The changes in conditions considered in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: November 5th and November 12th (Wednesday) editions

Date: October 20, 2025

Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearing Waynesville Town Council

Waynesville Town Council will hold three (3) public hearings on **Tuesday, November 18, 2025**, at 6:00 pm in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC 28786, to consider:

1. A text amendment to the Flood Damage Prevention Ordinance, Land Development Standards section 12.3.
2. A request for annexation for the 5.48-acre parcel located at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929).
3. A rezoning request for the 5.48-acre parcel located at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929). The property currently has no zoning designation. The applicant is requesting that the property be rezoned to the Plott Creek Neighborhood Residential (PC-NR) zoning district.

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR ACTION
Meeting Date: November 18, 2025

SUBJECT: Public Hearing to consider a request for annexation for the 5.48-acre parcel at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929).

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Olga Grooman, Assistant Development Services Director
Presenter: Olga Grooman, Assistant Development Services Director

BRIEF SUMMARY:

On September 18, 2025, the Town received the attached Petition for Annexation for a contiguous area from Herman E. Ratchford Jr, Manager of Triangle Real Estate of Gastonia, Inc. The petition is for a parcel at 1399 Plott Creek Road, Waynesville, NC (PIN 8605-32-8929). The property is approximately 5.48 ac. It is contiguous to the existing corporate limits of Waynesville, and it is a proposed site of the second Phase of the Palisades at Plott Creek apartment complex, adjacent to the existing Phase I.

The subject property is currently located entirely within Haywood County and outside of the Town's extraterritorial jurisdiction (ETJ). Upon annexation, the property would be incorporated into the corporate limits of Waynesville and would be eligible for municipal services, including sewer service. The closest main sewer line is located off Will Hyatt Road, and the Phase I development ran an additional 8-inch sewer line to their property. An existing 8-inch water main line is located across Plott Creek Rd.

Following successful annexation, the applicant will proceed through the zoning assignment process. On October 20, 2025, the Planning Board reviewed the map amendment application and recommended that the property be assigned the Plott Creek Neighborhood Residential (PC-NR) zoning district, consistent with the adjacent district and with Phase I of the development by the same owner.

MOTION FOR CONSIDERATION:

1. Adoption of attached Ordinance to approve the annexation of the described property.

FUNDING SOURCE/IMPACT: Future action to annex this property will allow the property to receive town municipal services and be subject to Town property tax.

ATTACHMENTS:

- Petition with payment and agent authorization forms
- Plat, deed, Exhibit A
- Signed Resolution to Consider
- Draft Ordinance
- Municipal boundaries, property card, zoning, water and sewer maps
- Public notices: newspaper ad, property postings

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE
PLANNING DEPARTMENT
P.O. BOX 100, WAYNESVILLE, NC 28786
828-456-2004**

**ANNEXATION UPON PETITION
OF ALL OWNERS OF REAL PROPERTY**

(G.S. 160A-31, as amended)

Date: 9/18/25

To: Board of Aldermen of the Town of Waynesville

1. We, the undersigned owners of real property, respectfully request that the area described below be annexed to the Town of Waynesville.
2. Character of area to be annexed:
 - a. Any area which is contiguous to the corporate limits of the Town of Waynesville may be annexed by petition.
 - b. For purposes of these laws, an area is deemed "contiguous" If, at the time the petition is submitted, the area either abuts directly on the municipal boundary or is separated from the municipal boundary by a street, right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State.
3. The area to be annexed is contiguous to the Town of Waynesville and the boundaries of such territory are as follows:
 - a. Metes and bounds description is attached.
 - b. Tax map of the proposed territory is attached.

PIN #8605-32-8929 DB 1055 PG 1204 5.4 Ac +/-
--

Herman F. Ratchford Jr.

Name Triangle Real Estate of Gastonia, Inc. Signature 

Address 1399 Plott Creek Road Mailing: P.O. Box 4158, Gastonia, NC 28054

Name _____ Signature _____

Address _____

Name _____ Signature _____

Address _____

(Attach additional sheet if necessary)

PAYMENT SUMMARY RECEIPT

TOWN OF WAYNESVILLE
16 S MAIN ST

DATE: 09/25/25 CUSTOMER#:
TIME: 15:01:43
CLERK: 2044ecou

RECPT#: 3237613 PREV BAL: 250.00
TP/YR: P/2026 AMT PAID: 250.00
BILL: 3237613 ADJSTMNT: .00
EFF DT: 09/25/25 BAL DUE: .00
Misc Cash Receipts

-----TOTALS-----

PRINCIPAL PAID: 250.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00

AMT TENDERED: 250.00
AMT APPLIED: 250.00
CHANGE: .00

PAID BY: WGLA EnginAnnexation
PAYMENT METH: CHECK
PAYMENT REF: 1389

TOT PREV BAL DUE: 250.00
TOT BAL DUE NOW : .00

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1399 Plott Creek Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: William Ratchford

Title and Company: VP, Southwood Realty Company

Address: P.O. Box 280, Gastonia, NC 28052

Phone and email: (704) 869-6024 william.ratchford@southwoodrealty.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 18th day of August, 2025.

Owner or Party with Contractual Interest in Property:



Address and phone number:

Herman E. Ratchford, Jr

Triangle Real Estate of Gastonia, Inc.

P.O. Box 4158, Gastonia, NC 28053

(704) 866-4675

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1399 Plott Creek Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: Jeff Ledford

Title and Company: Project Manager, Southwood Realty Company

Address: P.O. Box 280, Gastonia, NC 28052

Phone and email: (704) 678-3930 jeff.ledford@southwoodrealty.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 18th day of August, 2025.

Owner or Party with Contractual Interest in Property:



Address and phone number:

Herman E. Ratchford, Jr

Triangle Real Estate of Gastonia, Inc.

P.O. Box 4158, Gastonia, NC 28053

(704) 866-4675

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1399 Plott Creek Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: G. Thomas Jones III, PE

Title and Company: Principal/Project Manager WGLA Engineering, PLLC

Address: 724 5th Avenue West, Hendersonville, NC 28739

Phone and email: (828) 687-7177 x303 tjones@wgl.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 18th day of August, 2025.

Owner or Party with Contractual Interest in Property:



Address and phone number:

Herman E. Ratchford, Jr

Triangle Real Estate of Gastonia, Inc.

P.O. Box 4158, Gastonia, NC 28053

(704) 866-4675

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1399 Plott Creek Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: G. Thomas Jones IV, PE

Title and Company: Project Engineer

Address: 724 5th Avenue West, Hendersonville, NC 28739

Phone and email: (828) 687-7177 x307 gtj4@wgla.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 18th day of August, 2025.

Owner or Party with Contractual Interest in Property:



Address and phone number:

Herman E. Ratchford, Jr

Triangle Real Estate of Gastonia, Inc.

P.O. Box 4158, Gastonia, NC 28053

(704) 866-4675

NOTES

* THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE.

* THIS PROPERTY MAY BE SUBJECT TO OTHER RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS AND RESTRICTIONS, WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED, NOT SHOWN HEREON.

* THE CERTIFICATION SHOWN HEREON IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM FROM ENCUMBRANCES.

* PART OF THE SUBJECT PROPERTY IS IN A SPECIAL FLOOD AREA PER FLOOD INSURANCE RATE MAP NO. 3700860500J, EFFECTIVE DATE: 04/03/2012. ZONE AE LINES SHOWN ON SURVEY ARE SHOWN APPROXIMATELY BASED ON THE NORTH CAROLINA FLOOD RISK INFORMATION SYSTEM.

* ALL UTILITIES SHOWN HEREON ARE BASED ON ABOVE-GROUND EVIDENCE AND SHOULD BE CONSIDERED APPROXIMATE.

* NO DEED OF EASEMENT FOUND FOR OVERHEAD UTILITY LINES.

* ALL BOUNDARY MONUMENTS ARE FLUSH WITH ADJACENT GRADE UNLESS OTHERWISE NOTED. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

* AREAS CALCULATED BY COORDINATE GEOMETRY METHOD.

* PROPERTY IS SUBJECT TO NON-ENCROACHMENT AREA PER HAYWOOD COUNTY FLOOD PREVENTION ORDINANCE. MINIMUM 20' FROM TOP OF BANK FOR STREAMS WITHOUT FLOODWAY.

* PLOTT CREEK ROAD - S.R. 1173 HAS A MAINTENANCE RIGHT-OF-WAY, EXCEPT WHERE NCDOT ACQUIRED RIGHT-OF-WAY FEE SIMPLE IN D.B. 701, P. 453.

* NORTHERN BOUNDARY LINE OF SUBJECT PARCEL RUNS WITH THE CENTERLINE OF PLOTT CREEK ROAD - S.R. 1173.

LOT 1 OF THE LINDA S. PLOTT TRACT
2016E, P. 27
D.B. 470, P. 1072
CAB D, P. 2527
PIN: 8605-33-6754

MONTRAVILLE VON PLOTT
D.B. 974, P. 1612
CAB D, P. 2527
PIN: 8605-33-6288

WILLIAM GEORGE PLOTT &
PATRICIA GAIL EDWARDS
D.B. 826, P. 593
PIN: 8605-23-9594

STONE HAVEN FARMS ESTATE, LLC
D.B. 850, P. 169
PIN: 8605-31-1908

SUBJECT PROPERTY
1399 PLOTT CREEK RD
TRIANGLE REAL ESTATE OF GASTONIA INC
D.B. 1055, P. 1204
CAB D, P. 1684
PIN: 8605-32-8929
5.48± ACRES

STATE PLANE COORDINATES FOR THIS SURVEY WERE OBTAINED BY GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) SURVEY, AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GNSS SURVEY:

HORIZONTAL POSITIONAL ACCURACY: 0.02m
TYPE OF GNSS FIELD PROCEDURE: STATIC (POST-PROCESSED USING OPUS-RS AND TOPCON TOOLS SOFTWARE)
DATE OF SURVEY: FEBRUARY 15, 2018
DATUM: NAD83(2011)
GEOID MODEL: GEOID 12B
LOCALIZATION POINT: N: 652,423.69, E: 804,334.03
COMBINED SCALE FACTOR: 0.99975000
UNITS: U.S. SURVEY FEET

I, ROBERT J. EARLEY, CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOKS AS NOTED) USING TRADITIONAL FIELD PROCEDURES; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND ARE DRAWN FROM INFORMATION FOUND IN DEED AND PLAT BOOKS AS SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED ([21 NCAC 56.1603]) IS 1:10,000 OR BETTER; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA ([21 NCAC 56.1600]); THAT THE GROUND SURVEY WAS PERFORMED ON FEBRUARY 11th, 2022 AND UPDATED ON SEPTEMBER 10th, 2025.

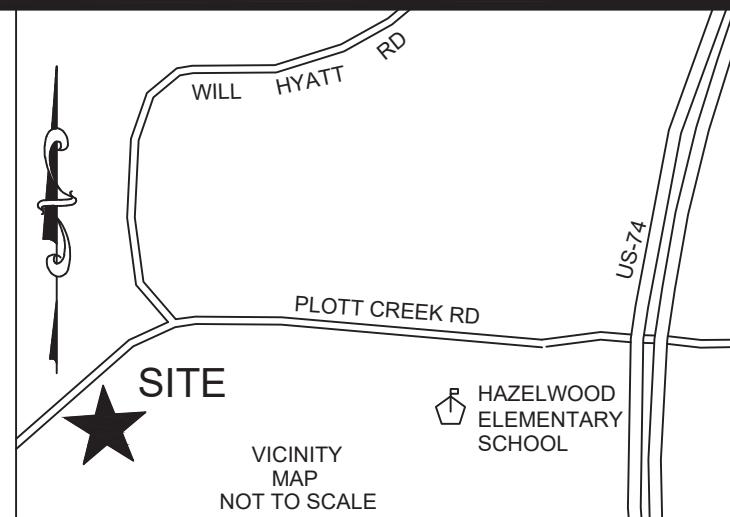
I ALSO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED AND IS OF THE FOLLOWING CATEGORY AS DESCRIBED IN G.S. 47-30(F)(11)

(c1) THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;

WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL

DATE: SEPTEMBER 11th, 2025

ROBERT J. EARLEY
N.C. PROFESSIONAL LAND SURVEYOR



N.C. GRID NAD83(2011)

TRIANGLE PALISADES AT
PLOTT CREEK, LLC
D.B. 1041, P. 1966
PIN: 8605-42-0093

LEGEND

- UNMARKED POINT
- ⊙ CORNER FOUND (AS DESCRIBED)
- ⊙ 5/8" REBAR TO BE SET WITH HG CAP
- ▲ NAIL SET
- △ NAIL FOUND
- PROPERTY LINE (SURVEYED)
- ADJOINER PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY LINE
- EDGE OF WATER
- STORM LINE
- FENCE (AS DESCRIBED)
- 20' NON-ENCROACHMENT
- OVERHEAD UTILITY LINE
- AG --- ABOVE GROUND
- BG --- BELOW GROUND
- CMP --- CORRUGATED METAL PIPE
- FIRE HYDRANT
- GUY ANCHOR
- PIN --- PARCEL IDENTIFICATION NUMBER
- CAB --- PLAT CABINET
- UTILITY POLE
- RBC --- REBAR WITH CAP
- RBF --- REBAR FOUND
- CO --- SANITARY SEWER CLEAN OUT
- SSMH --- SANITARY SEWER MANHOLE
- 4 --- SIGN
- ⊙ --- WATER METER
- ⊙ --- WATER VALVE

BOUNDARY SURVEY OF
THE PROPERTY OWNED BY:

Triangle Real Estate of Gastonia INC

PIN: 8605-32-8929

D.B. 1055, P. 1204, CAB D, P. 1684

WAYNESVILLE TOWNSHIP

HAYWOOD COUNTY, NORTH CAROLINA

SCALE: 1" = 50' 09/10/2025

ROBERT J. EARLEY, PLS

JOB# 22026

DRAWN BY: J. EARLEY & J. SEPULCHRE CHECKED BY: J. EARLEY
COMPANY LICENSURE # C-2806

HOLMES
G E O S P A T I A L

300 RIDGEFIELD CT., STE. 301, 28806
P.O. BOX 17335, ASHEVILLE, NC 28816
PHONE: (828) 225-6562

50' 25' 0' 50' 100' 150' 200'

Lying and being situated in the Town of Waynesville, Haywood County, North Carolina, having a parcel identification number listed with Haywood County GIS of: 8605-32-8929, and being more particularly described as follows with all distances being horizontal ground distances in U.S. survey feet.

BEGINNING at a 5/8" rebar found 0.1' above adjacent grade in the margin of Plott Creek Road (SR 1173) having NC Grid NAD83 (2011) coordinates of Northing: 653,430.59' and Easting: 804,026.70', said rebar also being the common northwestern corner of the Triangle Palisades At Plott Creek, LLC property described in Deed Book 1041, Page 1966 in the Haywood County Register of Deeds; thence with the western line of the aforementioned property the following two (2) calls:

- 1) S 4°59'58" W 321.32' to a rebar found 0.2' above adjacent grade with plastic cap stamped "Ensley";
- 2) S 4°55'16" W 482.22' to a 5/8" rebar found 0.1' above adjacent grade having NC Grid NAD83 (2011) coordinates of Northing: 652,630.25' and Easting: 803,957.35'; also being the common northeastern corner of the Stone Haven Farms Estate, LLC property described in Deed Book 850, Page 185 in the Haywood County Register of Deeds;

thence with northern line of the aforementioned property, N 85°07'19" W 268.58' to a 1/2" rebar found flush with adjacent grade with plastic cap stamped "L-2870"; also being the common northwestern corner of the aforementioned property and lying in the eastern line of the Stone Haven Farms Estate, LLC property described in Deed Book 850, Page 169 in the Haywood County Register of Deeds; thence with the eastern line of the aforementioned property the following five (5) calls:

- 1) N 15°05'33" W 290.31' to a 5/8" rebar set 0.1' below adjacent grade with plastic cap stamped "Holmes Geospatial";
- 2) N 15°05'33" W 20.00' to an unmarked point;
- 3) N 21°19'02" W 20.00' to a 5/8" rebar set 0.1' below adjacent grade with plastic cap stamped "Holmes Geospatial";
- 4) N 21°19'02" W 125.17' to a 1/2" open iron pipe found 0.4' above adjacent grade;
- 5) N 21°19'02" W 16.65' to an unmarked point in the center of Plott Creek Road (SR 1173) and lying in the southern line of the William George Plott and Patricia Gail Edwards property described in Deed Book 826, Page 593 in the Haywood County Register of Deeds;

thence with the center of Plott Creek Road (SR 1173) the following five (5) calls:

- 1) N 57°13'15" E 93.60' to an unmarked point; also being the common southeastern corner of the William George Plott and Patricia Gail Edwards property and the common southwestern corner of the Montraville Von Plott property described in Deed Book 974, Page 1612 in the Haywood County Register of Deeds;
- 2) N 56°37'45" E 13.00' to an unmarked point in the southern line of the Montraville Von Plott property;
- 3) N 52°02'37" E 230.20' to an unmarked point; also being the common southeastern corner of the Montraville Von Plott property and the southwestern corner of the Linda S. Plott property described in Deed Book 470, Page 1072 in the Haywood County Register of Deeds;
- 4) N 52°28'04" E 41.95' to a nail set flush with adjacent grade in the southern line of the Linda S. Plott property;

- 5) N 52°06'12" E 134.50' to a nail set flush with adjacent grade in the southern line of the Linda S. Plott property; also, being the common northwestern corner of the NCDOT fee simple right-of-way described in Deed Book 701, Page 453 in the Haywood County Register of Deeds;

thence leaving the center of Plott Creek Road (SR 1173) and the southern line of the Linda S. Plott property and with the western line of the NCDOT right-of-way, S 37°47'01" E 25.01' to a 5/8" rebar found flush with adjacent grade with plastic cap stamped "Ed Holmes and Associates"; also being the southwestern corner of the NCDOT right-of-way; thence with the southern line of the NCDOT right-of-way, N 52°07'36" E 64.38' to the **POINT AND PLACE OF BEGINNING**, containing 5.48 ± acres and being the perimeter boundary of the "Julia Tract" and the "Linda Tract" as shown on a survey entitled "Recombination Survey of the Properties Owned by: Linda S. Plott and Julia A. Plott" by Robert J. Earley of Ed Holmes and Associates, job # 22026 and dated 2/20/2022, recorded in Plat Cabinet D, Slide 1684 in the Haywood County Register of Deeds.



Robert J. Earley
9/22/2025

PENDING REVIEW FOR A LISTING

DATE 02/14/22 BY [Signature]**2022001652**HAYWOOD CO, NC FEE \$26.00
STATE OF NC REAL ESTATE EXT
\$970.00

PRESENTED & RECORDED:

02-14-2022 04:42:02 PM

SHERRI C. ROGERS

REGISTER OF DEEDS

BY: STACY C. MOORE
ASSISTANT**BK: RB 1055****PG: 1201-1203**

HAYWOOD COUNTY TAX DEPARTMENT

There are no delinquent taxes or interest

against parcel number 8605339224

City of Waynesville, Haywood County, NC

Date 2/14/22 By [Signature]**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$ 970.00

Parcel Identifier No. 8605-33-9224 Verified by _____ County on the ____ day of ____, 20____
By: _____Mail/Box to: Goosmann Rose Colvard & Cramer, PA, 77 Central Ave., Ste H, Asheville, NC 28801**This instrument was prepared by Derek M. Wenzel, a licensed NC attorney. Delinquent taxes, if any, to be paid by the closing attorney to the County Tax Collector upon disbursement of closing proceeds.**Brief Description for the index: THIS DEED made the 11 day of February, 2022 by and between:

GRANTOR(S)	GRANTEE(S)
Julia A. Plott and husband, Edmund A. New 1399 Plott Creek Road Waynesville, NC 28786	Triangle Real Estate of Gastonia, Inc., a NC Corporation PO Box 4158, Gastonia, NC 28053

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of ____, Waynesville Township, Haywood County, North Carolina and more particularly described as follows:**See Exhibit "A" attached hereto and incorporated herein by reference******NO TITLE SEARCH PERFORMED BY PREPARER****

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 833, Page 495.

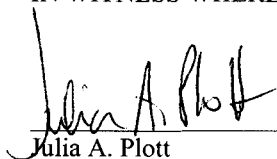
A map showing the above described property is recorded in Plat Book _____, Page _____.

All or a portion of the property herein conveyed X includes or __ does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: Ad Valorem property taxes, easements, restrictions, rights of way and all other such matters of public record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

 (SEAL)
Julia A. Plott

 (SEAL)
Edmund A. New

STATE OF NORTH CAROLINA, COUNTY OF HAYWOOD

I, the undersigned Notary Public for the County and State aforesaid, certify that **Julia A. Plott and husband, Edmund A. New**, did personally appear before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this the 14th day of February, 2022.

(Official Seal)




Notary Public
My Commission Expires: 10/26/23

EXHIBIT A

BEGINNING on an iron pin (set) in the line common to Grantor (Deed Book 470, Page 1072, Haywood County Registry) and Leatherwood (Deed Book 693, Page 1825, Haywood County Registry), which said pin is located N. 01 deg. 53 min. 44 sec. E 482.71 feet from the northeast corner of the Morgan tract (Deed Book 627, Page 391, Haywood County Registry) and runs thence from said beginning point so located N. 88 deg. 06 min. 16 sec. W. 162.54 feet; thence N 01 deg. 53 min. 44 sec. E 204.27 feet to a point in center of Plott Creek Road; thence with center of same N 49 deg. 02 min 49 sec. E 134.29 feet; thence S. 40 deg. 50 min. 24 sec. E 24.97 feet to an iron pin in margin of NCDOT Right of Way (Deed Book 686, Page 1959; Deed Book 689, Page 2059; and Deed Book 701, Page 453, Haywood County Registry); thence with same N 49 deg. 04 min. 13 sec. E 64.28 feet; thence with fence line and Leatherwood line, S 01 deg. 53 min. 44 sec. W. 320.95 feet to the BEGINNING and containing 1.000 acres as per survey and plat of L. Kevin Ensley, P.L.S., bearing date of October 5, 2012 and drawing nos. A-082-12.

ALSO BEING that 1.00 acres +/- entitled "Julia Tract" according to survey entitled "RECOMBINATION SURVEY OF THE PROPERTIES OWNED BY: Linda S. Plott and Julia A. Plott" by Ed Holmes & Associates Land Surveyors PA, bearing Job #22026 and dated 2/2/2022, recorded at Plat Cabinet D, Slot 1684, Haywood County Registry.

BEING the identical property conveyed from Johnny P. Plott and wife, Linda Plott to Julia A. Plott and husband Edmund A. New by deed dated October 15, 2012 and recorded at Deed Book 833, Page 495, Haywood County Registry.

PENDING REVIEW FOR TAX LISTING

DATE 02/14/22 BY [Signature]

HAYWOOD COUNTY TAX COLLECTOR'S OFFICE

There are no delinquent taxes for Deed # 2022001653

Equalized parcel number(s) 8605335684

Deed Book, Haywood County Tax Collector's

Date 2/14/22 By [Signature]**2022001653**HAYWOOD CO, NC FEE \$26.00
STATE OF NC REAL ESTATE EXT
\$840.00

PRESENTED & RECORDED:

02-14-2022 04:44:22 PM

SHERRI C. ROGERS

REGISTER OF DEEDS

BY: STACY C. MOORE
ASSISTANT**BK: RB 1055****PG: 1204-1206****NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$ 840.00

Parcel Identifier No. P/O 8605-33-5684 Verified by _____ County on the ____ day of ____, 20____
By: _____Mail/Box to: Goosmann Rose Colvard & Cramer, PA, 77 Central Ave., Ste H, Asheville, NC 28801**This instrument was prepared by Derek M. Wenzel, a licensed NC attorney. Delinquent taxes, if any, to be paid by the closing attorney to the County Tax Collector upon disbursement of closing proceeds.**Brief Description for the index: THIS DEED made the 11 day of February, 2022 by and between:

GRANTOR(S)	GRANTEE(S)
Linda S. Plott, un-remarried widow	Triangle Real Estate of Gastonia, Inc., a NC Corporation
1366 Plott Creek Road Waynesville, NC 28786	PO Box 4158, Gastonia, NC 28053

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of ____, Waynesville Township, Haywood County, North Carolina and more particularly described as follows:**See Exhibit "A" attached hereto and incorporated herein by reference******NO TITLE SEARCH PERFORMED BY PREPARER****

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 2016E, Page 27.

A map showing the above described property is recorded in Plat Cabinet D, Slot 1684.All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: Ad Valorem property taxes, easements, restrictions, rights of way and all other such matters of public record.

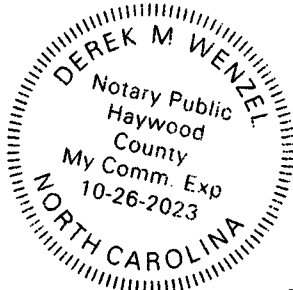
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Linda S. Plott (SEAL)
Linda S. Plott

STATE OF NORTH CAROLINA, COUNTY OF HAYWOOD

I, the undersigned Notary Public for the County and State aforesaid, certify that **Linda S. Plott**, did personally appear before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this the 14th day of February, 2022.

(Official Seal)



[Signature]
Notary Public
My Commission Expires: 10/26/23

EXHIBIT A

BEGINNING at a point located at the northwestern corner of Stone Haven Farms Estate, LLC (Deed Book 850, Page 185, Haywood County Registry), the easternmost corner of Stone Haven Farms Estate, LLC (Deed Book 850, Page 169), and the southwestern corner of Plott (Deed Book 470, Page 1072 and shown as remainder of 11.43 acres on survey recorded at Plat Cabinet D, Slot 184, Haywood County Registry); and running thence from said POINT OF BEGINNING with the western line of Plott (Deed Book 470, Page 1072, Haywood County Registry), the eastern line of Stone Haven Farms Estate, LLC (Deed Book 850, Page 169), and with a 4" woven wire fence N 15-09-55 W 310.74 feet; thence N 21-28-25 W 161.32 feet to a point in the asphalt pavement for Plott Creek Road (SR 1173); thence running with Plott Creek Road the following calls:

- 1) N 57-13-15 E 93.65 feet;
- 2) N 56-37-45 E 13.00 feet;
- 3) N 52-02-37 E 230.20 feet; and
- 4) N 52.28.04 E 41.95 feet;

thence leaving Plott Creek Road and running with the western line of Plott (Deed Book 833, Page 495, Haywood County Registry) S 04-56-25 W 204.24 feet, passing a rebar with cap at 23.02 feet to a rebar with cap at the southwest corner of Plott (Deed Book 833, Page 495, Haywood County Registry); thence running with the southern line of Plott (Deed Book 833, Page 495, Haywood County Registry) S 84-59-32 E 162.56 feet to a rebar with cap located at the southeastern corner of Plott (Deed Book 833, Page 495, Haywood County Registry); thence running with the eastern line of Plott (Deed Book 470, Page 1072, Haywood County Registry), the western line of Triangle Palisades at Plott Creek, LLC (Deed Book 1041, Page 1966, Haywood County Registry), and with a 4" woven wire fence S 04-55-16 W 482.22 feet to the southeastern corner of Plott (Deed Book 470, Page 1072); thence with the southern line of Plott (Deed Book 470, Page 1072, Haywood County Registry) and a 4" woven wire fence N 85-02-51 W 267.93 feet to the **POINT OF BEGINNING**, and BEING 4.48 acres +/- entitled "LINDA TRACT" according to survey entitled "RECOMBINATION SURVEY OF THE PROPERTIES OWNED BY: Linda S. Plott and Julia A. Plott" by Ed Holmes & Associates Land Surveyors PA, bearing Job #22026 and dated 2/2/2022, recorded at Plat Cabinet D, Slot 1684, Haywood County Registry.

BEING a portion of the property conveyed from Johnny P. Plott and wife, Linda Plott to Johnny P. Plott by deed dated January 29, 1999 and recorded at Deed Book 470, Page 1072, Haywood County Registry. For additional reference see estate filed at 2016 E 27, Haywood County.

IT IS THE INTENT OF THE GRANTEE TO COMBINE THE ABOVE DESCRIBED PROPERTY WITH THEIR PROPERTY AS DESCRIBED IN DEED BOOK 1055, PAGE 1201, HAYWOOD COUNTY REGISTRY, HAVING PIN NUMBER 8605-33-5890 FOR TAX AND MAPPING PURPOSES.

RESOLUTION TO CONSIDER
R-23-25

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF WAYNESVILLE, NORTH CAROLINA

WHEREAS, the Waynesville Town Council has been petitioned under G.S. 160A-31, to annex the area as described in the petition for a contiguous annexation request, and

WHEREAS, the governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all real property located within the area; and

WHEREAS, the clerk of the Town of Waynesville certifies the sufficiency of the petition in accordance with 160A-31, to wit:

- a. The petition follows the form required by statute in which the owner of real property has requested the area described for voluntary annexation; and
- b. That the petitioning owner of record owns 100 percent of the property in question; and
- c. The property is contiguous to the Town's municipal boundary, abutting other contiguous property;

WHEREAS, the Town Council must fix a date for a public hearing, and cause notice of the public hearing to be published in a newspaper at least 10 days prior to the hearing;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville, North Carolina:

1. To fix the date for the public hearing on November 18, 2025, during the regularly scheduled meeting of the Council, at 6:00 pm or close to that time within the agenda of the meeting, in the Town Board Room at 9 South Main Street, Waynesville, NC 28786; and
2. To direct the Town Clerk to notice the public hearing in the Mountaineer at least 10 days prior to the meeting; and
3. To post the property in at least three locations providing additional notice to the public.

Adopted this 14th Day of October, 2025.

ATTEST:

Candace Poolton
Candace Poolton, Town Clerk

TOWN OF WAYNESVILLE

J. Gary Caldwell
J. Gary Caldwell, Mayor

APPROVED AS TO FORM:

Martha Sharpe Bradley
Martha Sharpe Bradley, Town Attorney

ORDINANCE NO. O-45-25

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF WAYNESVILLE, NORTH CAROLINA

WHEREAS, the Waynesville Town Council has been petitioned voluntarily under G.S. 160A-31, to annex the area as described in the petition for a contiguous annexation request, and

WHEREAS, the governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all real property located within the area; and

WHEREAS, the Town Council finds the sufficiency of the petition in accordance with 160A-31, to wit:

- a. The petition follows the form required by statute in which the owner of real property has requested the area described for voluntary annexation; and
- b. That the petitioning owner of record owns 100 percent of the property in question; and
- c. The property is contiguous to the Town's municipal boundary, abutting other contiguous property;
- d. The Town Clerk has conducted an investigation in compliance with G.S. 160A31(c) and has certified the sufficiency of the petition; and
- e. The provisions of G.S. 160A-31(b1) and 160A-31(j) do not apply to the area described in the petition.

WHEREAS, a public hearing on the question of annexation was held at Town Hall at 6:00 p.m., on **November 18, 2025**, and

WHEREAS, the Council does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety, and welfare of the Town and of the area proposed for annexation will best be served by annexing the area described as **1399 Plott Creek Road, Waynesville, NC 28786 (PIN 8605-32-8929)**

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville, North Carolina:

Section 1. By virtue of the authority granted by North Carolina General Statutes, the following described contiguous territory is hereby annexed and made part of the Town of Waynesville as of **November 18, 2025**. Metes and bounds description is in Exhibit A attached hereto and incorporated by reference.

Section 2. Upon and after the **November 18, 2025**, the above-described territory, and its citizens, and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Waynesville and shall be entitled to the same privileges and benefits as other parts of the Town of Waynesville. Said territory shall be subject to municipal taxes according to G.S. 160A.

Section 3. The Mayor of the Town of Waynesville shall cause to be recorded in the office of the Register of Deeds of Haywood County and in the office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Haywood County Board of Elections as required by G.S. 163-288.1.

Section 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Waynesville.

Adopted this **18th Day of November, 2025**.

TOWN OF WAYNESVILLE

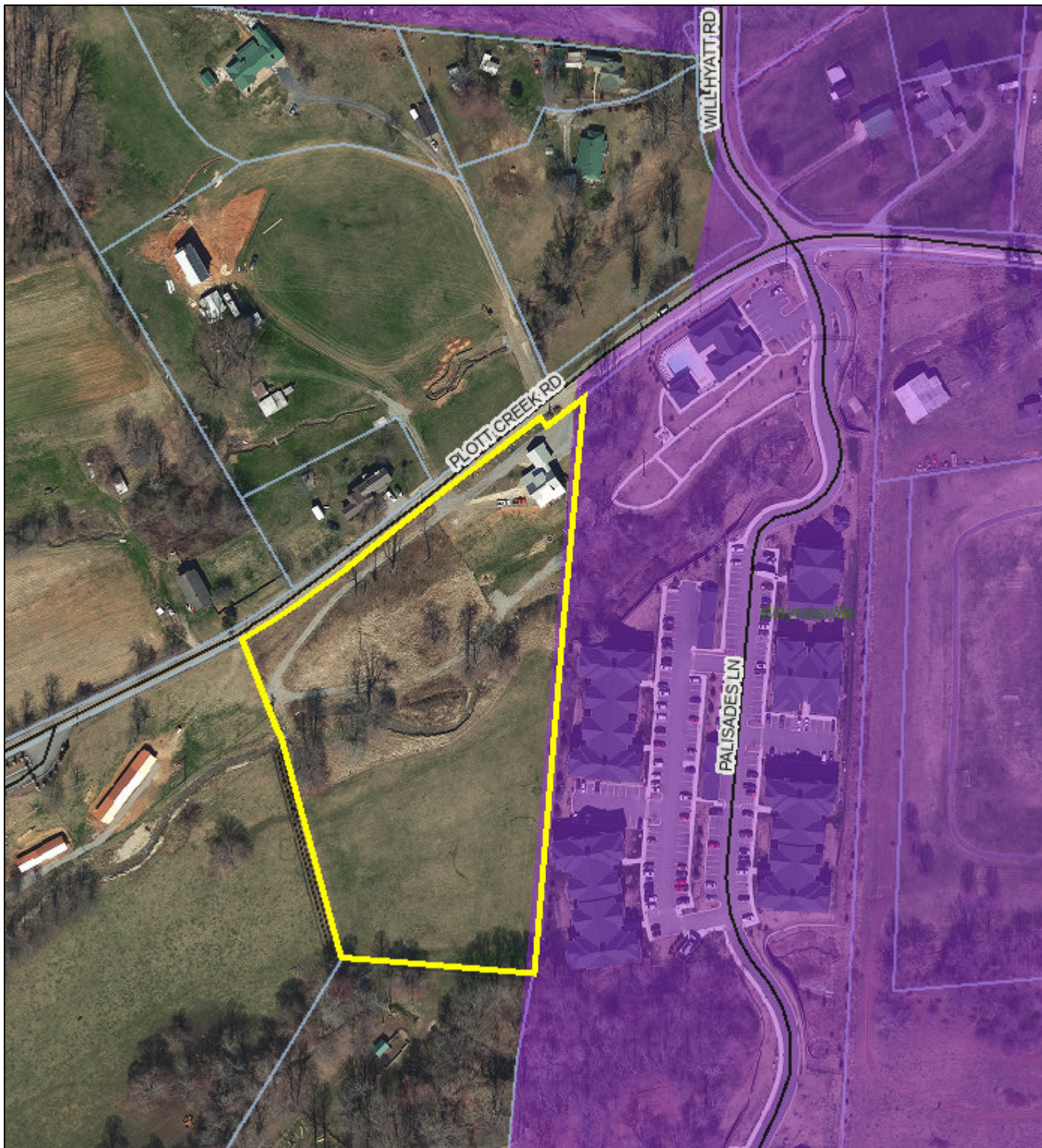
ATTEST:

Chuck Dickson, Mayor Pro Tem

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Sharpe Bradley, Town Attorney



Report For

TRIANGLE REAL ESTATE OF GASTONIA INC
PO BOX 4158
GASTONIA, NC 28054-0042

Account Information

PIN: 8605-32-8929

Deed: 1055/1204
1055/1201
CABD/1684
CABD/184

Site Information

DWELLING

1399 PLOTT CREEK RD

Heated Area: 1886
Year Built: 2013
Total Acreage: 5.39
Township: Waynesville Out

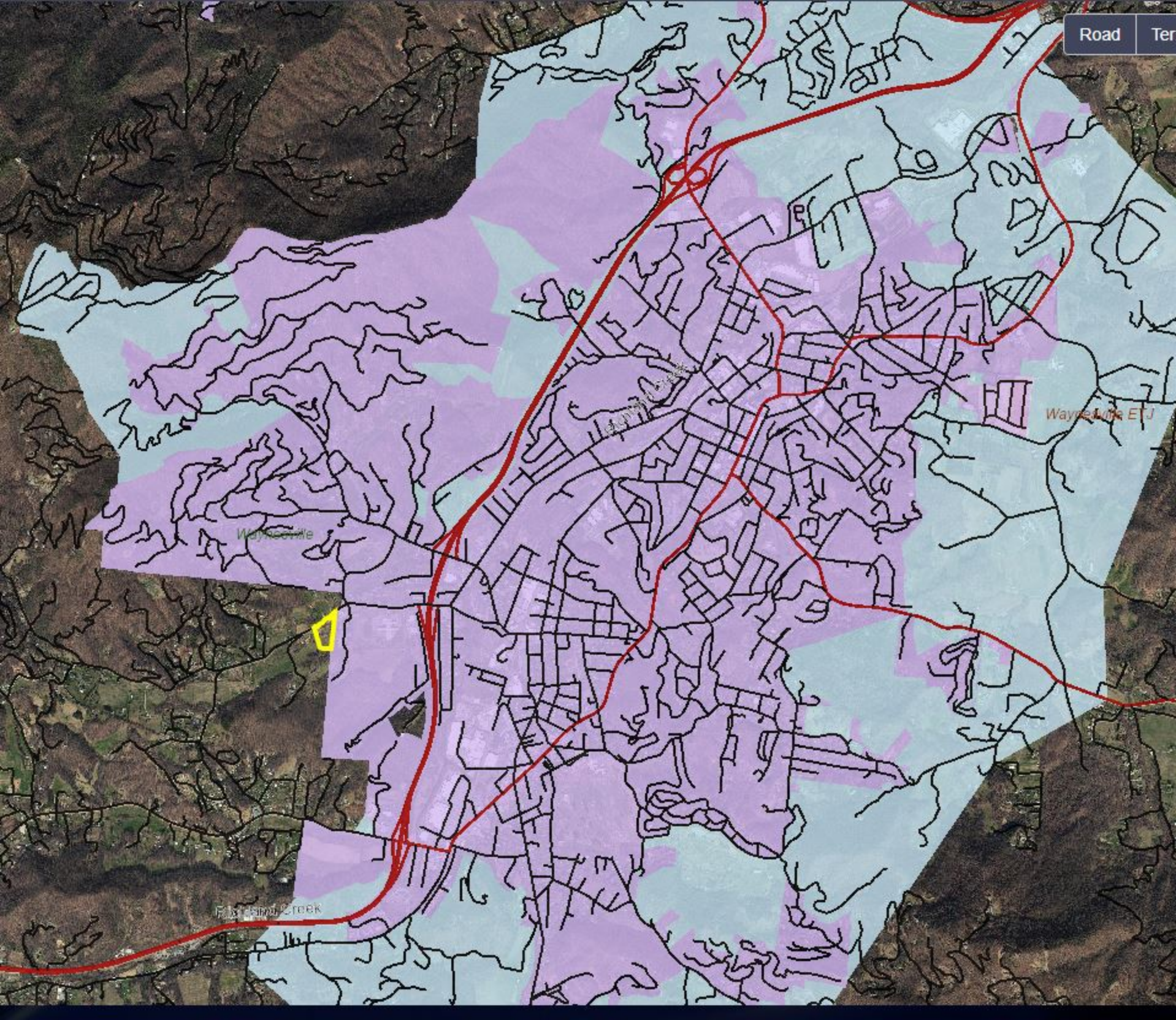
Site Value Information

Land Value: \$82,300
Building Value: \$285,400
Market Value: \$367,700
Deferred Value: \$0
Assessed Value: \$367,700
Sale Price: \$420,000
Sale Date: 2/14/2022
Tax Bill 1: \$2,365
Tax Bill 2: \$2,365



1 inch = 200 feet
September 24, 2025

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. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.



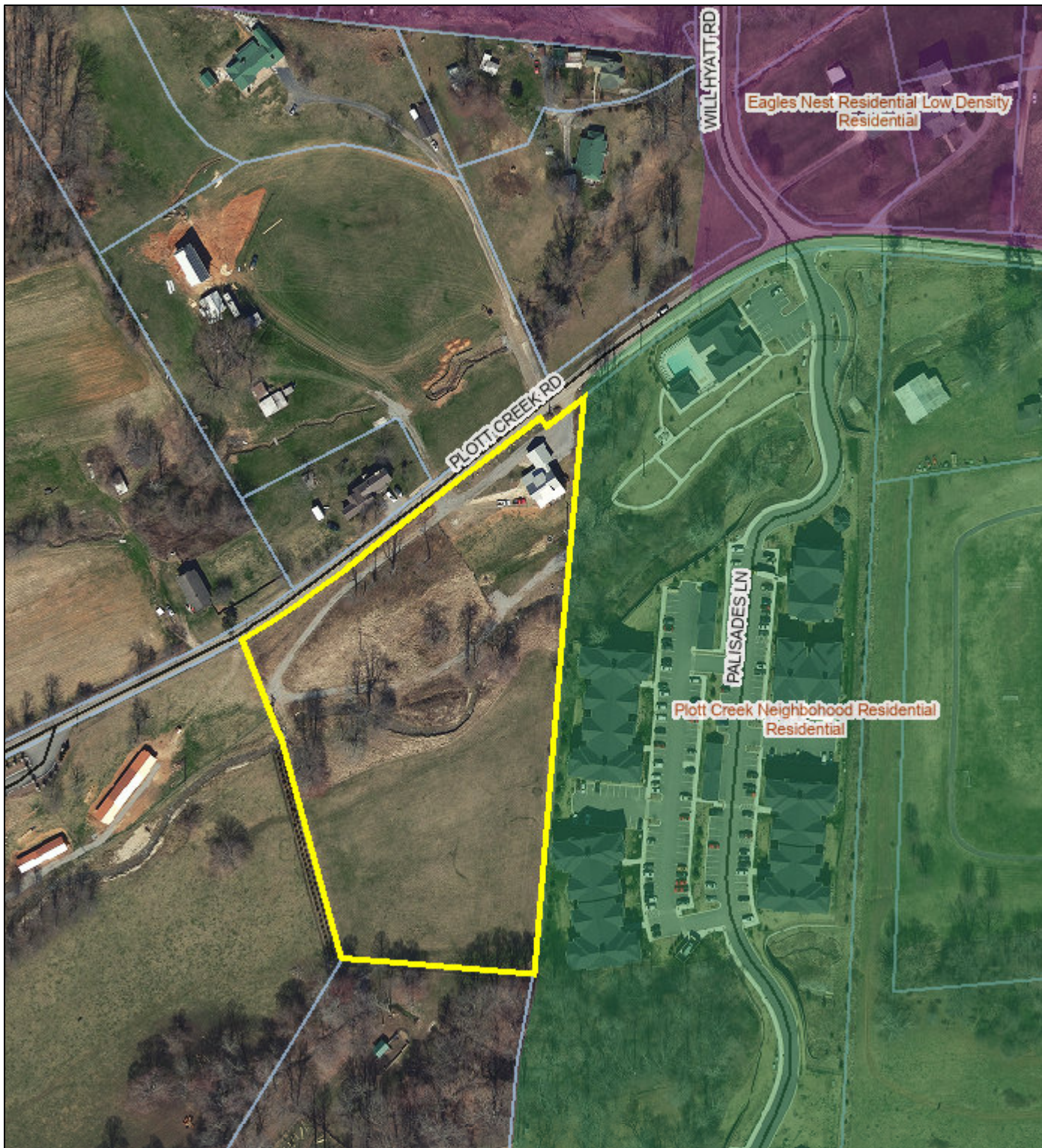
Road

Ter

Waynesville ETJ

Waynesville

Waynesville Creek



Report For

TRIANGLE REAL ESTATE OF GASTONIA INC
PO BOX 4158
GASTONIA, NC 28054-0042

Account Information

PIN: 8605-32-8929

Deed: 1055/1204
1055/1201
CABD/1684
CABD/184

Site Information

DWELLING

1399 PLOTT CREEK RD

Heated Area: 1886

Year Built: 2013

Total Acreage: 5.39

Township: Waynesville Out

Site Value Information

Land Value:

Building Value:

Market Value:

Deferred Value:

Assessed Value:

Sale Price:

Sale Date: 2/14/2022

Tax Bill 1:

Tax Bill 2:

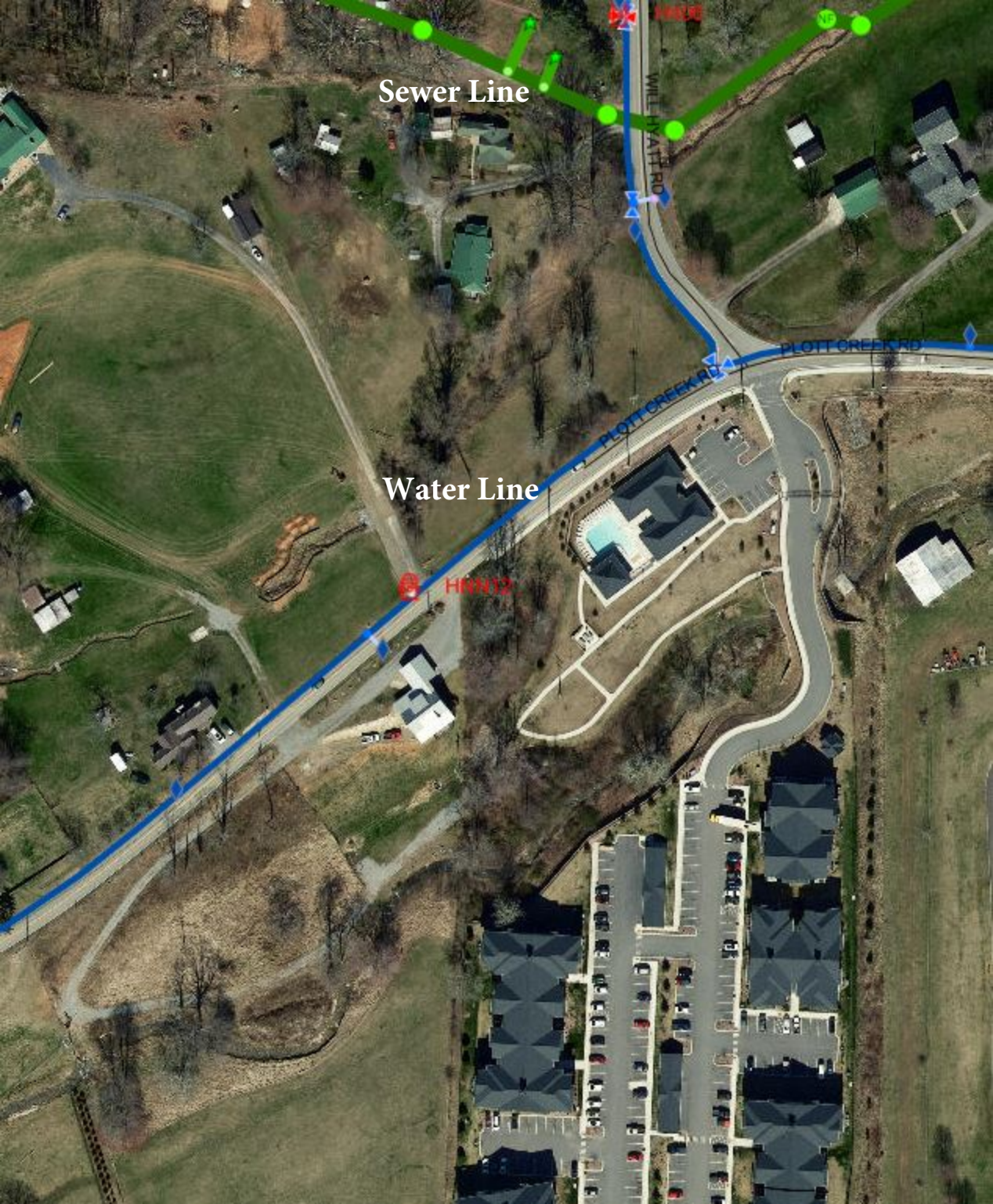


1 inch = 200 feet
September 24, 2025

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. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.

Sewer Line

Water Line





TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: November 5th and November 12th (Wednesday) editions

Date: October 20, 2025

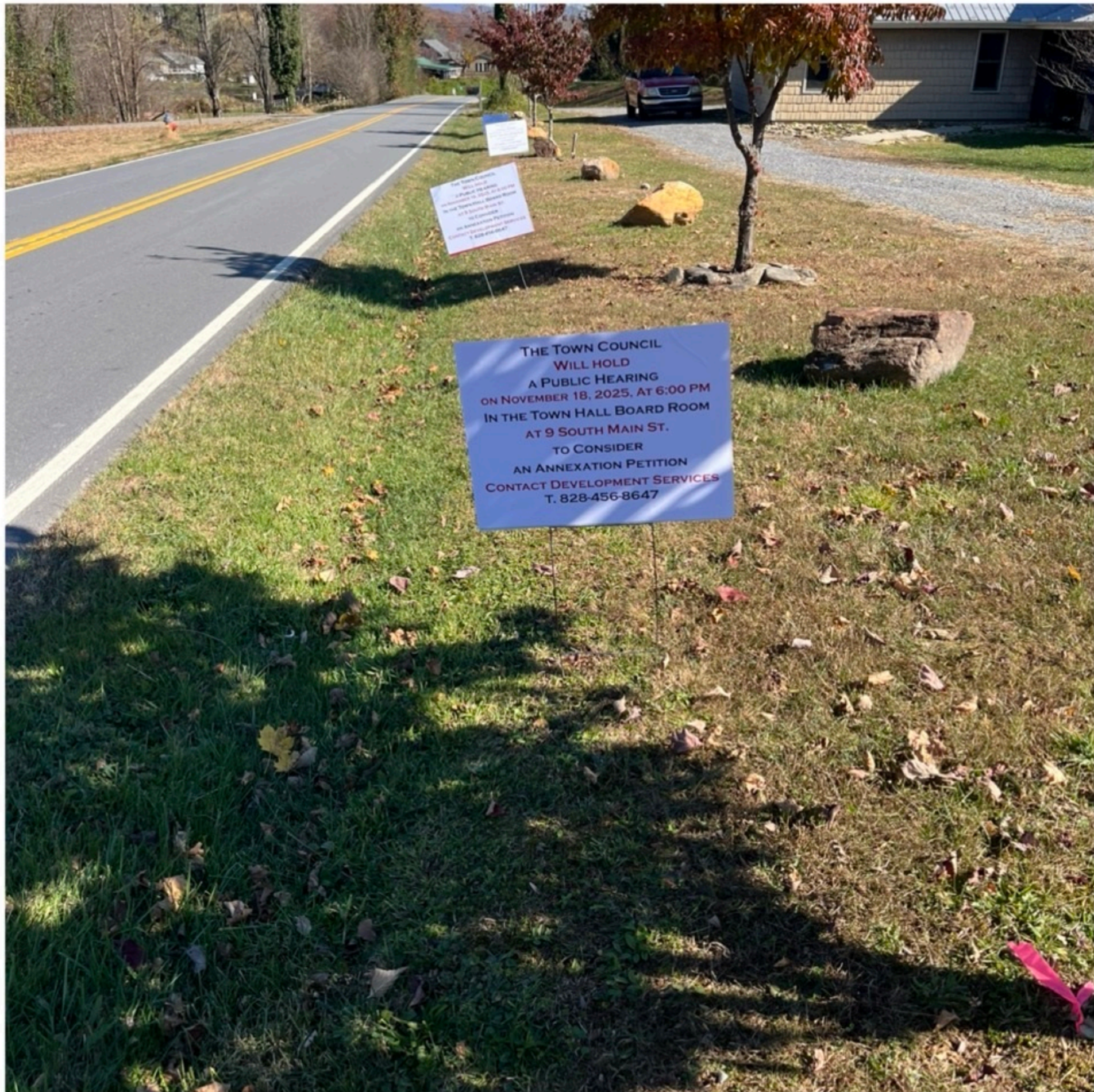
Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearing Waynesville Town Council

Waynesville Town Council will hold three (3) public hearings on **Tuesday, November 18, 2025**, at 6:00 pm in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC 28786, to consider:

1. A text amendment to the Flood Damage Prevention Ordinance, Land Development Standards section 12.3.
2. A request for annexation for the 5.48-acre parcel located at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929).
3. A rezoning request for the 5.48-acre parcel located at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929). The property currently has no zoning designation. The applicant is requesting that the property be rezoned to the Plott Creek Neighborhood Residential (PC-NR) zoning district.

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: November 18, 2025

SUBJECT: Public Hearing to consider a map amendment (rezoning) for the 5.48-acre parcel at 1399 Plott Creek Rd, Waynesville, NC 28786 (PIN 8605-32-8929).

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Olga Grooman, Assistant Development Services Director
Presenter: Olga Grooman, Assistant Development Services Director

SUMMARY:

On September 30, 2025, the Town received a rezoning application for the 5.48-acre property at 1399 Plott Creek Road. The property currently lies outside the Town limits and has no zoning designation. The rezoning would be contingent upon annexation.

The applicant is requesting to rezone the property to the Plott Creek Neighborhood Residential (PC-NR) zoning district, which is the same zoning as the adjacent district and abuts the Palisades at Plott Creek Apartments, constructed by the Triangle Real Estate of Gastonia, Inc. This rezoning would allow for a multifamily residential development on this property by the same developer.

On October 20, 2025, the Planning Board reviewed the map amendment application and recommended assigning the property the Plott Creek Neighborhood Residential (PC-NR) zoning district, which aligns with the adjacent district and with Phase I of the development by the same owner.

MOTIONS FOR CONSIDERATION:

1. Motion to find that the map amendment request for the property PIN 8605-32-8929 is consistent / inconsistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt/reject the map amendment and the attached Ordinance as presented.

FUNDING SOURCE/IMPACT:

The rezoning of this property is contingent upon annexation.

ATTACHMENTS:

- Staff Report
- Planning Board's Report
- Draft Ordinance
- Consistency Statement Worksheet
- Application with payment and agent authorization forms
- Property maps: zoning, floodplain, municipal, land use
- Public notices

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Town Council Staff Report

Meeting Date: November 18, 2025
Subject: Map Amendment (Rezoning) Request
Process Type: Legislative
Location: 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929)
Area: 5.48 ac
Requested Rezoning: No current zoning designation. Requested district- Plott Creek Neighborhood Residential (PC-NR)
Applicant: Owner-initiated map amendment: William Ratchford on behalf of Triangle Real Estate of Gastonia, Inc.
Staff Contact: Olga Grooman, Assistant Development Services Director

Background:

This is a legislative hearing on the proposed zoning map amendment for the property at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929). Chapter 160D-102 defines rezoning as “an amendment to a zoning regulation for the purpose of changing the zoning district that is applied to a specified property or properties.” Section 15.14.2.D of the Waynesville Land Development Standards (LDS) states that: “The Planning Board shall conduct a public hearing and receive public input on the proposed amendment and shall make recommendations to the Town Council... The Town Council shall conduct a public hearing and receive public input on the proposed amendment within a reasonable time following the public hearing before the Planning Board (LDS 15.14.2.E).”

The property currently has no zoning designation, as it lies outside the corporate limits of Waynesville and beyond its extraterritorial jurisdiction (ETJ). The applicant has petitioned for annexation, and zoning designation is contingent upon successful annexation. If both the annexation and rezoning are approved, the Town will have jurisdiction and standards to review any future development on this property.

The subject property is approximately 5.48 ac, and it directly abuts Plott Creek Road, providing convenient road access. The property is partially in the floodplain of Plott Creek which runs narrowly across the center of the lot. The site is gently sloped to the south, with the elevations ranging approximately 2,805 ft at Plott Creek Road to 2,795 ft at the rear of the property.

The applicant is requesting to rezone the property to Plott Creek Neighborhood Residential (PC-NR) district, to match the adjoining 41-ac parcel, also owned by the applicant. The adjoining parcel is a site of the Palisades at Plott Creek apartment complex. The rezoning of the adjacent 5.48-ac property would enable the applicant to develop the site for multi-family residential use.

On October 20, 2025, the Planning Board held a public hearing and unanimously recommended PC-NR zoning designation for the property, to align with the adjacent district and the site of the Phase I apartment complex development by the same owner.

Proposed Zoning District:

LDS 2.3.3.F outlines the purpose and intent of the proposed Plott Creek Neighborhood Residential (PC-NR) district:

“While it is semi-rural currently, **as the Plott Creek Neighborhood District (PC-NR) develops it should do so in a manner which complements its location near the Hazelwood Town Center, and the Hazelwood Elementary School** which is within its boundaries. **Infrastructure should be well connected and networked** (including sidewalks, streets, water/sewer, etc.) and other infrastructure needs should be addressed (such as recreational opportunities) as the area develops. Special care should be taken to enhance the natural features of the area, such as the mountain slopes and the creek, so that they become an integral part of the community. Connections (roads, trails, etc.) to other districts, such as Hyatt Creek area and to the large mountain tracts at the end of Plott Creek, are also important and must be considered as the area develops.”

By rezoning the property and potentially developing it for multi-family residential use, the applicant would enhance the PC-NR district’s purpose by creating a well-connected, walkable neighborhood near Hazelwood Elementary and Hazelwood Town Center. It would also support the planned expansion of infrastructure network, as stated in the district’s purpose above.

The proposed PC-NR district has the following standards:

- Density: 10 units/acre (up to 16 units/acre with a Special Use Permit)
- Minimum lot size: 1/6 ac (7,260 sf)
- Minimum lot width: 50 ft
- Minimum pervious surface: 10%
- Building setbacks: front and side from adjacent lot- 10 ft, street side/secondary front- 5 ft, rear- 6 ft, and setback between buildings- 6 ft

The PC-NR district has a primarily residential purpose, and commercial uses are very limited within it. The following uses are permitted outright in PC-NR:

- single-family dwelling
- two-family dwelling
- townhome
- cottage
- multifamily dwelling
- temporary emergency housing
- child/adult day care home (<8 persons)
- cultural/community facility
- religious institution
- crop production and nurseries
- utilities class 1, 2

The following uses are permitted, subject to additional standards in LDS Chapter 3:

- accessory dwelling
- bed & breakfast (up to 4 rooms)
- family care home (<6 residents)
- home occupation
- child/adult day care center (>8 persons)
- recreation facilities indoor/outdoor
- riding stables
- cemetery

- animal production
- forestry & logging
- wireless communication facilities: micro, mini, macro

Additionally, a few uses are permitted within PC-NR via a Special Use Permit:

- residential care facilities (>6 residents)
- inn (up to 20/30 rooms)
- elementary and secondary schools
- monopole wireless communications tower

Surrounding Land Uses:

The subject property is surrounded by large-acreage single-family lots to the south, west, and north. It abuts Palisades at Plott Creek apartment complex to the east and is located approximately 0.2 miles from Hazelwood Elementary school and 0.5 miles from the Great Smoky Mountain Expressway.

The subject property is adjacent to the PC-NR district to the east, while the surrounding properties on all other sides are located within Haywood County's jurisdiction and do not have zoning designations. Based on the surrounding zoning context, it is reasonable to rezone the subject property with the same zoning accordingly.

Consistency with the 2035 Comprehensive Plan:

The subject property is designated Residential Conservation under the 2035 Comprehensive Land Use Plan. Residential Conservation encourages clustered, low-density development that preserves open space, especially in areas with steep slopes (p.24). The 2035 Land Use Plan provides the following description:

“Residential Conservation [is] best suited for low density residential development that is **clustered** or of a conservation design. Generally, these areas contain steep slopes and / or working agricultural lands. These areas may have narrow streets and may or may not be connected to water and sewer utilities. Low Impact Development (LID) techniques should be encouraged to reduce stormwater runoff, and development should be clustered away from resources.” (p. 26)

The subject property also lies within the Urban Services Boundary (USB) on the Future Land Use Map, which means that the expansion of the Town's water and sewer services on this site is appropriate and supported. Additionally, water and sewer infrastructure already exist at the adjacent Palisades at Plott Creek site, owned by the same developer.

On January 29, 2019, the Planning Board approved a major site plan for a 200-unit apartment complex (Palisades at Plott Creek) on that adjacent 41-acre site. Importantly, half of the site - 20.96 ac- were preserved as open, undisturbed space, consistent with the conservation goals of the 2035 Land Use Plan. The development was clustered on the remaining 20 acres. The site of Palisades at Plott Creek is zoned as PC-NR.

The applicant is requesting to rezone the adjoining 5.48-ac subject property to PC-NR as well, to match the zoning of the existing development. The rezoning would also allow the applicant to develop the subject

property, which is accessible and directly abutting the road, while ensuring that the previously preserved steep-slope areas at the rear of adjacent site remain open and undisturbed.

Additionally, the subject property is located just 0.2 miles from Hazelwood Elementary School and about 0.5 miles from the expressway, supporting the accessibility and reducing impacts on local roads. The rezoning proposal aligns with the 2035 Land Use Plan because it would protect the preserved steep-slope areas and locate future development in the readily accessible location with existing infrastructure, while helping to meet the ongoing housing needs.

On October 20, 2025, the Planning Board found that this map amendment consistent with the Town of Waynesville's 2035 Comprehensive Land Use Plan and that reasonable and in the public interest because it meets the following goals of the Comp. Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use, and context-sensitive development.
- Promote conservation design to preserve important natural resources.

Goal 2: Create a range of housing opportunities and choices.

- Promote a diverse housing stock including market rate, workforce housing, and affordable options that appeal to a variety of households.

Based on the surrounding land uses and consistency with the 2035 Comprehensive Plan, staff also recommend the PC-NR zoning designation for the property.

Public Notifications:

Public notices were provided with the site posting and letters to adjacent property owners within 100 ft via first class mail (11/5/25) as well as *The Mountaineer* newspaper (11/5/25 and 11/12/25).

Suggested Motions:

1. Motion to find the map amendment request for the property PIN 8605-32-8929 as being consistent / inconsistent with the 2035 Land Use Plan and reasonable and in the public interest.
2. Motion to adopt / reject the map amendment and the attached Ordinance as presented.

Attachments:

- Cover Sheet
- Planning Board's Report
- Draft Ordinance
- Consistency Statement Worksheet
- Application with payment and agent authorization forms
- Property maps: zoning, floodplain, municipal, land use
- Public notices



To: Waynesville Town Council
Meeting Date: October 20, 2025
From: Olga Grooman, Assistant Development Services Director
Subject: Map Amendment (Rezoning) Request
Current Zoning District: None
Requested Zoning District: Plott Creek Neighborhood Residential (PC-NR)
Property: 5.48-ac Property at 1399 Plott Creek Rd, Waynesville, NC
PIN 8605-32-8929
Ordinance Sections: Land Development Standards (LDS) section 15.14.

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

A motion was made by board Chair Ginger Hain and seconded by board member Tommy Thomas that the proposed map amendment is **consistent** with the 2035 Comprehensive Land Use Plan, and **it is reasonable and in the public interest** because it meets the following goals of the 2035 Comp. Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use, and context-sensitive development.
- Promote conservation design to preserve important natural resources.

Goal 2: Create a range of housing opportunities and choices.

- Promote a diverse housing stock including market rate, workforce housing, and affordable options that appeal to a variety of households.

The map amendment is also reasonable and in the public interest because the subject property is adjacent to the same Plott Creek Neighborhood Residential (PC-NR) district to the east. It is surrounded by large-acreage single-family lots to the south, west, and north, and directly abuts Palisades at Plott Creek apartment complex to the east. Rezoning the property to PC-NR would allow for potential multi-family residential development, creating a well-connected, walkable neighborhood near Hazelwood Elementary and Hazelwood Town Center.

The motion carried unanimously, 8:0.

A second motion was made by board Chair Ginger Hain and seconded by board member Michael Blackburn to **recommend the map amendment to the Town Council as presented, contingent upon annexation.**

The motion carried unanimously, 8:0.

Ginger Hain 10/21/2025
Ginger Hain, Planning Board Chair Date

Esther Coulter 10-21-25
Esther Coulter, Administrative Assistant Date

ORDINANCE NO. O-46-25

**AN ORDINANCE AMENDING THE OFFICIAL LAND DEVELOPMENT MAP
OF THE TOWN OF WAYNESVILLE**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed map amendment to the Official Land Development Map (Zoning Map) and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest because it supports the following goals of the Comp. Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use, and context-sensitive development.
- Promote conservation design to preserve important natural resources.

Goal 2: Create a range of housing opportunities and choices.

- Encourage new housing within Waynesville’s city limits and Extraterritorial Jurisdiction (ETJ).
- Promote a diverse housing stock including market rate, workforce housing, and affordable options that appeal to a variety of households.

WHEREAS, the Town of Waynesville Planning Board recommends that this map amendment is reasonable and in the public interest because it is also consistent with the purposes of the proposed zoning district- Plott Creek Neighborhood Residential (PC-NR), as described in Section 2.3.3.F of the Land Development Standards (LDS):

- “as the Plott Creek Neighborhood District (PC-NR) develops it should do so in a manner which complements its location near the Hazelwood Town Center, and the Hazelwood Elementary School which is within its boundaries. Infrastructure should be well connected and networked (including sidewalks, streets, water/sewer, etc.) and other infrastructure needs should be addressed (such as recreational opportunities) as the area develops.”

WHEREAS, the Planning Board has reviewed and recommends the proposed map amendment for enactment by the Town Council; and

WHEREAS, the Town Council finds this Ordinance is consistent with the Town’s 2035 Comprehensive Plan, and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on **October 20, 2025**, at the regularly scheduled meeting of the Waynesville Planning Board, and on **November 18, 2025**, at the special called meeting of the Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN SPECIAL SESSION ON NOVEMBER 18, 2025, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Official Land Development Map be amended with the 5.48-acre property located at 1399 Plott Creek Rd, Waynesville, NC 28786 (PIN 8605-32-8929) rezoned as Plott Creek Neighborhood Residential District (PC-NR).

ADOPTED this 18th Day of November, 2025.

TOWN OF WAYNESVILLE

Chuck Dickson, Mayor Pro Tem

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Waynesville Town Council
From: Olga Grooman, Assistant Development Services Director
Date: November 18, 2025
Subject: Map Amendment Statement of Consistency
Description: Map amendment related to a rezoning request for the 5.48-acre parcel located at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929). The property currently has no zoning designation. The applicant requested that the property be rezoned to the Plott Creek Neighborhood Residential (PC-NR) zoning district.
Ordinance Section: Land Development Standards (LDS) Section 15.14
Address: Town of Waynesville Planning Department ("Development Services Department")

The Town Council hereby adopts the following statement(s):

☐

The zoning map amendment **is approved and is consistent with the Town's Comprehensive Land Use Plan** because: _____

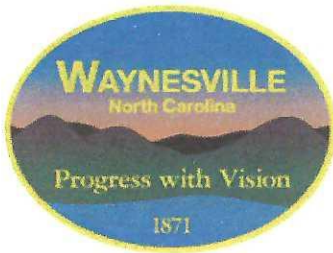
The zoning map amendment **is reasonable and in the public interest** because:

☐

The zoning map amendment **is rejected because it is inconsistent with the Town's Comprehensive Land Plan and is not reasonable and in public interest** because _____

☐

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town's Comprehensive Land Use Plan**. The changes in conditions considered in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____



TOWN OF WAYNESVILLE
Development Services Department
PO Box 100
9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Application for Land Development Standards Map Amendment

Application is hereby made on September 29, 2025 to the Town of Waynesville for the following map amendment:

Property owner of record: Triangle Real Estate of Gastonia, Inc.
Address/location of property: 1399 Plott Creek Road
Parcel identification number(s): 8605-32-8929
Deed/Plat Book/Page, (attach legal description): 1055/1204
The property contains 5.48 acres.
Current district: N/A
Requested district: Plott Creek Neighborhood District (PC-NR)

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary):

PC-NR zoning matches the adjoining 41 acre parcel, which is already zoned PC-NR. Infrastructure can be well connected including sidewalks, streets, water, and sewer.

Applicant Contact Information

Applicant Name (Printed): Triangle Real Estate of Gastonia, Inc.
Mailing Address: P.O. Box 4158, Gastonia, NC 28054
Phone(s): (704) 869-6024
Email: william.ratchford@southwoodrealty.com

Signature of Property Owner(s) of Record Authorizing Application:

X AS [Signature]

Note: Map Amendment Requests require a fee based on the size and number of lots being requested for amendment. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.



WGLA Engineering, PLLC
724 5th Avenue West
Hendersonville, NC 28739
(828) 687-7177 wglA.com

TRANSMITTAL

TO:

Olga Grooman, AICP

FROM:

G. Thomas Jones III, PE

COMPANY:

Town of Waynesville

DATE:

9/30/25

PHONE NUMBER:

WGLA PROJECT NUMBER:

RE:

1399 Plott Creek Road
Application for Land Standards Map
Amendment

YOUR REFERENCE NUMBER:

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Attached please find an "Application for Land Standards Map Amendment" to go along with the previously submitted Annexation application and agent authorization forms.

Please let me know if you need any additional information at this time.

Thank you,
Tom

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1399 Plott Creek Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: William Ratchford

Title and Company: VP, Southwood Realty Company

Address: P.O. Box 280, Gastonia, NC 28052

Phone and email: (704) 869-6024 william.ratchford@southwoodrealty.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 18th day of August, 2025.

Owner or Party with Contractual Interest in Property:



Address and phone number:

Herman E. Ratchford, Jr

Triangle Real Estate of Gastonia, Inc.

P.O. Box 4158, Gastonia, NC 28053

(704) 866-4675

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1399 Plott Creek Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: Jeff Ledford

Title and Company: Project Manager, Southwood Realty Company

Address: P.O. Box 280, Gastonia, NC 28052

Phone and email: (704) 678-3930 jeff.ledford@southwoodrealty.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 18th day of August, 2025.

Owner or Party with Contractual Interest in Property:



Address and phone number:

Herman E. Ratchford, Jr

Triangle Real Estate of Gastonia, Inc.

P.O. Box 4158, Gastonia, NC 28053

(704) 866-4675

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1399 Plott Creek Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: G. Thomas Jones III, PE

Title and Company: Principal/Project Manager WGLA Engineering, PLLC

Address: 724 5th Avenue West, Hendersonville, NC 28739

Phone and email: (828) 687-7177 x303 tjones@wgl.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 18th day of August, 2025.

Owner or Party with Contractual Interest in Property:



Address and phone number:

Herman E. Ratchford, Jr

Triangle Real Estate of Gastonia, Inc.

P.O. Box 4158, Gastonia, NC 28053

(704) 866-4675

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR TOWN COUNCIL**

The undersigned Owner or Party with a contract or option to purchase that real property located at 1399 Plott Creek Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a proceeding by Board(s) of the Town of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: G. Thomas Jones IV, PE

Title and Company: Project Engineer

Address: 724 5th Avenue West, Hendersonville, NC 28739

Phone and email: (828) 687-7177 x307 gtj4@wgla.com

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 18th day of August, 2025.

Owner or Party with Contractual Interest in Property:



Address and phone number:

Herman E. Ratchford, Jr

Triangle Real Estate of Gastonia, Inc.

P.O. Box 4158, Gastonia, NC 28053

(704) 866-4675

PAYMENT SUMMARY RECEIPT

TOWN OF WAYNESVILLE
16 S MAIN ST

DATE: 10/09/25 CUSTOMER#:
TIME: 14:34:46
CLERK: 2044ecou

RECPT#: 3243250 PREV BAL: 724.00
TP/YR: P/2026 AMT PAID: 724.00
BILL: 3243250 ADJSTMNT: .00
EFF DT: 10/09/25 BAL DUE: .00
Misc Cash Receipts

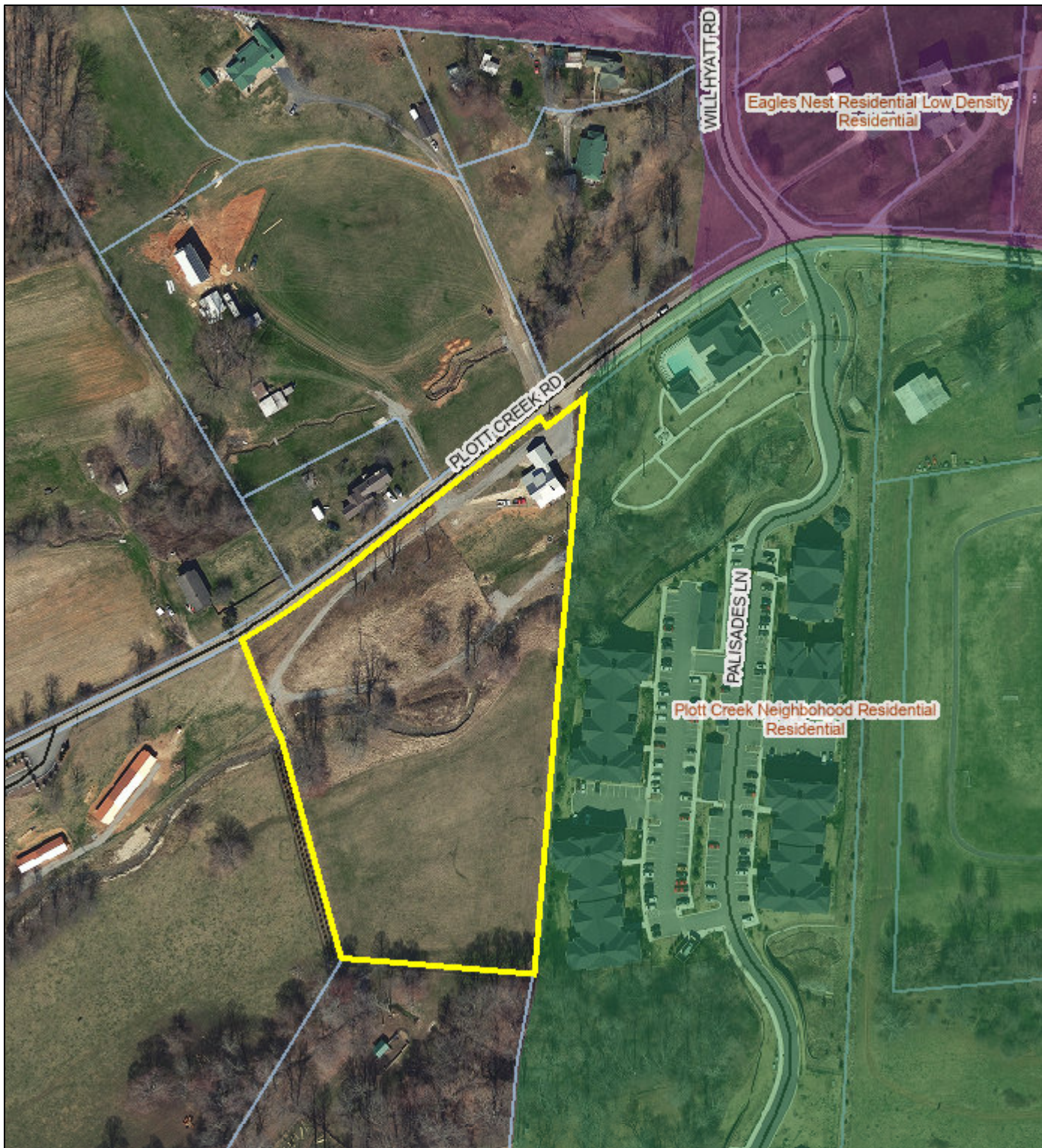
-----TOTALS-----

PRINCIPAL PAID: 724.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00

AMT TENDERED: 724.00
AMT APPLIED: 724.00
CHANGE: .00

PAID BY: WGLA map amend fee
PAYMENT METH: CHECK
PAYMENT REF: 1410

TOT PREV BAL DUE: 724.00
TOT BAL DUE NOW : .00



Report For

TRIANGLE REAL ESTATE OF GASTONIA INC
PO BOX 4158
GASTONIA, NC 28054-0042

Account Information

PIN: 8605-32-8929

Deed: 1055/1204
1055/1201
CABD/1684
CABD/184

Site Information

DWELLING

1399 PLOTT CREEK RD

Heated Area: 1886

Year Built: 2013

Total Acreage: 5.39

Township: Waynesville Out

Site Value Information

Land Value:

Building Value:

Market Value:

Deferred Value:

Assessed Value:

Sale Price:

Sale Date: 2/14/2022

Tax Bill 1:

Tax Bill 2:



1 inch = 200 feet
September 24, 2025

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. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.

Report For

TRIANGLE REAL ESTATE OF GASTONIA INC
PO BOX 4158
GASTONIA, NC 28054-0042

Account Information

PIN: 8605-32-8929

Deed: 1055/1204
1055/1201
CABD/1684
CABD/184

Site Information

DWELLING

1415 PLOTT CREEK RD WAYNESVILLE NC 287

Heated Area: 1886

Year Built: 2013

Total Acreage: 5.39

Township: Waynesville Out

Site Value Information

Land Value:

Building Value:

Market Value:

Deferred Value:

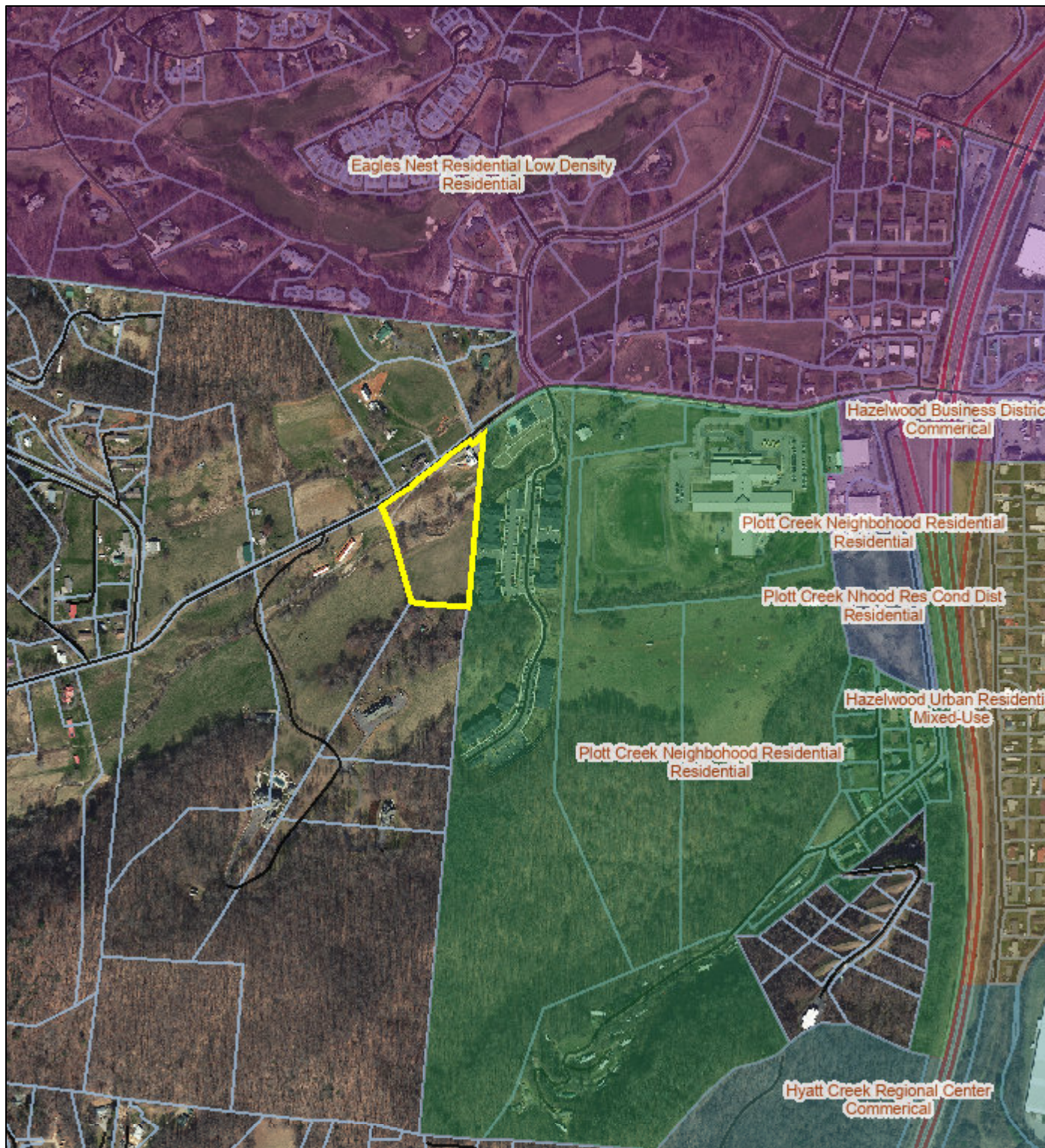
Assessed Value:

Sale Price:

Sale Date: 02/13/2022

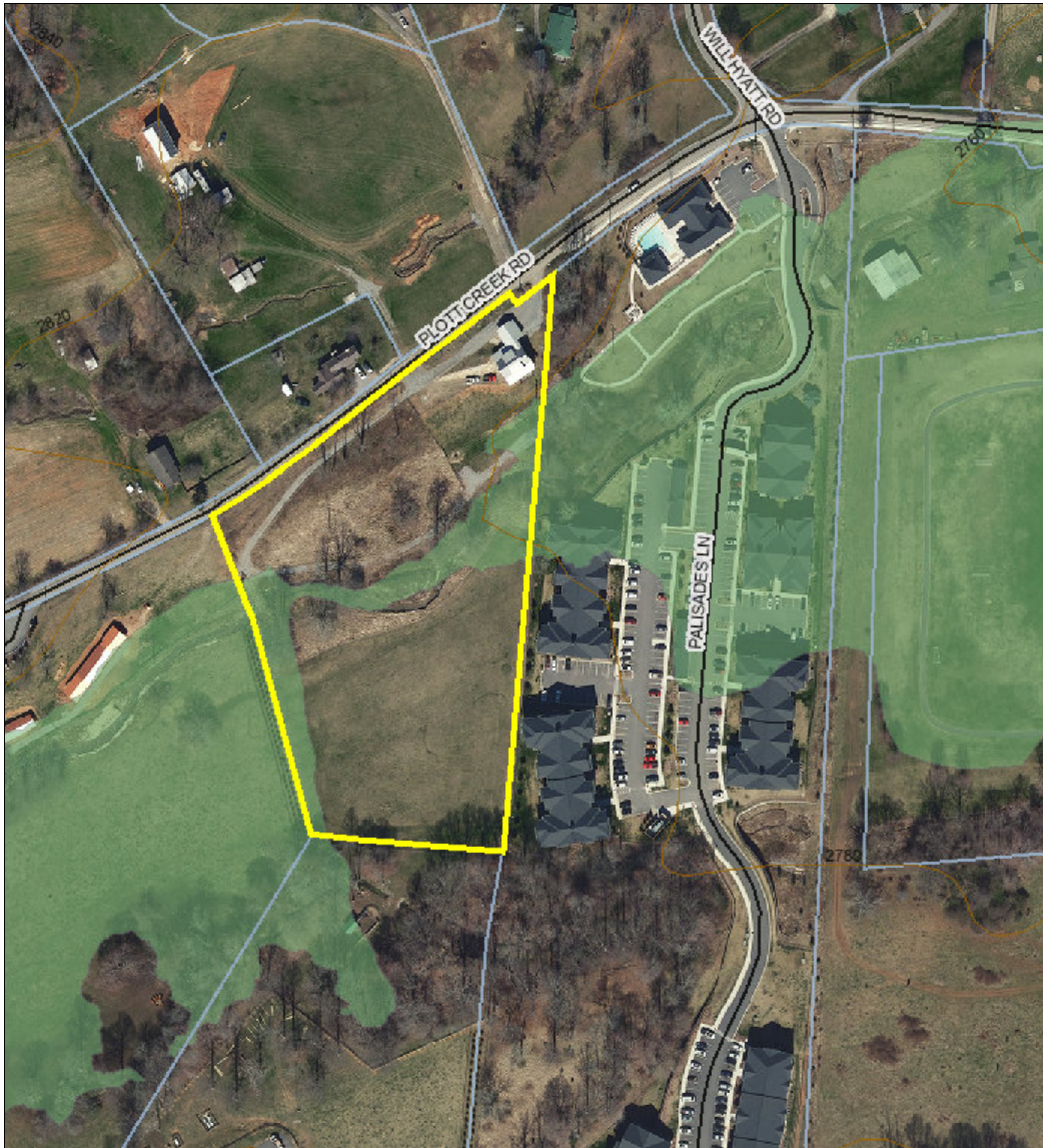
Tax Bill 1:

Tax Bill 2:



1 inch = 667 feet
October 20, 2025

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. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.



Report For

TRIANGLE REAL ESTATE OF GASTONIA INC
PO BOX 4158
GASTONIA, NC 28054-0042

Floodplain Map

Account Information

PIN: 8605-32-8929

Deed: 1055/1204
1055/1201
CABD/1684
CABD/184

Site Information

DWELLING

1399 PLOTT CREEK RD

Heated Area: 1886

Year Built: 2013

Total Acreage: 5.39

Township: Waynesville Out

Site Value Information

Land Value:

Building Value:

Market Value:

Deferred Value:

Assessed Value:

Sale Price:

Sale Date: 2/14/2022

Tax Bill 1:

Tax Bill 2:



1 inch = 200 feet

October 3, 2025

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. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.

Context

Waynesville City Limits

Waynesville ETJ

Urban Services Boundary (Revised)

Future Land Use

Open Space

Residential Conservation

Residential - Low to Medium Density

Residential - Medium to High Density

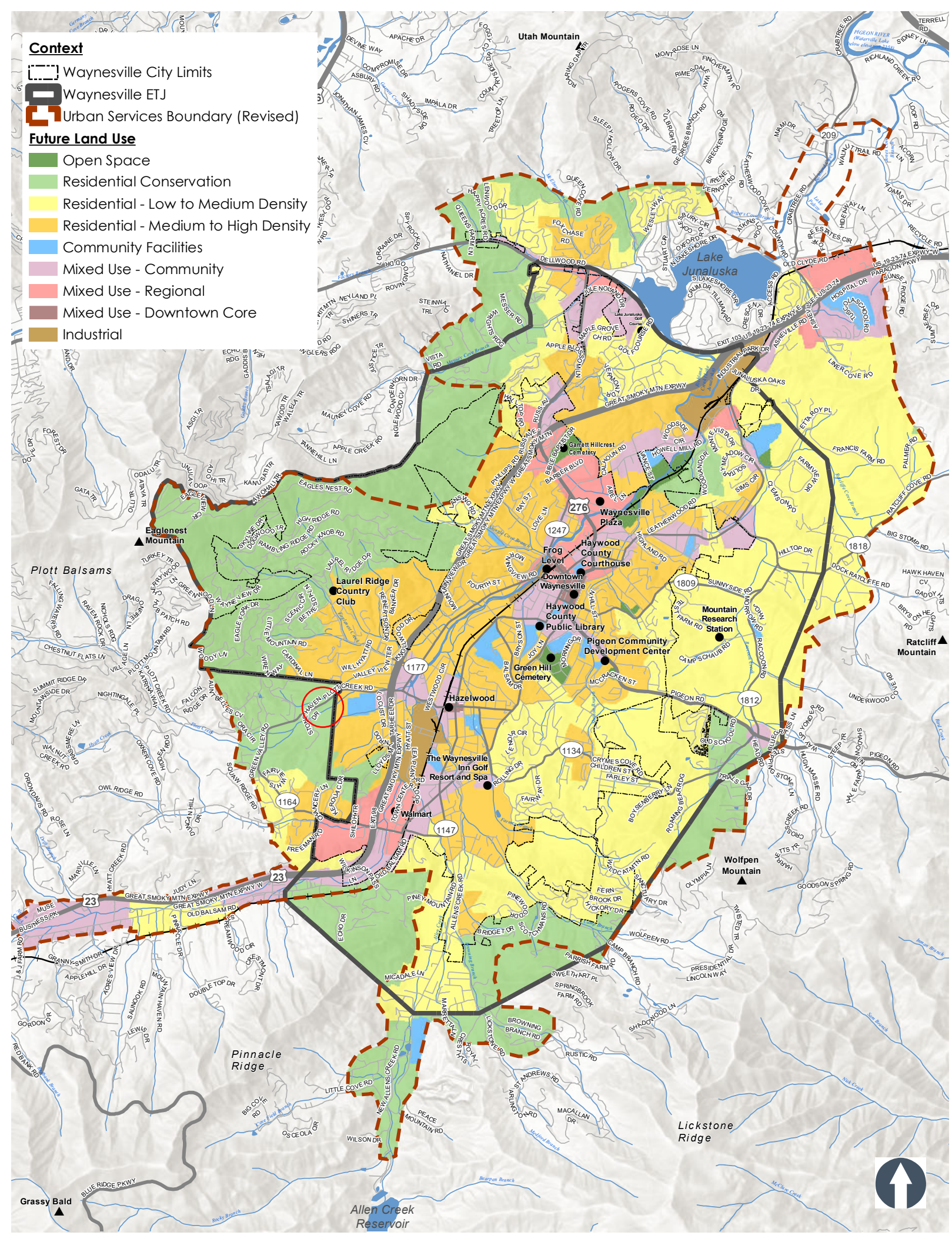
Community Facilities

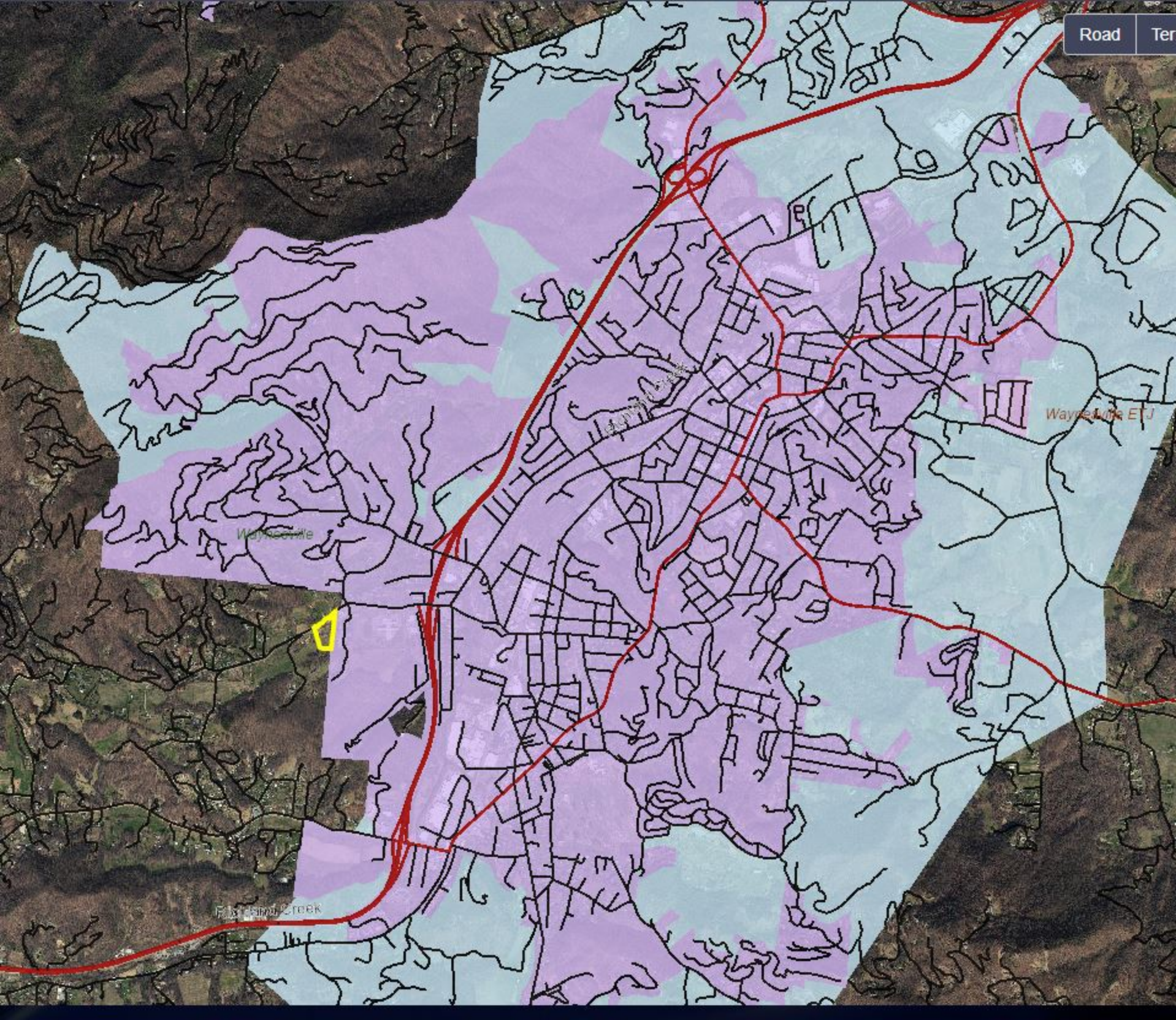
Mixed Use - Community

Mixed Use - Regional

Mixed Use - Downtown Core

Industrial





Road

Ter

Waynesville

Waynesville ETJ

Waynesville Creek



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

April 26, 2019

Richard D. Laws
Attorney at Law
Stott, Hollowell, Palmer & Windham, L.L.P.
401 East Franklin Boulevard
Gastonia, NC 28054
Telephone: (704) 864-3425
Facsimile: (704) 868-9132

Re: PIN 8605420093 Zoning Verification

Dear Mr. Laws:

Thank you for your inquiry. PIN 8605420093 is located within the Plott Creek Neighborhood Residential District (PC-NR) Zoning. This zoning allows multi-family at a density of ten units per acre. The 200-unit, "Palisades at Plott Creek" project of Triangle Real Estate of Gastonia, Inc. had to seek additional approval from the Town's Planning Board as a major site plan through a quasi-judicial proceeding on January 29, 2019, and was approved. A copy of the Town of Waynesville's Order of approval is attached herein.

Please feel free to contact me if you have any questions.

Elizabeth Teague, AICP, CTP
Development Services Director

Cc: Byron Hickox

TOWN OF WAYNESVILLE
COUNTY OF HAYWOOD

BEFORE THE WAYNESVILLE
PLANNING BOARD

In the Matter of the Application of)
TRIANGLE REAL ESTATE OF)
GASTONIA, INC.,)
for a Major Site Plan Approval)
_____)

ORDER APPROVING MAJOR
SITE PLAN

THIS CAUSE, coming on to be heard before the Planning Board for the Town of Waynesville in the Town Hall Board Room at 9 South Main Street in Waynesville, North Carolina, on January 29, 2019, on the Application of Triangle Real Estate of Gastonia, Inc., for approval of a major site plan for the development of a 40.96 acre tract of land on Plott Creek Road, Waynesville, North Carolina.

Elizabeth Teague, Director of Development Services, appeared for town staff and attorney Kevin Hornik appeared for the Applicant and Owner. Elizabeth Teague presented the application as it was submitted and the staff report on the elements of the application with the findings made and conclusions reached by staff as to the requirements of the Land Development Ordinance and whether those requirements were met by the Applicant. She testified as to the matters in the application, noting which requirements for major site plan applications were contained in the application packet, and Kevin Hornik made the initial presentation for the applicant. William Ratchford, as representative for the owner and applicant, Thomas (Tom) Jones, engineer with WGLA Engineering, Don Read, MAI, with Don Read Real Estate Services Company, and Jason Fulton and Mark Teague of J.M. Teague Engineering, PLLC, testified for the Applicant. Chuck Dixon offered evidence of his standing and the board found that he had standing, allowing him to participate in the hearing. Others in attendance were allowed to speak.

This matter had been before this Board before, on July 30, 2018, and Chairman McDowell noted and announced that the majority of the board in attendance for this hearing was in attendance at the prior hearing, and the full transcript and all evidence from that meeting was available to those members who were not in attendance at the prior hearing.

The Planning Board of the Town of Waynesville, having heard the testimony and having reviewed the evidence, makes the following

FINDINGS OF FACT

1. The Planning Board has jurisdiction to hear this application for site plan approval pursuant to Section 15.8.2 of the Land Development Standards of the Code of Ordinances for the

Town of Waynesville (hereafter called the Land Development Standards or LDS.)

2. Proper notice of the hearing was posted, published and mailed as required by the North Carolina General Statutes and by the ordinances of the Town of Waynesville.

3. The Applicant owns that real property located Plott Creek Road, Waynesville, North Carolina, which is approximately 40.96 acres (shown as 41.15 on the county GIS maps and stated as being 41.26 acres in the Applicant's deed) described in that deed recorded in Book 853 at Page 601, Haywood County Registry. Applicant desires to build a multi-family development consisting of eight multi-family structures, three garage buildings, and a clubhouse with a pool. 20.96 acres is proposed for preservation, with all improvements to be constructed on 20 acres closer to Plott Creek Road. The current PIN number for that property is 8605-42-0093.

4. The property is in the Plott Creek Neighborhood Residential District (PC-NR) zoning district, and multi-family buildings are allowed as a matter of right in that district, subject to approval of the major site plan by the Planning Board, as required by Section 15.8.2 of the Land Design Standards ("LDS").

5. The applicant as part of its application did provide an environmental survey in compliance with Section 15.4.1 of the LDS, a master plan in compliance with Section 15.4.3 of the LDS and building plans for design review, all as required by Section 15.8.2.D of the LDS.

6. The environmental survey did show that there were stream buffers and wetlands, and those plans also show that there is no work to be done in wetlands and no impervious materials or structures will be placed within the stream buffers.

7. To obtain approval of this major site plan the Applicant was required by Section 15.8.2.I to prove:

- (1) The plan is consistent with the adopted plans and policies of the Town; and
- (2) The plan complies with all applicable requirements of the LDS; and
- (3) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
- (4) The proposed plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site; and
- (5) The application will not substantially injure the value of adjoining or abutting property; and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

8. The plan is consistent with the adopted plans and policies of the Town, as the comprehensive plan, entitled Town of Waynesville: 2020 Land Development Plan states that some of its goals and objectives are to "Limit urban sprawl through the establishment of a planned growth area for the Town of Waynesville",..., "require the clustering of development (with defined criteria) in designated sensitive areas", ... , and "Provide an attractive range of

housing opportunities and neighborhoods for all residents of Waynesville”.

9. The site plan, as submitted and amended, does meet these goals and objectives, as all construction and improvements will be clustered on the lower half of the property, leaving over twenty acres undisturbed, and will provide 200 new housing units for the residents of Waynesville.

10. The master plan, exhibits and testimony do show that the plan is in compliance with all applicable requirements of the LDS, to wit:

A. The development will comply with the maximum density requirement of ten units per acre, creating a fraction under ten units per acre if consideration is given only to the built upon area, or under five units per acre if the full 40.96 acre tract is used to make the calculations.

B. The civic space requirements are met, as the plans show compliance with 5% Civic space, or 1 acre of 20 acres minimum, with 1.09 acres shown as "village green", a walking trail area of 0.8 acres, an "outdoor shelter" of 0.1 acres, a "playground" of 0.11 acres, and a "dog park" of 0.08 acres.

C. The proposed building meets all required setbacks from the fronting thoroughfare and from property lines. The required minimum front setback from the fronting thoroughfare is 10 feet, and the closest point to the front boundary is the clubhouse at 14 feet 10 inches. On the east side, the closest points are buildings 2 and 3 at 40 feet from the side boundary and building 6 at 35 feet 10 inches from the boundary, and on the west side the closest points are building 4 and 8 at 20 feet and building 5 at 15 feet 6 inches from the property line; and at the rear the closest point is garage C at 22 feet from proposed preservation area.

D. The tallest proposed building has a total height of less than sixty feet, and is within the building height maximum of 3 stories as measured from highest adjacent grade, and buildings do not exceed a height of 60' of highest adjacent grade to peak of pitched roof. The proposed buildings front along the shared parking and vehicular use areas.

E. The project meets the town's general standards of Chapter 4 as the lot fronts Plott Creek Road and a 25' wide access road is provided to serve the development and shared parking areas.

F. The proposed buildings meet the House/Townhouse/Apartment Residential Building Design Guidelines provided in Chapter 5. Buildings have sloped roofs with eaves that include gutters. As required by Section 5.8.4(E), garages are accessed from interior vehicular use areas and are also turned or shielded by another building so that bays are not fronting Plott Creek Road. As required by Section 5.8.5, Facade Design, the clubhouse has a side facade along Plott Creek

Road that includes a covered porch with pillars, window trim, and a decorative pattern on the exterior finish of brick and wood, meeting the design guidelines. Each apartment building's (Nos 1-8) primary elevations and elevations facing the public street or common parking areas have required architectural features for Apartment buildings. These include, dormers, gables, recessed entries, eaves (minimum 10-inch projection which may include gutter), off-sets in building face and roof, window trim, and balconies. Buildings 2,3,4,5, also include decorative cupolas. Per Section 5.8.6, building walls are proposed in wood, board and batten, and brick. The roof is clad in architectural shingles.

G. The Applicant has provided a preliminary landscape plan for compliance with Chapter 8. Preservation of existing tree stands has been provided and supplemented along the side yards with a Type C buffer where development is proximate to existing residential structures. Street trees are provided along the access road to the shared parking at 1 canopy tree for every 40'. These are placed at 50' on-center plantings except where bridge crossings or retaining walls prevent spacing (Section 8.5 of the LDS). Shade trees within parking areas have been provided to comply with the 40' radius requirement of the ordinance.

H. Parking lot landscaping requirements are met. The parking lot adjacent to Plott Creek Road has screening between the parking lot and the sidewalk.

I. Parking has been provided to comply with Chapter 9 with a request for a driveway distance reduction. Planned parking exceeds the Town standard of 1.5 spaces per unit, by providing 374 surface spaces and 18 garage spaces. 20 spaces of bicycle parking are provided. Parking lots and interior pedestrian connectivity provided. The driveway into the Clubhouse building is less than 75' away from the intersection with Plott Creek Road but is pulled back to the greatest extent possible (45') in order to avoid encroachment into a wetland area. This driveway location is also sited to allow for left hand turns coming from within the development, into the Clubhouse parking lot. A reduction of driveway separation distance up to 30' (40%) was requested under Section 9.8.3. C. 3. Line of sight and design regarding the intersection with Plott Creek Road is subject to the requirements of the NCDOT Driveway permit.

J. In regards to Chapter 12, Environmental Conservation, the area of the property adjacent to Plott Creek is within the Special Flood Hazard Area ("100 year") floodplain. Area along Plott Creek containing the required buffer and identified wetlands has been preserved within the floodplain. All construction within the SFHA must comply with the Flood Damage Prevention Ordinance, including driveways, parking lots, retaining walls and Buildings #1, #2, #3, #4 and garages A and B. A 25' stream setback and 30' "built upon area" setback for stormwater plans has been shown. A portion of the lot has a natural elevation above 2,900 mean sea level. The average slope on the parcel is 21.86%, below the 25% slope which designates a regulatory "steep slope area" (Section 12.6.2). The highest and

steepest portions of the lot are in the 20 acre area to the south which is set aside for preservation.

10. There is sufficient access to water and sewer to serve the proposed development, as the Town's water and sewer divisions have determined that there is sufficient capacity to serve the proposed development, and the roadway planned to serve the property connects to Plott Creek Road which can handle the additional traffic to be created by the project as shown by the traffic analysis and the testimony of the traffic engineers.

11. The proposed plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site. The property lies on the western boundary of the Town of Waynesville's Municipal jurisdiction. To the west are the unzoned areas of Haywood County with an immediately abutting large estate which consists of a 3-4 story residential home and stables. To the east along Plott Creek Road toward town are a single family home, the Hazelwood Elementary School, and the commercial uses of Blue Ridge Glass and Smoky Mountain Indian Motorcycle retail, and then the 23/74 access ramps. Across Plott Creek Road to the north are single family homes and a townhome development along Will Hyatt Road that are part of the Eagles Nest Low Density District, and unincorporated area of the county. To the south, the property rises to a ridge that abuts an existing mobile home park and the Chancery Lane subdivision. This development will introduce a new variety of housing into an area that already consists of a variety of structure types, including single family homes, a school, commercial uses and nearby townhomes and mobile homes. This is a large scale project which will have a visual impact, but no single building would have a footprint larger than the school. The architecture of proposed buildings meet the design standards of Chapter 5 which promote residential features in terms of facades and rooflines. The larger buildings are setback from Plott Creek Road and the plan maintains several existing stands of trees and adds type C buffer along strategic areas to soften that visual impact. The fact that this lot is the border between the Town of Waynesville and the unincorporated areas of the County, means that it is the very point where land-use changes. The PC-NR District was designated as part of our medium to high density area and is close to major transportation corridors and the Hazelwood Town Center, and contains an Elementary School. The development pattern of large homes and estate lots, gated communities and subdivisions past this property are County jurisdiction and should not dictate the determination of neighborhood character.

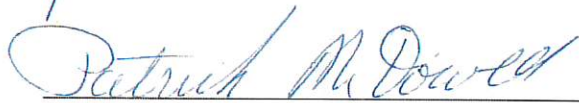
12. The planned development will not substantially injure the value of adjoining or abutting property; and will not be detrimental to the use or development of adjacent properties or other neighborhood uses as the use of the property for construction of multi-family housing is a permitted use in the zoning district. The only substantial and competent evidence that was presented by real estate appraiser Don Read showed that the development will not detrimentally affect the value of other properties in the zoning district. There was evidence and testimony that the proposed buildings will be taller than most structures within the zoning district, and matched or exceeded in height by few, if any, but the type structures (multi-family) and the heights are specifically allowed by the Land Design Standards and those are policy decisions established by

ordinances which direct this board in its decisions. There was no substantial and competent evidence indicating that the development will detrimental to the use or development of adjoining properties or other neighborhood uses.

BASED UPON THE FOREGOING FINDINGS OF FACT, by a vote of 5 to 2, this Board concludes as a matter of law that the Applicant's major site plan should be allowed, with an allowance for the reduced space between the entry off Plott Creek Road and the drive into the clubhouse parking lot.

IT IS NOW, THEREFORE, ordered that the major site plan application of Triangle Real Estate of Gastonia, Inc., be and is hereby approved, with an allowance for the reduced space between the entry off Plott Creek Road and the drive into the clubhouse parking lot, which said distance may be reduced from 75 feet to 45 feet.

This the 25 day of February, 2019.


Patrick McDowell, Chairman

If you are dissatisfied with this decision of the Board, an appeal may be taken to the Superior Court of Haywood County within 30 days after the date this order is received by you.



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

November 5, 2025

Notice of Public Hearing Waynesville Town Council

The Town of Waynesville Council will hold a public hearing on Tuesday, November 18, 2025, at 6:00 p.m., in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider a rezoning request for the 5.48-acre parcel located at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929). The property currently has no zoning designation. The applicant is requesting that the property be rezoned to the Plott Creek Neighborhood Residential (PC-NR) zoning district.



For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

ATTN: WILLIAM RATCHFORD
TRIANGLE REAL ESTATE OF
GASTONIA INC
PO BOX 4158
GASTONIA, NC 28054

THOMAS JONES III
WGLA ENGINEERING
724 5TH AVENUE WEST
HENDERSONVILLE, NC 28739

TRIANGLE PALISADES AT PLOTT
CREEK LLC A NC LLC
165 S YORK ST
GASTONIA, NC 28052

STONE HAVEN FARMS ESTATE LLC
PO BOX 456
HAZELWOOD, NC 28738

PLOTT, WILLIAM GEORGE
EDWARDS, PATRICIA GAIL
6153 GREEN HOLLOW CT
SPRINGFIELD, VA 22152

PLOTT, MONTRAVILLE VON
1416 PLOTT CREEK RD
WAYNESVILLE, NC 28786

PLOTT, LINDA S
1366 PLOTT CREEK RD
WAYNESVILLE, NC 28786

JORDAN, FLORA J
SINGLETON, PATRICIA A
400 WILL HYATT RD
WAYNESVILLE, NC 28786



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: November 5th and November 12th (Wednesday) editions

Date: October 20, 2025

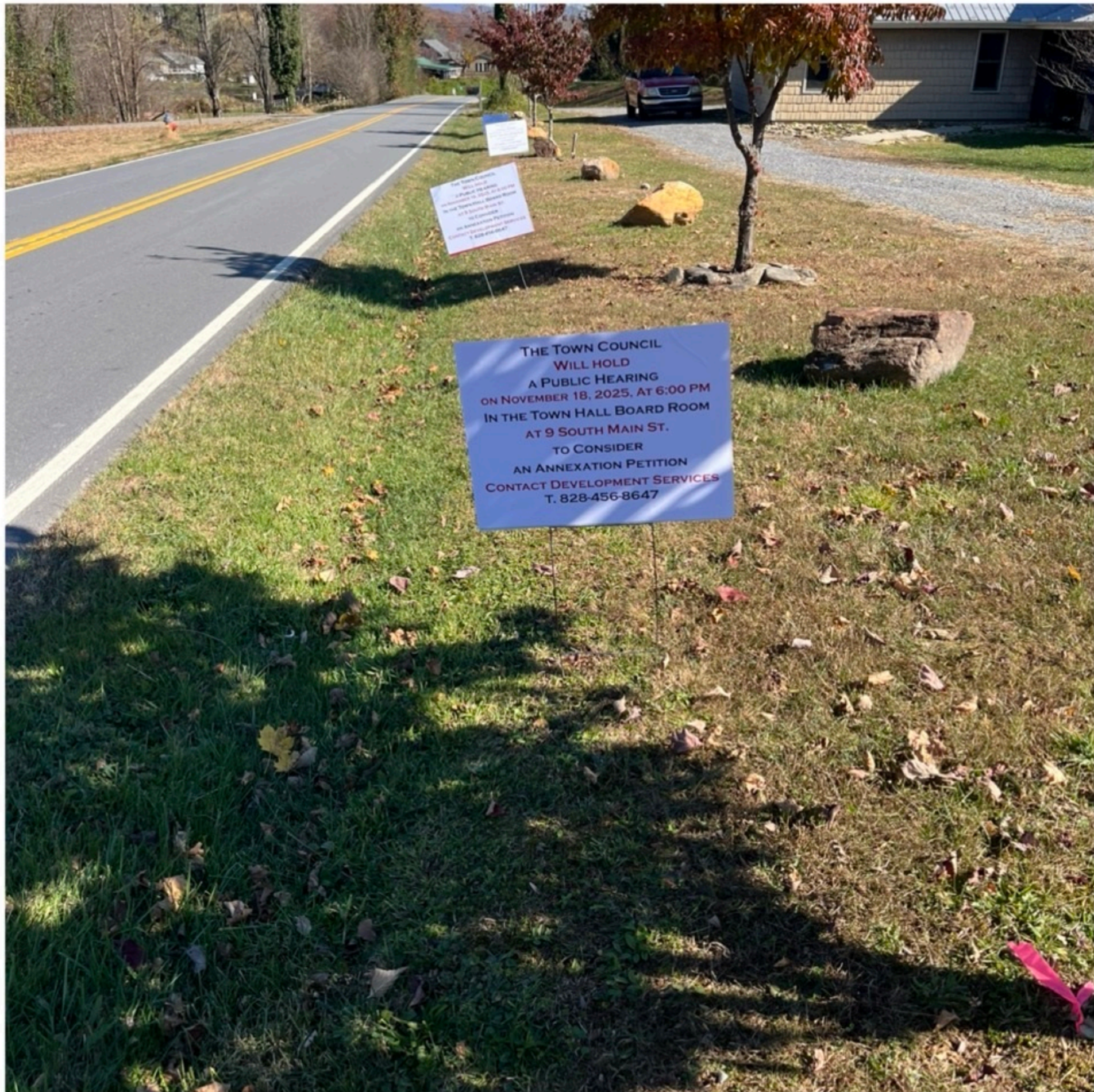
Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearing Waynesville Town Council

Waynesville Town Council will hold three (3) public hearings on **Tuesday, November 18, 2025**, at 6:00 pm in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC 28786, to consider:

1. A text amendment to the Flood Damage Prevention Ordinance, Land Development Standards section 12.3.
2. A request for annexation for the 5.48-acre parcel located at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929).
3. A rezoning request for the 5.48-acre parcel located at 1399 Plott Creek Rd, Waynesville, NC (PIN 8605-32-8929). The property currently has no zoning designation. The applicant is requesting that the property be rezoned to the Plott Creek Neighborhood Residential (PC-NR) zoning district.

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.



**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 11/18/2025**

SUBJECT Presentation of TDA winter events, Establishment of Downtown Social District for Ice Block Party and Society of American Travel Writers Dine Around.

AGENDA INFORMATION:

Agenda Location: Presentation

Item Number:

Department: All

Contact: Councilmember Dickson

Presenter: Corrina Ruffieux. Rob Hites

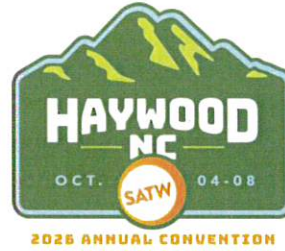
BRIEF SUMMARY The Haywood County Tourist Development Authority (TDA) is requesting that the Town permit two winter events in the Downtown, the Ice Block Party and the Society of American Travel Writers Dine Around event. The Power Point Presentation explains the program that the TDA proposes. In the following items, you will be requested to approve two Special Events Permits, one on January 30, 2026 from 5:00-8:00 pm and the second on October 6, 2026 from 5:00-9:00 pm. The TDA is also requesting that the Town adopt a Social District for these two events. The TDA has provided cover letter, Applications for Special Event Permits, Proposed map of Social District and proposed ordinance adopting a Social District solely for these occasions.

MOTION FOR CONSIDERATION: Receive Presentation. (Special Event Permit and Ordinance will follow.

FUNDING SOURCE/IMPACT All

ATTACHMENTS Power Point Presentation, Cover Memorandum.

MANAGER'S COMMENTS None



Special Event Social District Proposal

Introduction

The Ice Block Party (formerly the Ice Stroll) is one of the signature events of Ice Fest Weekend, drawing thousands of residents and visitors to Downtown Waynesville each January. Attendees stroll along North Main Street to view ice sculptures, shop and dine locally, and enjoy the festive winter atmosphere.

In 2025, a small, designated area called the “Chill Zone” was added, where licensed vendors served beer and wine to guests aged 21 and over. The Chill Zone was well-received and demonstrated that responsible, limited alcohol service enhances the event experience without issues and drives additional revenue to locally-owned businesses.

Building on that success, we are requesting approval to establish a temporary Special Event Social District for two upcoming events:

1. The Ice Block Party on Friday, January 30, 2026 from 5:00–8:00 PM
2. The Society of American Travel Writers (SATW) Dine Around on Tuesday, October 6, 2026 from 5–9 PM

The SATW Annual Convention is an internationally recognized gathering of more than 200 professional travel writers, editors, and content creators whose work highlights distinctive destinations and encourages thoughtful, responsible travel. During the Dine Around, attendees will explore Downtown Waynesville in small groups, visiting local restaurants, shops, and engaging with local artists and makers. Providing a well-managed social district during this event will allow guests to move freely between stops, enjoy a beverage responsibly, and experience Waynesville’s downtown charm at its best.

For both the Ice Block Party and the SATW Dine Around, the goal is to offer attendees a seamless, safe, and enjoyable experience that showcases Downtown Waynesville as a welcoming, vibrant destination—while supporting local businesses through increased foot traffic and extended time spent downtown.

Purpose

The goal of this proposal is to support downtown businesses while creating a more engaging, festive, and memorable event experience. By allowing a safe, managed “Sip & Stroll” element during the Ice Block Party and the upcoming 2026 SATW Convention, the special event social district would:

- Provide ABC-licensed restaurants, bars, and breweries with additional sales opportunities.
- Encourage attendees to explore N Main Street while they enjoy their beverage, boosting foot traffic and revenue.
- Offer visitors an easier-to-manage event experience that is competitive with the amenities offered by nearby destinations.

Community Benefits

- Economic Impact: Expands revenue opportunities for all downtown merchants. Instead of limiting beverage sales to a fenced area, attendees can continue shopping and dining while they enjoy their beverage—benefiting multiple businesses.
- Community Engagement: Creates opportunities for creativity and collaboration among downtown businesses through themed drinks and promotions tied to each event.
- Tourism Growth: Strengthens Waynesville’s reputation as a vibrant, forward-thinking destination that values visitor experience while maintaining community standards.
- Visitor Experience: Adds convenience, enhances enjoyment, and fosters positive word-of-mouth and return visitation.
- Regional Competitiveness: Paces Waynesville alongside neighboring destinations with established social districts (Brevard, Sylva, Weaverville, etc).

Safety and Management

This proposal aligns with North Carolina General Statute G.S. 18B-300.1, which authorizes local governments to establish temporary social districts with clear boundaries, signage, and management plans.

The district area will be clearly marked with signage showing boundaries, hours, and simple rules for guests to follow. Beverages will be served only in approved, non-glass containers that identify both the business and the event. All alcohol service will take place inside participating, licensed establishments by trained staff who are responsible for safe and lawful service.

Proposed Boundaries and Hours

- Boundary: North Main Street, from Church/East Street to Depot Street.
- Dates and Hours:
 - *Ice Block Party* – Friday, January 30, 2026 | 5:00–8:00 PM
 - *SATW Dine Around* – Tuesday, October 6, 2026 | 5:00–9:00 PM

Conclusion

This proposal represents a measured, pilot approach to activating a Special Event Social District in Downtown Waynesville. It provides an opportunity to observe how a limited, clearly defined district can enhance both community events and downtown commerce while maintaining a safe, welcoming atmosphere for all ages.

By implementing this approach for the Ice Block Party and the SATW Dine Around and potentially other future special events, the Town of Waynesville can evaluate how this tool supports local businesses, strengthens the visitor experience, and supports a vibrant downtown that benefits the entire community.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 11/18/2025**

SUBJECT Approval of Ordinance Creating a Social District for the Ice Block Party on January 30,2026 and Society of American Writers Dine-In on October 6,2026.

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department: All

Contact: Councilmember Dickson

Presenter: Corinna Ruffieux

BRIEF SUMMARY GS 160A-205/4 and 18B-300.1 permit municipalities to create Social Districts. They may set the dates and times the Social Districts may operate. The ordinance provided you by the Tourist Development Authority (TDA) establishes such a district for two distinct dates and times. A Social District must strictly comply with the legislation (attached). The local government must define district, require that all drinks taken off premises bear the name of the establishment and the logo of the Social District. The district boundaries must be clearly marked with signage and other demarcation. The District may not hold hours in excess of the drinking hours established by the NC ABC Commission.

MOTION FOR CONSIDERATION: Adopt the adoption of the attached Social District for events to be held on January 30, 2026, from 5:00-8:00 pm and Society of Writers Dine-In on October 6,2026 from 5:00-9:00 pm.

FUNDING SOURCE/IMPACT General

ATTACHMENTS Ordinance Proposed by TDA, Management and Maintenance Plan and District Map. GS 18B-300.1 Authorization and Regulation of Social Districts.

MANAGER'S COMMENTS See Above

**TOWN OF WAYNESVILLE ORDINANCE
CREATING AN EVENT-SPECIFIC SOCIAL DISTRICT**

WHEREAS, the Town has the legal authority under G.S. §§ 160A-205.4 and 18B-300.1 to adopt an ordinance designating one or more social districts within its municipal limits;

WHEREAS, the Town of Waynesville wishes to adopt a social district for the two (2) events, in which the possession and consumption of alcoholic beverages are allowed within a certain geographic area during the event, subject to applicable laws, rules and regulations;

WHEREAS, the two events (hereafter called “the events”) are:

1. Ice Block Party, part of Ice Fest (Downtown Waynesville), Friday, January 30, 2026, from 5:00 – 8:00 PM (designated hours); and
2. 2026 Society of American Travel Writers Annual Convention – Waynesville Dine Around, Tuesday, October 6, 2026, 5:00 – 9:00 PM (designated hours).

NOW, THEREFORE, the Town Council of the Town of Waynesville, North Carolina, hereby adopts this temporary ordinance as follows:

1. **Effectiveness.** This ordinance shall only be effective during the designated hours of the events. If either event is postponed to another date and time, then the date on which this ordinance shall be effective shall automatically be changed to coincide with the new date of the event. If either event is cancelled, then this ordinance shall be immediately repealed as to that event and of no force and effect.
2. **Definitions.** The following definitions shall apply:
 - a. *ABC Commission* – The North Carolina Alcoholic Beverage Control Commission established under G.S. § 18B-200.
 - b. *ABC permit(s)* – Any written or printed authorization issued by the ABC Commission pursuant to the provisions of Chapter 18B of the N.C General Statutes, other than a purchase-transportation permit. Unless the context clearly requires otherwise, as in the provisions concerning applications for permits, “ABC permit” or “permit” means a presently valid permit.
 - c. *Alcoholic beverage* – Any beverage containing at least one half of one percent (0.5%) alcohol by volume, including beer or malt beverages, unfortified wine, fortified wine, spirituous liquor, mixed beverages, and any alcohol consumable.
 - d. *Alcohol consumable (or consumable alcohol)* – Any manufactured and packaged ice cream, ice-pop, gum-based or gelatin-based food product containing at least 0.5% alcohol by volume.
 - e. *Customer* – A person who purchases an alcoholic beverage from a permittee that is in a social district.
 - f. *Malt beverage (or beer)* – Beer, lager, malt liquor, ale, porter, and any other brewed or fermented beverage or alcohol consumable, except for fortified and unfortified wine as defined by Chapter 18B of the N.C. General Statutes, containing at least 0.5% and not more than 15% alcohol by volume.
 - g. *Mixed beverage* – Either a drink composed in whole or in part of spirituous liquor and served in a quantity less than the quantity contained in a closed package or a premixed cocktail served from a closed package containing only one serving.

- h. *Non-permittee business* – A business that is located in a social district and does not hold any ABC permit.
- i. *Open container* – A container whose seal has been broken or a container other than the manufacturer's unopened original container.
- j. *Permittee* – An establishment holding any of the following permits issued by the ABC Commission:
 - i. An on-premises malt beverage permit issued pursuant to G.S. § 18B-1001(1);
 - ii. An on-premises unfortified wine permit issued pursuant to G.S. § 18B-1001(3);
 - iii. An on-premises fortified wine permit issued pursuant to G.S. § 18B-1001(5);
 - iv. A mixed beverages permit issued pursuant to G.S. § 18B-1001(10);
 - v. A wine shop permit issued pursuant to G.S. § 18B-1001(16);
 - vi. A special one-time permit issued pursuant to G.S. § 18B-1002.
- k. *Person* – An individual, firm, partnership, association, corporation, limited liability company, other organization or group or other combination of persons acting as a unit.
- l. *Police Department* – The Town of Waynesville Police Department.
- m. *Premises* – A fixed permanent establishment, including all areas inside or outside of the licensed premises, where the permittee has control through a lease, deed, or other legal instrument.
- n. *Social district* – A defined area in which a person may consume alcoholic beverages sold by a permittee. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours set by the Town by ordinance pursuant to G.S. § 18B-300.1(d). A social district may include privately owned property, including permittees and non-permittee businesses, multi-tenant establishments, as defined in G.S. § 18B-1001.5, and public streets, sidewalks, crosswalks, and parking areas, whether or not the streets, sidewalks, or parking areas are closed to vehicle traffic.
- o. *Spirituous liquor (or liquor)* – Distilled spirits or ethyl alcohol, and any alcohol consumable containing distilled spirits or ethyl alcohol, including spirits of wine, whiskey, rum, brandy, gin, and all other distilled spirits or mixtures of cordials, liqueur, and premixed cocktails, in closed-containers regardless of their dilution.
- p. *Town* – The Town of Waynesville
- q. *Wine, fortified* – Any wine or alcohol consumable containing more than 16% and no more than 24% alcohol by volume, made by fermentation from grapes, fruits, berries, rice or honey; or by the addition of pure cane, beet or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice or honey that is contained in the base wine and produced in accordance with the regulations of the United States.
- r. *Wine, unfortified* – Any wine or alcohol consumable containing 16% or less alcohol by volume that is made by fermentation from grapes, fruits, berries, rice or honey; or by the addition of pure cane, beet or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

3. **Boundaries and Map.** The boundaries of the social district shall be as shown on the designated map which is attached to Exhibit A and which shows the restaurants, businesses, streets, sidewalks, dining areas, alleyways, and other areas that are part of the social district.
4. **Management and Maintenance Plan.** The Management and Maintenance Plan which is attached as Exhibit A is found to be in compliance with the requirements of this ordinance and applicable law and is hereby approved. The Town Clerk shall post the approved Management and Maintenance Plan on the Town's website within 24 hours of the adoption of this ordinance and the Plan must remain readily available for public inspection from the date of ordinance adoption through the end of the event.
5. **Sale of Alcoholic Beverages.** Permittees are allowed to sell alcoholic beverages pursuant to their ABC permit in the social district. Nothing in this ordinance shall alter the duties and responsibilities of any permittees to abide by North Carolina's laws and regulations regarding the sale of alcoholic beverages. Permittees operating within or contiguous to the social district and participating in the social district may allow its customers to leave its premises with one alcoholic beverage purchased from the permittee as long as the alcoholic beverage is contained within an appropriate container as set out in the Management and Maintenance Plan and as described in section 6(b) of this ordinance.
6. **Possession and Consumption of Alcoholic Beverages.** Notwithstanding any state or local law or ordinance prohibiting open containers, the possession and consumption of alcoholic beverages are allowed as follows:
 - a. Alcoholic beverages purchased from a permittee located within or contiguous to the social district may be possessed and consumed within the designated social district (including within participating businesses located within the social district).
 - b. Alcoholic beverages within the social district must be in containers meeting the requirements of G.S. § 18B-300.1(e), and the approved Management and Maintenance Plan, including the following:
 - i. The container must clearly identify the permittee from which the alcoholic beverage was purchased;
 - ii. The container must clearly display a logo or other mark that is unique to the social district in which it will be consumed;
 - iii. The container must not be made of glass;
 - iv. The container must display the following statement in no less than 12-point font – "Drink Responsibly – Be 21";
 - v. The container may not hold more than 16 fluid ounces.
 - c. Alcoholic beverages may only be possessed and consumed during the designated hours of the events.
 - d. Any person in possession of an alcoholic beverage within the social district must dispose of the alcoholic beverage before exiting the social district or entering or mounting a vehicle (including a bicycle or similar transportation device) located within the social district. Possession of an open container outside of the social district is a violation of G.S. §§ 18B-300 and/or 18B-301, which is punishable in criminal court as a misdemeanor.

- e. Alcoholic beverages that are purchased from a permittee within the social district for off-premises consumption (i.e. uncorked bottle of wine, etc.) are not allowed to be consumed within the social district.
- 7. **Alcoholic Beverages Not Purchased within the Social District Prohibited.** North Carolina law does not allow the possession or consumption of alcoholic beverages within the social district that are not purchased from a permittee located within the social district. Alcoholic beverages brought from home are not allowed within the social district.
- 8. **All Other Laws Remain in Effect.** All other laws regarding the possession and consumption of alcoholic beverages and the actions resulting from impaired judgment remain in effect including, but not limited to the following: driving while impaired; intoxicated and disruptive conduct, disorderly conduct; possession and consumption of alcoholic beverages by a minor, aiding and abetting underage possession and consumption of alcoholic beverages, indecent exposure, public urination; trespassing; vandalism, destruction of property, littering; sale, possession and/or use of illegal substances.
- 9. **Enforcement.** A violation of this ordinance is a misdemeanor or infraction as provided by G.S. §§ 14-4 and 160A-175. As an alternative or additional measure of enforcement, any law enforcement officer or authorized Town employee may issue a citation for a civil penalty for violation of this ordinance in accordance with the requirements of Town Code Section 1-8. This authority shall be in addition to any other authority and shall not preclude in any way any law enforcement officer from exercising any authority or carrying out the duties of a law enforcement officer, nor preclude the Town from any other available legal enforcement procedure. Enforcement of an unpaid citation may be by issuance of a criminal summons, by the filing of a complaint to collect the unpaid debt owed to the Town or by other means authorized by North Carolina law and/or Town Code.
- 10. **Non-Severability.** Should any provision of this ordinance be deemed illegal or unconstitutional, then the ordinance shall immediately terminate and cease to be effective.

ADOPTED THIS the ____ day of _____ 2025, with ____ voting in favor and ____ against.

Gary Caldwell, Mayor

ATTESTED BY:

Town Clerk

EXHIBIT A

Waynesville Social District Management and Maintenance Plan

RULES OVERVIEW

Alcohol may be consumed in the Social District on Friday, January 30, 2026 from 5:00 – 8:00 PM and Tuesday, October 6, 2026 from 5:00 – 9:00 PM. No outside alcohol is permitted within the district. All alcoholic beverages must be purchased from permitted establishments located within the Social District, served in specially labeled cups, and consumed within the district. Only one Social District beverage per person can be served at a time. An establishment may allow patrons to enter their premises with an alcoholic beverage purchased at a different permitted establishment within the Social District. Any alcoholic beverage must be consumed or discarded before exiting the Social District or entering a vehicle.

MANAGEMENT AND RESPONSIBILITIES

The Social District will be managed and maintained by the Town of Waynesville with support from the Haywood County Tourism Development Authority (hereafter called “TDA”). Specific responsibilities are outlined herein.

DISTRICT BOUNDARIES

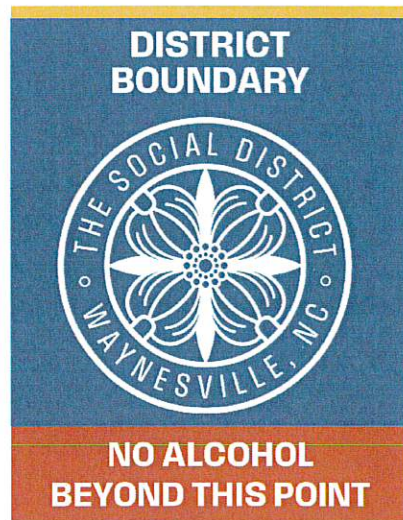
Boundaries of the Social District will be clearly marked with signs at all entrance/exit points.

Map:

Ice Block Party 2026 Temporary Social District



Boundary Sign:



Waynesville Police: 828-456-536

NC Alcohol Law Enforcement Division 828-670-5055

DAYS AND HOURS OF OPERATION

The Waynesville Social District will operate on **Friday, January 30, 2026 from 5:00-8:00 PM and Tuesday, October 6, 2026 from 5:00–9:00 PM**. At all other times, open containers of alcohol cannot leave the premises of the ABC-permitted business where it was purchased.

GENERAL RULES

- Only alcoholic beverages purchased from a participating business with an ABC permit may be consumed in the Social District. **No outside alcohol allowed.**
- Alcoholic beverages may not be brought into a business that does not display the Social District Window Sign (see below).
- Any alcoholic beverage purchased for consumption in the Social District must also be in a specifically labeled cup (see below).
- **All open container alcoholic beverages must be disposed of prior to exiting the Social District boundaries or entering a vehicle (including a bicycle).**
- Businesses can choose to be included in the Social District or they can opt out. No business is required to participate or to allow customers to bring alcohol onto its premises.
- The sale and delivery of alcohol in a social district is subject to no more than two malt beverage or wine drinks at one time to a single person and one mixed beverage or spirituous liquor drink at one time to one person.
- Retail beverages ("closed containers") can be purchased inside the Social District boundary, but they cannot be consumed inside the Social District boundary. They must stay closed and leave closed.

PARTICIPATING BUSINESSES WITH AN ABC PERMIT

In order to participate, ABC-permitted establishments must be located in the Social District boundary and complete a Social District Registration Form provided by the TDA (located on the last page of this Plan). The fee to participate is \$0.

Registration allows the Town of Waynesville to ensure that those businesses selling alcoholic beverages within the Social District are aware of and in compliance with the requirements of this Plan. As part of the registration process, the business owner must provide written acknowledgment to abide by the rules, regulations, and requirements of this Plan.

CUPS

Alcoholic drinks that are sold for consumption in the Social District must be in containers that meet all of the following requirements:

1. The container clearly identifies the ABC permittee from which the alcoholic beverage was purchased.
2. The container clearly displays the Social District Logo.
3. The container displays, in no less than 12-point font, the statement, "Drink Responsibly- Be 21."
4. The container is not made of glass.
5. The container cannot hold more than 16 fluid ounces.

For purposes of this social district and the two events specified, the TDA will be providing cups pre-printed with the Waynesville Social District logo. The Cups will fulfill requirements 2-5. The participating establishments will provide their own stickers meeting requirements 1.

The Cups will look approximately like this:

Social District Cups



PARTICIPATING BUSINESSES WITHOUT AN ABC PERMIT

Businesses without an ABC permit may participate in the Social District by allowing alcoholic beverages purchased and possessed in accordance with this Plan to be consumed inside their businesses.

Participating businesses that are not selling alcoholic beverages are not required to register with the Town. The TDA will provide information to participating businesses to ensure that the businesses understand their obligations under this Plan and the Social District Ordinance.

Participating businesses are required to post a Window Sign (see below) in a conspicuous place indicating their participation to the public. The TDA will provide the Window Signs.

During the days and hours when the social district is active, participating businesses must allow law enforcement officers access to all areas of the premises accessible by customers.

NON-PARTICIPATING BUSINESSES

Nothing in this Plan or shall be construed as requiring any business, regardless of whether or not it holds a valid ABC permit, to participate in the Social District. Non-participating businesses are encouraged to still post an appropriate Window Sign indicating their nonparticipation to the public. The TDA will provide the Window Sign.

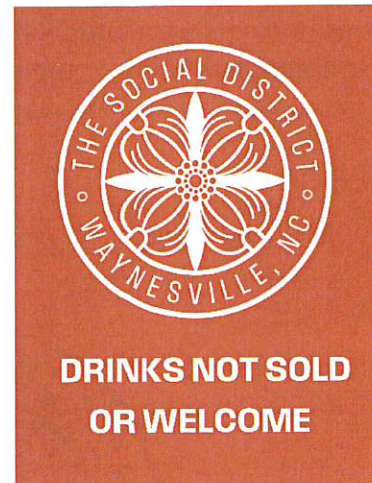
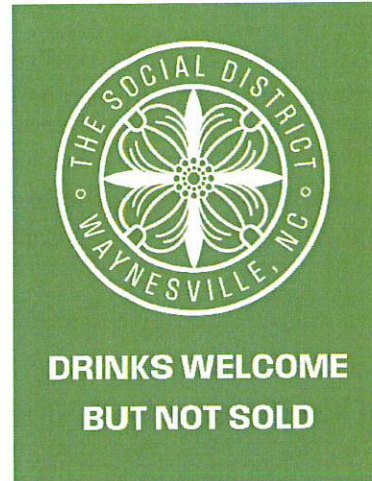
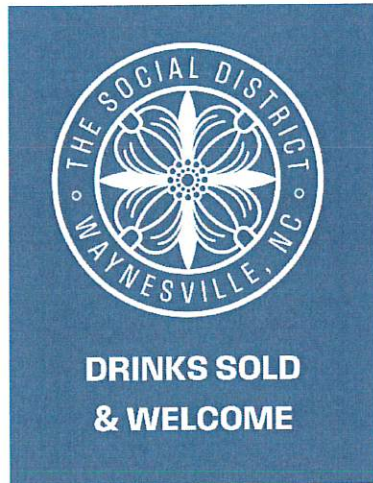
DISTRICT LOGO

The Waynesville Social District will use the below logo.



WINDOW SIGNS

The uniform signage below must be displayed in businesses participating in the Social District to inform visitors that they are allowed to bring alcoholic beverages inside. Window Signs will be provided by the TDA.



If a participating business has an exit that opens outside the Social District boundary, the business must post "No Alcohol Beyond This Point" or similar sign at the exit.

ENFORCEMENT

Town of Waynesville Police will enforce the requirements of the Social District. The Town of Waynesville reserves the right to prohibit a permit holder from participating in the district due to violations of this Plan.

ABC permit holders accept liability for patrons they serve the same as they do now and will enforce the same rules and regulations as they currently do.

To report potential violations, please call the Waynesville Police Department at 828-456-5363 or the NC Alcohol Law Enforcement Division 828-670-5055.

Waynesville Social District

Registration Application for ABC Permit Holder Participation

Date: _____

Business Name: _____

Contact Name: _____

Phone Number: _____

Email Address: _____

By signing this acknowledgement, I agree to the terms outlined in the Management and Maintenance Plan. I have read and understand the guidelines and procedures for the Waynesville Social District. The Town of Waynesville reserves the right to prohibit or pause participation in the Social District at any time.

Signature: _____ Date: _____

Name: _____

§ 18B-300.1. Authorization and regulation of social districts.

(a) Policy. – The intent of this section is to regulate open containers of alcoholic beverages that customers of a permittee take from the permittee's licensed premises into another area where consumption of the alcoholic beverages is allowed. This section shall not in any way limit the consumption or possession of alcoholic beverages otherwise allowed under this Chapter.

(b) Definitions. – The following definitions apply in this section:

- (1) Customer. – A person who purchases an alcoholic beverage from a permittee that is in a social district.
- (2) Non-permittee business. – A business that is located in a social district and does not hold any ABC permit.
- (3) Permittee. – An establishment holding any of the following permits issued by the Commission:
 - a. An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1).
 - b. An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3).
 - c. An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5).
 - d. A mixed beverages permit issued pursuant to G.S. 18B-1001(10).
 - e. A wine shop permit issued pursuant to G.S. 18B-1001(16).
 - f. A distillery permit issued pursuant to G.S. 18B-1100(5).
 - g. A malt beverage shop permit issued pursuant to G.S. 18B-1001(16a).

(c) Local Ordinances Authorized. – Pursuant to G.S. 153A-145.9, a county may adopt an ordinance designating one or more social districts in the parts of the county outside any city. Pursuant to G.S. 160A-205.4, a city may adopt an ordinance designating one or more social districts.

(d) Requirements for Designation. – A social district designated under this section shall meet all of the following requirements:

- (1) The social district shall be clearly defined with signs posted in a conspicuous location indicating which area is included in the social district, the days and hours during which alcoholic beverages may be consumed in the social district, the telephone number for the ALE Division and the local law enforcement agency with jurisdiction over the area comprising the social district, and a clear statement that an alcoholic beverage purchased from a permittee for consumption in a social district shall (i) only be consumed in the social district and (ii) be disposed of before the person in possession of the alcoholic beverage exits the social district. The hours set by a city or county during which customer-purchased alcoholic beverages may be consumed in a social district shall be in accordance with G.S. 18B-1004.
- (2) The city or county, or the city's or county's designee, shall establish or approve management and maintenance plans for the social district and post these plans, along with a rendering of the boundaries of the social district and days and hours during which alcoholic beverages may be consumed in the social district, on the website for the city or county. The city's or county's designee may include a private entity, including a property owner or property owner's association. Any plan established under this subdivision shall be approved by the governing body of the city or county. The social district shall be maintained in a manner that protects the health and safety of the general public. The city or county may establish guidelines in the ordinance establishing the social district or in its management and maintenance plan to

allow for suspension of regular days and hours of alcohol consumption in all or part of a social district during events requiring other permits pursuant to subsection (j) of this section.

- (3) Before allowing consumption of alcoholic beverages in a social district, the city or county shall submit to the Commission a detailed map of the social district with the boundaries of the social district clearly marked, and the days and hours during which alcoholic beverages may be consumed in the social district. The city or county shall only be required to submit a revised map to the Commission if the city or county amends the geographic footprint of a social district. A permittee may be included in the social district even if it chooses to exclude open containers of alcoholic beverages purchased from other permittees in the social district.
- (4) The city or county, or the city's or county's designee, shall develop or approve uniform signs indicating that a non-permittee business is included in the social district and allows alcoholic beverages on its premises when the social district is active and distribute the signs to non-permittee businesses that are included in the social district. The city's or county's designee may include a private entity, including a property owner or property owner's association. The signs may be in the form of a sticker, placard, or other format as deemed appropriate by the city or county. A participating non-permittee business shall display the uniform sign at all times during the times when the social district is active. A customer may not bring an alcoholic beverage into a non-permittee business that does not display the uniform sign. No non-permittee business shall be required to participate or be included in a social district or to allow customers to bring alcohol onto its premises.

(e) **Open Containers Sold by Permittees.** – A permittee located in a social district may sell open containers of alcoholic beverages and allow customers to exit its licensed premises to the social district in accordance with the following requirements:

- (1) The permittee shall only sell and serve alcoholic beverages on its licensed premises.
- (2) The permittee shall only sell an open container of an alcoholic beverage for consumption in the social district and off the premises of the permittee in a container that meets all of the following requirements:
 - a. The container clearly identifies the permittee from which the alcoholic beverage was purchased.
 - b. The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
 - c. The container is not comprised of glass.
 - d. The container displays, in no less than 12-point font, the statement, "Drink Responsibly – Be 21."
 - e. The container shall not hold more than 16 fluid ounces.
- (3) Nothing in this subsection shall be construed to authorize the sale and delivery of alcoholic beverage drinks in excess of the limitation set forth in G.S. 18B-1010.

(f) **Limitations on Open Containers.** – Except where otherwise allowed by local ordinance, the possession and consumption of an open container of an alcoholic beverage in a social district is subject to all of the following requirements:

- (1) A customer may only possess and consume open containers of alcoholic beverages that were purchased from a permittee located in the social district.

- (2) Customer-purchased open containers of alcoholic beverages in the social district shall only be in containers meeting the requirements set forth in subsection (e) of this section, except for open containers sold by a permittee for consumption on the permittee's premises.
- (3) A customer may only possess and consume open containers of alcoholic beverages in the social district during the days and hours set by the city or county in accordance with subsection (b) of this section, not to exceed the hours for consumption authorized pursuant to G.S. 18B-1004.
- (4) A customer shall not possess at one time open containers of alcoholic beverages in the social district in excess of the number of alcoholic beverages that may be sold and delivered by a retail permittee as set forth in G.S. 18B-1010.
- (5) A customer shall dispose of any open container of an alcoholic beverage purchased from a permittee in the customer's possession prior to exiting the social district unless the customer is reentering the licensed premises of the permittee where the customer purchased the alcoholic beverage.
- (6) Notwithstanding G.S. 18B-300 and G.S. 18B-301, a permittee or non-permittee business may allow a customer to possess and consume on the business's premises alcoholic beverages purchased from a permittee in the social district.

(g) **Limitations on Closed Containers.** – A person, including a customer who is in possession of an open container of an alcoholic beverage authorized under this section, may possess alcoholic beverages in closed containers in a social district to the extent allowed by law.

(h) **Responsibilities of Non-Permittee Businesses.** – A non-permittee business that is part of a social district and that allows customers to bring alcoholic beverages onto its premises shall not be responsible for enforcement of this Chapter. All non-permittee businesses that are part of a social district and that allow customers to bring alcoholic beverages onto their premises shall clearly post signage on any exits that do not open to the social district indicating that alcoholic beverages may not be taken past that point. During the days and hours when the social district is active, a non-permittee business that allows customers to bring alcoholic beverages onto its premises shall allow law enforcement officers access to the areas of the premises accessible by customers.

(i) **Multi-Tenant Establishments Located in a Social District.** – Permittees and non-permittee businesses in a multi-tenant establishment located within a social district may participate in the social district regardless of whether the multi-tenant establishment has a common area entertainment permit.

(j) **Interaction with Other Permits.** – The Commission shall issue permits for special events occurring partially or entirely within the boundaries of a social district as follows:

- (1) The Commission may issue special one-time permits pursuant to G.S. 18B-1002(a)(2) or (a)(5) for events occurring on premises located partially or entirely within the boundaries of a social district. If the event is scheduled to occur during hours when alcoholic beverages may be consumed in the social district, the event permittee shall, in addition to obtaining such signed law enforcement notification as may be required under the Commission's rules, include in such notification a statement that the event is to occur in a social district during days and hours designated for consumption of alcoholic beverages.
- (2) A permittee holding a winery special event permit, malt beverage special event permit, or spirituous liquor special event permit pursuant to

- G.S. 18B-1114.1, 18B-1114.5, and 18B-1114.7, respectively, may sell and serve products at special events taking place in a social district.
- (3) A permittee holding a mixed beverages catering permit pursuant to G.S. 18B-1001(12) may serve spirituous liquor to guests at events taking place in a social district. (2022-49, s. 3(f); 2024-41, s. 15(a).)

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 11-18-2025**

SUBJECT Special Event Permit for January 30, 2026 Ice Block Party and October 6, 2026, Society of Travel Writers Dine-In.

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department: All

Contact: Corinna Ruffieux

Presenter: Corinna Ruffieux

BRIEF SUMMARY The Haywood County Tourist Development Authority has submitted two Special Event Permit Applications for events to be held next year. The events include a request to establish a Social District for both events for which you previously dealt with. As far as the plans for the event involving non-Social District issues, the staff is prepared to accommodate the events as it has done with the Ice Fests of the past two years.

MOTION FOR CONSIDERATION: Approve the Special Events permits in accordance with the actions the Council took in previous items.

FUNDING SOURCE/IMPACT General

ATTACHMENTS Special Event Permit Applications

MANAGER'S COMMENTS The Staff has weighed the Special Event Applications and is capable of organizing the events.



Application for Special Events Permit

I. General Information

EVENT NAME: Visit Haywood Ice Block Party (part of the Ice Fest Weekend)

EVENT DATE(S): Friday, January 30, 2026

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: N Main Street

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): Set up time 3 PM

EVENT HOURS: 5-8 PM

DISMANTLE HOURS (START/END): Dismantle 8-10 PM

ESTIMATED ATTENDANCE: 2000

BASIS ON WHICH THIS ESTIMATE IS MADE: Staff attended the event and conducted intercept surveys.

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Haywood County Tourism Development Authority dba Visit Haywood

ARE YOU A NON PROFIT CORPORATION? No Yes Gov't If yes, are you 501c(3) 501c(6) Place of Worship

APPLICANT NAME: Corrina Ruffieux TITLE: Executive Director

ADDRESS: 91 N Lakeshore Dr CITY: Lake Junaluska STATE: NC ZIP 28745

PHONE: 860-287-0199 FAX#: EMAIL: corrina@visithaywood.com

ON-SITE CONTACT: Hayley Printz TITLE: Admin

ADDRESS: 91 N Lakeshore Dr. Lake Junaluska, NC 28745

PHONE #: 828-944-0761 CELL PHONE #: 727-439-9305 EMAIL: hayley@visithaywood.com

III. Brief Description of Event

On Friday night of the Visit Haywood Ice Fest Weekend, Waynesville will come alive with enchanting ice sculptures lining the streets. As you wander, you will find local businesses keeping their doors open late, offering cozy treats to keep you fueled as you admire the frozen masterpieces. This year we are aiming to activate the street with a special event social district to help "weatherproof" the event and encourage attendees to wander into Main St businesses to shop and dine.

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.

Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. N Main St., from Depot St to Church St. 1/30/2026 Close at 3 PM and open at 10 PM

2.

3.

V. Event Details

YES NO

☒ ☐ Does the event involve the sale or use of alcoholic beverages?

If yes, has the ABC permit been obtained? Yes ☐ N/A No ☐ Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)

☒ ☐ Does the event involve the sale of food? _____
If "YES", has the health department been notified? ☒ yes, awaiting instructions _____ Have you applied for a temporary permit? _____

☒ ☐ Will there be musical entertainment at your event? IF "YES" provide the following information:

Number of Stages: 0 Number of Band(s): 1-2 Amplification? yes

Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.

☐ ☒ Do you plan to use an existing occupied building? Address _____

☐ ☒ Do you plan to use an existing vacant building? Address _____

☒ ☐ Will there be any tents or canopies in the proposed event site? Please provide the following information:

Approx. Number of Tents: 6 -10 Will any tent exceed 400 sq. feet in area? ☒ NO ☐ YES

☐ ☒ Does the event involve the use of pyrotechnics? Explain _____

☒ ☐ Will you provide portable toilets for the general public attending your event? IF SO, how many and where will they be located? Yes, 2, Location TBD

☐ ☒ Will you require electrical hookup for the event? Generators? _____

☐ ☒ Will you require access to water for the event? Explain _____

☐ ☒ Will admission fees be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____

☐ ☒ Will fees be charged to vendors to participate in this event? If "YES", please provide the amount(s). _____

☒ ☐ Will signs and/or banners be displayed as part of the event? If "YES" have you applied for a sign permit? _____

☐ ☒ Will inflatable parade balloons be used for the event? Provide details if necessary. _____

VI. Additional Questions

How will **parking** be accommodated for this event? We plan to produce Ice Fest Weekend signs directing people to the parking garage and other parking areas near N Main St.

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event? Trash would be placed in the trash cans on Main St. We can remove trash, if required, after the event ends.

Volunteers: Will you require Civilian Police Volunteers for your event?

Maybe

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:

**Beth Gilmore, Downtown Waynesville Director &
Jesse Fowler, Assistant Town Manager
Town of Waynesville
9 S. Main Street, P.O. Box 100, Waynesville, NC 28786
Telephone: (828) 456-3517
Fax No. : (828) 456-2000
Email Address: bethgilmore@waynesvillenc.gov
jfowler@waynesvillenc.gov**

VIII. Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:



Application for Special Events Permit

I. General Information

EVENT NAME: 2026 Society of American Travel Writers Annual Convention – Waynesville Dine Around

EVENT DATE(S): Tuesday, October 6, 2026

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: N Main Street

IF THIS EVENT IS A PARADE OR ROAD RACE: N/A

SET-UP TIME (START/END): 3 PM

EVENT HOURS: 5-9 PM

DISMANTLE HOURS (START/END): 9-11 PM

ESTIMATED ATTENDANCE: 500-700

BASIS ON WHICH THIS ESTIMATE IS MADE: Convention Attendees plus the event will be open to residents and visitors

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Haywood County Tourism Development Authority dba Visit Haywood

ARE YOU A NON PROFIT CORPORATION? No Yes X Gov't If yes, are you 501c(3) 501c(6) Place of Worship

APPLICANT NAME: Corrina Ruffieux TITLE: Executive Director

ADDRESS: 91 N Lakeshore Dr CITY: Lake Junaluska STATE: NC ZIP 28745

PHONE: 860-287-0199 FAX#: EMAIL: corrina@visithaywood.com

ON-SITE CONTACT: Hayley Printz TITLE: Admin

ADDRESS: 91 N Lakeshore Dr. Lake Junaluska, NC 28745

PHONE #: 828-944-0761 CELL PHONE #: 727-439-9305 EMAIL: hayley@visithaywood.com

III. Brief Description of Event

The SATW Annual Convention is an internationally recognized gathering of more than 200 professional travel writers, editors, and content creators whose work highlights distinctive destinations and encourages thoughtful, responsible travel. During the Dine Around, attendees will explore Downtown Waynesville in small groups, visiting local restaurants, shops, and engaging with local artists and makers. We plan to make this event similar to an Art After Dark-style, with live music, artist demonstrations and more - allowing attendees to experience Waynesville's downtown charm at its best.

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.

Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. N Main St., from Depot St to Church St.

2.

3.

V. Event Details

YES NO

☒ ☐ Does the event involve the sale or use of alcoholic beverages?

If yes, has the ABC permit been obtained? Yes ☐ N/A No ☐ Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)

☐ ☒ Does the event involve the sale of food? _____
If "YES", has the health department been notified? ___yes, awaiting instructions___ Have you applied for a temporary permit? _____

☒ ☐ Will there be musical entertainment at your event? IF "YES" provide the following information:

Number of Stages: 0 Number of Band(s): 1-2 Amplification? yes

Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.

☐ ☒ Do you plan to use an existing occupied building? Address _____

☐ ☒ Do you plan to use an existing vacant building? Address _____

☒ ☐ Will there be any tents or canopies in the proposed event site? Please provide the following information:

Approx. Number of Tents: 5-10 Will any tent exceed 400 sq. feet in area? ☒ NO ☐ YES

☐ ☒ Does the event involve the use of pyrotechnics? Explain _____

☐ ☒ Will you provide portable toilets for the general public attending your event? IF SO, how many and where will they be located? _____

☐ ☒ Will you require electrical hookup for the event? Generators? _____

☐ ☒ Will you require access to water for the event? Explain _____

☐ ☒ Will admission fees be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____

☐ ☒ Will fees be charged to vendors to participate in this event? If "YES", please provide the amount(s). _____

☒ ☐ Will signs and/or banners be displayed as part of the event? If "YES" have you applied for a sign permit? _____

☐ ☒ Will inflatable parade balloons be used for the event? Provide details if necessary. _____

VI. Additional Questions

How will **parking** be accommodated for this event?

We plan to produce signs directing people to the parking garage and other parking areas near N Main St. Convention attendees will be bussed to the event.

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event?

Trash would be placed in the trash cans on Main St.

Volunteers: Will you require Civilian Police Volunteers for your event?

No

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:

**Beth Gilmore, Downtown Waynesville Director &
Jesse Fowler, Assistant Town Manager
Town of Waynesville
9 S. Main Street, P.O. Box 100, Waynesville, NC 28786
Telephone: (828) 456-3517
Fax No. : (828) 456-2000
Email Address: bethgilmore@waynesvillenc.gov
jfowler@waynesvillenc.gov**

VIII. Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:

TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 11-18-2025

SUBJECT Request to permit Michael and Mary Lodico to be permitted to contract for the new Solar Rate Schedule retroactive to the installation of their solar system.

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department:

Contact: Rob Hites

Presenter: Micheal Lodico

BRIEF SUMMARY The attached email from Mr. Lodico explains his request. NC Law prohibits electric accounts to be discussed in public. I can say that a rate schedule must be applied for by the customer and may not be retroactively changed by the utility. We were required to keep the original fee schedule for solar customers that applied for service before the new rates were adopted is because the State prohibited us from eliminating previous schedules. The customer contracts with the Town for a certain rate schedule. They must show proof of lease or ownership before the Town establishes an account. Since it is a contract between the owner or lessee, no other party can change or amend the rate for which they applied. As you remember, we stated in our presentations on the Solar rate that the old rate holders could change to the new rate, otherwise they would be left on the rate they chose when they set up service.

MOTION FOR CONSIDERATION: Review the request and council the staff.

FUNDING SOURCE/IMPACT Electric

ATTACHMENTS Request of Mr. Lodico

MANAGER'S COMMENTS See Above.

Dear Town of Waynesville Council Members:

We installed solar panels on our house at 46 Central St in February 2022. We have had a rather complicated process of getting our rates billed correctly. Thanks to Laura Yonkers and Ian Barrett, we now seem to have resolved the issue.

AAs you know, we put solar panels on our house in February 2022 using the then-current rate of \$42.94. In April 2022 a new rate schedule was implemented. Because the billing software was not reprogrammed using the new rate, we would periodically go to the Finance Office, where Dean Trader would issue a refund check to make up the difference. We were "made whole" through February 27, 2023. In other words, we were being billed by the town *de facto* on the new schedule.

In our meetings with Ms. Yonkers and Mr. Barrett, it became clear that we have continued to be billed at the old rate. Apparently the billing software has been updated. We have applied to be billed on the new rate, filling out the application for a new connection on October 31, 2025.

Mr. Hite told us we would need to appeal to the town council to be reimbursed at the current schedule from March 2023 until when our application goes into effect. Consider this our appeal, and let us know if you need further information.

Thank you for your service to our town.

Michael and Mary Alice Lodico
46 Central Street
Waynesville NC 28786
+1 828 989 8503

TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR BOARD ACTION
Meeting Date: 11.18.2025

SUBJECT: Position reclassification for the Fire Department

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Fire Department
Contact: Assistant Fire Chief Cody Parton
Presenter: Assistant Fire Chief Cody Parton

BRIEF SUMMARY: The Fire Department is requesting the reclassification of four fire engineer positions to four Lieutenants. There is a need to reclassify one of three engineer positions on each of the four shifts to a supervisory position. With the increase of fire station two having to work autonomously from station one, the need for another supervisor position is requested.

MOTION FOR CONSIDERATION: Approve the FD Reclassification request

FUNDING SOURCE/IMPACT: Total funds needed for this is estimated to be \$12,451.70. The intentions are to work this into the Regular Pay budget line. If a deficit is discovered, we can move funds from the Volunteer Pay budget line.


Ian Barrett, Finance Director

11.12.2025
Date

ATTACHMENTS:

Job description
FD Lieutenant pay and class update
Lieutenant justifications document

MANAGER'S COMMENTS AND RECOMMENDATIONS:



Date: November 18, 2025

From: Human Resources Department

Position: Lieutenant, Waynesville Fire Department

Salary: \$22.01 hourly w/ 5% increase after 6-month probation

GENERAL DESCRIPTION OF CLASS

Company Officers require in addition to firefighter and driver/operator responsibilities, supervising the activities of a fire company in the station, at fires and other emergencies. It also requires responsibility for the proper operation and maintenance of the apparatus, equipment, and fire station. Staff responsibilities as assigned by superior officers of the Department are also a requirement of this position. Company officers perform a wide variety of firefighting and related duties, including, but not limited to; preparation of required reports and records; ensuring compliance with apparatus and equipment maintenance policies; supervising firefighting and rescue operations; maintaining operational efficiency of their crews through participation in departmental training programs and company drills; enforcement of discipline and the rules and regulations of the Fire Department.

Characteristic Work of the Position

- A. Definition: This work is performed at a professional level in the fields of supervision, fire prevention, suppression, rescue, training, emergency medical technician and public fire/life safety education.
- B. Nature: Under the supervision of the superior officers of the Department perform such duties and activities as may be required in the codes, ordinances, State statutes, and the rules and regulations of the Fire Department.

Fundamental Job Duties:

- A. Respond to fire and emergency alarms, advise driver/operator concerning the route to follow, evaluate the emergency and direct company operations for initial attack.
- B. Direct and assist the work of subordinates at the scene of a fire or other emergencies and at the station unless relieved by a superior officer.
- C. Inspect apparatus, equipment, grounds, and station to ensure proper order and condition.
- D. Prepare records and reports of company responses to fires or other emergencies, personnel actions, and such other information as may be required.
- E. Maintain discipline and adherence to the rules and regulations of the standard operating guidelines of the Department.
- F. Assume and carry out staff responsibilities as assigned.

- G. Assume specialized responsibilities, roles and tasks as assigned. These roles or tasks may include but are not limited to; Safety Officer, Fleet Maintenance, SCBA Maintenance, Fire Hose Maintenance, Protective Clothing Maintenance or Communications Maintenance. These roles or tasks may include bid proposals, specification development, annual tests, research, inventory control, issuing of equipment, repair, management, and product investigation.
- H. Conduct periodic subordinate written performance evaluations and complete written recommendations on subordinates.

Ancillary Job Responsibilities

- A. Assist in training of subordinates during company or Department drills using lecture, practical performance, and demonstration methods.
- B. Act as a superior officer or supervisor when required.
- C. Perform fundamental firefighter or driver/operator duties when required.
- D. Operate as the Incident Commander or other Incident Management System functions as deemed necessary for incident scene management.

Qualifications: Essential Knowledge, Skills, and Abilities:

- 1. Ability to establish and maintain effective working relationships with other members of the Department, community officials, and the public.
- 2. Extensive knowledge of the geography of the Town of Waynesville, the location of streets, the nature and location of hazardous premises, principal buildings, fire alarm reporting equipment and hydrant or other water source locations.
- 3. Thorough knowledge of the use of firefighting apparatus and tools and the ability to demonstrate their use to others.
- 4. Considerable knowledge of the principals and practices of fire prevention, suppression, and investigation with the ability to apply them.
- 5. Considerable knowledge of the Incident Management System and the functions necessary for incident scene management.
- 6. Ability to evaluate fires, recognizes danger, and takes the necessary action for the protection of lives and property.
- 7. Ability to conduct training for Fire Department personnel.
- 8. Ability to express ideas clearly, concisely, orally, and in writing to groups and individuals.
- 9. Oral and written communication skills necessary for accurate documentation of various required reports; communicating with the Department, the community officials, and the public.
- 10. Ability to maintain discipline among subordinates in the Department.

A. Minimum Training and Experience:

Graduation from high school or possession of a GED is required. Valid NC Driver's License is required. Such training as may have been gained through participation in fire prevention, suppression, rescue, Emergency Medical First Responder, public fire and life safety education and administrative courses, and five years of verifiable paid fire service experience.

B. Special Requirements Before Eligible to Submit Application for a Lieutenant's Position:

1. Fire Officer I certified
2. NC Driver/Operator Pumps certified
3. NC Driver/Operator Aerials certified
4. NC Fire Instructor I certified
5. NC Technical Rescuer Certified
6. Wildland Firefighter Certified (S130, S190, L180)
7. A minimum of 5 years of verifiable paid fire service experience and 2 years must be paid with Waynesville Fire Department.
8. No disciplinary actions for previous 2 years

Competencies

1. **Technical Competency:** Ability to use the tools and concepts of the specialty area in which employee works. Includes using appropriate processes, procedures, resources, and work or professional standards.
2. **Interpersonal Competency:** Ability to work with people, develop and maintain work relationships, communicates, manage conflict, and perform as an effective team member.
3. **Intellectual Competency:** Ability to think, learn and process information. Ability to solve problems and gather necessary information; Includes having math and reading skills appropriate to job level.
4. **Customer Service:** Ability to identify customers, determine the valid needs of a situation, and provide service or service recovery in a manner that satisfies the customer.
5. **Organizational and Community Sensitivity:** Ability to take the larger perspective into account, recognize organizational and community priorities and balance actions appropriately.
6. **Physical Skills:** Ability to perform required jobs with adequate strength, dexterity, coordination, and visual acuity (with reasonable accommodation[s] if needed) and in a manner that does not pose a direct threat to the health or safety of the employee or others in the workplace.

PHYSICAL AND DEXTERITY REQUIREMENTS:

Requires heavy work that involves exerting between 35 to 50 pounds of force on a recurring basis and 100 pounds of force on a frequent basis. Must be able to perform basic life functions of climbing, balancing, stooping, kneeling, crawling, crouching, reaching, standing, walking, lifting, pushing, pulling, fingering, grasping, feeling and repetitive motion.

ENVIRONMENTAL HAZARDS:

The job may risk exposure to bright / dim light, extreme heat and/or cold, wet, or humid conditions, dusts and pollen, extreme noise levels, vibration, fumes and/or noxious odors, traffic, moving machinery, electrical shock, confined spaces, disease/pathogens, toxic / caustic chemicals, dangerous gases, heights.

SENSORY REQUIREMENTS:

The job requires normal visual acuity and field of vision, hearing and speaking abilities, and odor perception.

JUDGMENTS AND DECISIONS:

Responsible for guiding others, requiring a few decisions affecting a few co-workers; works in a stable environment with clear and uncomplicated written/oral instructions but with some variations from the routine.

ADA COMPLIANCE

The Town of Waynesville is an Equal Opportunity Employer. ADA requires the Town to provide reasonable accommodations to qualified individuals with disabilities. Prospective and current employees are invited to discuss accommodations.

Interested applicants may submit an application to:

**Town of Waynesville,
Human Resources Department
16 S. Main Street
Waynesville, NC 28786
bangel@waynesvillenc.gov**

Applications will be accepted until _____.

Pay Classification 11-23-2025

Grade	Class Title	FLSA Status	Class Min	Class Mkt	Class Max
61	FIRE ENGINEER (HOURLY)	NON-EXEMPT	\$ 19.18	\$ 24.94	\$ 30.70
65	FIRE LIEUTENANT (HOURLY)	NON-EXEMPT	\$ 22.01		

Waynesville Fire Department

Justification for the Addition of a Lieutenant Position

The addition of a lieutenant position on each shift within the Waynesville Fire Department is a necessary step toward strengthening the department's supervisory structure, improving operational efficiency, and enhancing safety both on emergency incidents and during daily station activities.

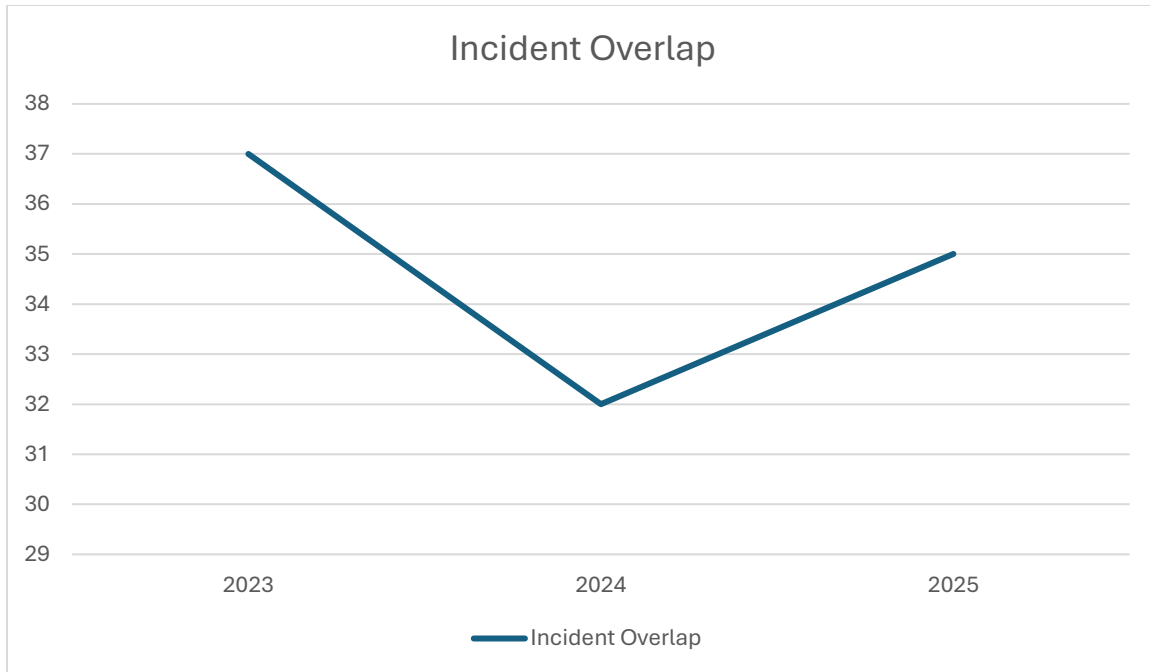
At present, the existing organizational framework places significant supervisory responsibility on the shift captain, often resulting in an unmanageable span of control. This structure can impede effective communication, reduce oversight capability, and limit the department's ability to maintain consistency in training, performance, and safety standards. Currently the most senior engineer on each shift is already performing this work and taking the responsibility, but isn't being compensated for it.

The implementation of a lieutenant position on each shift will provide a critical layer of supervision between the company officers and line personnel. Lieutenants will assist in directing daily operations, coordinating training, enforcing departmental policies, and ensuring that all tasks are completed safely and efficiently. This addition will also promote leadership development and accountability among the ranks.

Maintaining a manageable span of control is a foundational principle of the Incident Command System (ICS). When the number of personnel reporting directly to a single supervisor exceeds the recommended range—typically three to seven individuals—the effectiveness of supervision, communication, and safety oversight diminishes. By incorporating a lieutenant on each shift, the department will ensure an appropriate supervisory ratio, leading to improved command and control during emergency operations and more efficient management within the station environment.

A prime example of the need for adding the additional supervisor position is call overlap. Fire department call overlap refers to when a department receives multiple emergency calls simultaneously, exceeding the capacity of initially available responders and resources. National Standards suggest adding an additional unit for every 10% overlap.

Waynesville Fire Department



(2025 total incidents as of 11/10/25 0700: 2,816)

In summary, the establishment of a lieutenant position on each shift is essential to maintaining operational effectiveness, ensuring personnel safety, and supporting the continued growth and professionalism of the Waynesville Fire Department.

The background of the slide features a large, stylized logo for the Waynesville Fire Department. The logo consists of the word "WAYNESVILLE" in a bold, serif font. The letters are a dark maroon color with a thick, olive-green outline. The letter "Y" is particularly large and stylized, with a flame-like shape at its base. The entire logo is set against a light gray background.

Fire Lieutenants

Waynesville Fire department

Current Organizational Structure

- Four shifts composed of the staffing below:
 - Shift Captain
 - Engineer
 - Engineer
 - Engineer
 - Firefighter
 - Part-time firefighter (when possible)
- Chain of Command
 - Fire Chief
 - Assistant Fire Chief
 - Shift Captain
 - Senior Engineer

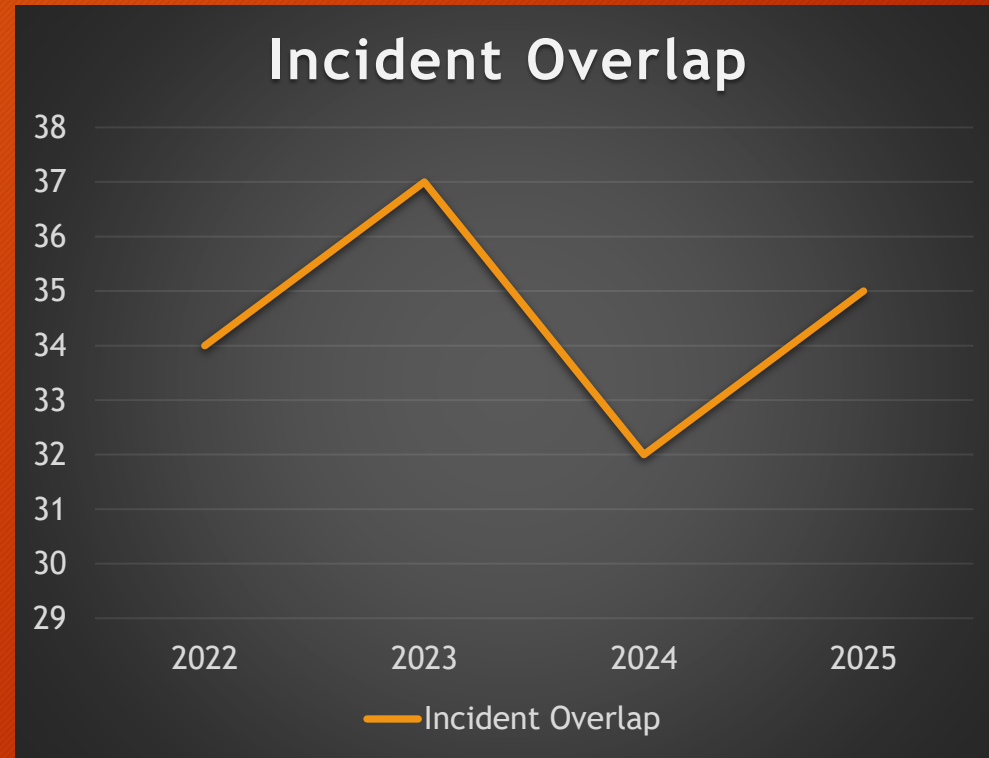
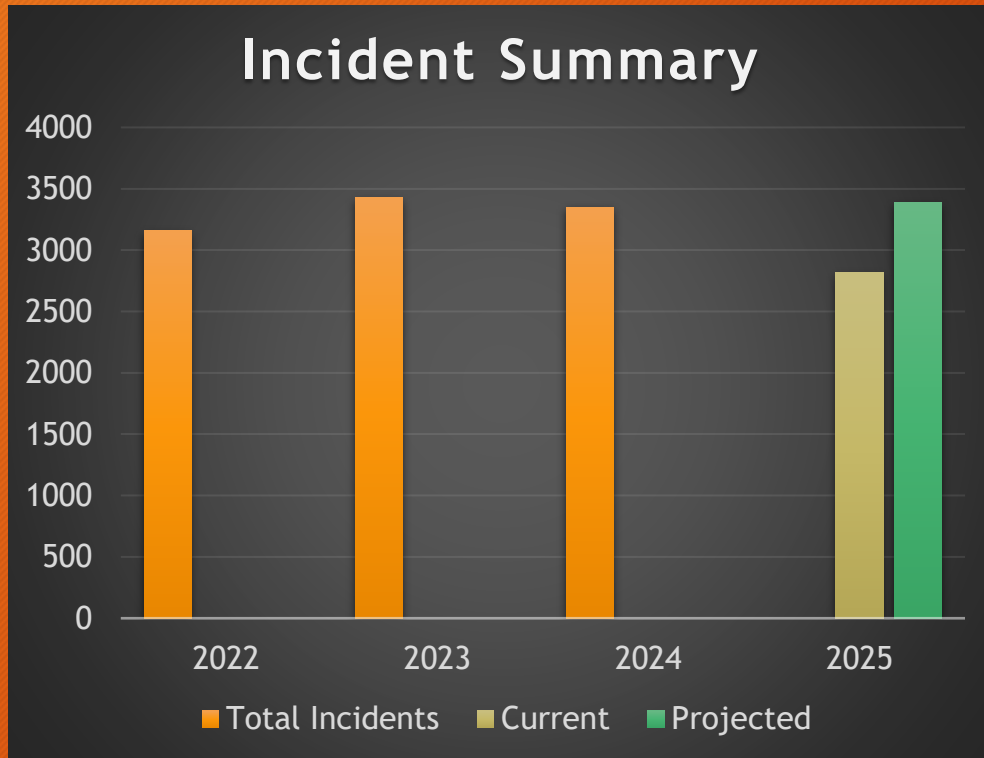
Purpose of Requested Organizational change

- Improving operational efficiency, and enhancing safety both on emergency incidents and during daily station activities
- Provide a critical layer of supervision between the company officers and line personnel
- This addition will also promote leadership development and accountability among the ranks
- Maintaining a manageable span of control. When the number of personnel reporting directly to a single supervisor exceeds the recommended range, the effectiveness of supervision, communication, and safety oversight diminishes.
- Currently the most senior engineer on each shift is already performing this work and taking the responsibility but isn't being compensated for it.

Requested Organizational Structure

- Four shifts composed of the staffing below:
 - Shift Captain
 - Lieutenant
 - Engineer
 - Engineer
 - Firefighter
 - Part-time firefighter (when possible)
- Chain of Command
 - Fire Chief
 - Assistant Fire Chief
 - Shift Captain
 - Lieutenant

We are not slowing down..



TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: November 18, 2025

SUBJECT: Deannexation Request

AGENDA INFORMATION

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Rob Hites, Town Manager
Presenter: Rob Hites, Town Manager

BRIEF SUMMARY

The owner of 86 Magellan Drive, Mr. Michael A. Robinson, has submitted a deannexation request to the Town Council. There is no statutory mechanism in the State of North Carolina for municipalities to deannex properties. This request should be referred to the Mr. Robinson's elected State Representative.

MOTIONS FOR CONSIDERATION

Motion to refer the de-annexation request to Mr. Robinson's State Representative.

FUNDING SOURCE/IMPACT

General Fund

ATTACHMENTS

Attachments provided by Mr. Robinson:

- Deannexation Request
- Parcel Boundaries

MANAGER'S COMMENTS AND RECCOMENDATIONS

Jesse Fowler

From: Michael A. Robinson <michael@marobinson.com>
Sent: Monday, November 10, 2025 9:28 AM
To: Anthony Sutton; Chuck Dickson; Julia Freeman; Jon Feichter; Gary Caldwell
Cc: kevin.corbin@ncleg.gov; mark.pless@ncleg.gov; Mayor & Town Council; Elizabeth Teague
Subject: Request for De-Annexation: FOLLOWUP
Attachments: myHomeBoundaries.jpg
Importance: High

Dear Town Council Members and Assembly Representatives,

This is my third outreach regarding the de-annexation of my property at 86 Magellan Drive, Waynesville, and I am now addressing the full Council.

I respectfully request your support in petitioning the General Assembly—and Senator Corbin and Representative Pless in particular—for de-annexation. As shown in the attached Haywood County GIS map (myHomeBoundaries.jpg), all adjacent properties are designated county-only and pay county taxes exclusively. My property, however, is subject to both county and town taxes, despite receiving no additional municipal services beyond a modest discount on water, sewer, and garbage.

Your endorsement would greatly strengthen my case. I kindly ask that you communicate your support to Senator Corbin and Representative Pless.

Thank you for your time and consideration. I sincerely appreciate your help.

Warm regards,

Michael A. Robinson

828.283.0088

From: Michael A. Robinson <michael@marobinson.com>
Sent: Thursday, October 30, 2025 10:58 AM
To: 'mark.pless@ncleg.gov' <mark.pless@ncleg.gov>
Cc: 'jfreeman@waynesvillenc.gov' <jfreeman@waynesvillenc.gov>; 'asutton@waynesvillenc.gov' <asutton@waynesvillenc.gov>; 'cdickson@waynesvillenc.gov' <cdickson@waynesvillenc.gov>; 'Ricky Bourne' <rbourne@waynesvillenc.gov>; 'eteague@waynesvillenc.gov' <eteague@waynesvillenc.gov>; 'cpoolton@waynesvillenc.gov' <cpoolton@waynesvillenc.gov>
Subject: FW: Request for De-Annexation
Importance: High

Dear Congressman Pless,

Thank you for calling me yesterday regarding my request to be de-annexed.

As outlined in my October 14th email below, my property at 86 Magellan Drive in Waynesville is currently annexed into the town. According to the attached Haywood County GIS map (*myHomeBoundaries.jpg*), all adjoining properties are designated as county-only and pay county taxes exclusively. In contrast, my property is subject to both county and town taxes.

Aside from a modest reduction in monthly charges for water, sewer, and garbage services, I do not receive any additional municipal services beyond what my county-only neighbors receive.

You mentioned that the General Assembly rarely approves de-annexation requests. Following your suggestion, I am reaching out to Town Council members to seek their support, which I hope will help strengthen my case with Senator Corbin.

Thank you again for your time and guidance. I truly appreciate your support in this matter.

Sincerely,

Michael A. Robinson
828.283.0088

From: Michael A. Robinson <michael@marobinson.com>
Sent: Tuesday, October 14, 2025 12:09 PM
To: 'kevin.corbin@ncleg.gov' <kevin.corbin@ncleg.gov>; 'mark.pless@ncleg.gov' <mark.pless@ncleg.gov>
Cc: 'eteague@waynesvillenc.gov' <eteague@waynesvillenc.gov>; 'cpoolton@waynesvillenc.gov' <cpoolton@waynesvillenc.gov>
Subject: Request for De-Annexation
Importance: High

Dear Representative Hess and Senator Corbin,

I respectfully request that my home and property at 86 Magellan Drive, Waynesville, NC be de-annexed from the Town of Waynesville, and that the General Assembly grant approval for this action.

As shown in the attached Haywood County GIS map (*myHomeBoundaries.jpg*), all adjoining properties are designated as county-only and pay county taxes exclusively. In contrast, my property is subject to both county and town taxes.

It appears this discrepancy may stem from the original construction in 1997, when town-installed water and sewer lines were extended to my property. Subsequent development split these lines at no cost to the town, effectively isolating my parcel within the town limits.

I have owned the property since 2010. Aside from a modestly reduced monthly charge for water, sewer, and garbage services, I receive no additional municipal services beyond what my county-only neighbors receive.

I kindly ask for your support in approving this de-annexation and notifying Town Clerk Candace Poolton and Development Services Director Elizabeth Teague of the decision.

With appreciation and respect,

Michael A. Robinson

828.283.0088



Zoom
IN



Zoom
Out



Full
Extent



Pan



Last
View



Next
View



Identify



Select



Google
StreetView



Measure



Zoom To
Coordinates



Draw Tool



Clear



Print

Search

Results

Layers

Results List

Options ▾

Clear

Zoom To

5 records found

Maximum number records is 2500

HART, MATTHEW JAMES

HART, ASHLEY BROOKE

124 BRIDGET DR

8614-03-1807

Zoom

Details

PARTON, DONNA H

BRIDGET DR

8604-04-8184

Zoom

Details

HENDRIX, ELMER D JR

LICKSTONE RD

8604-03-4447

Zoom

Details

HENDRIX, TERRY LEE

200 BRIDGET DR

8614-03-3437

Zoom

Details

HAGAN, TIMOTHY ALAN

HAGAN, TERRY JO

85 MAGELLAN DR

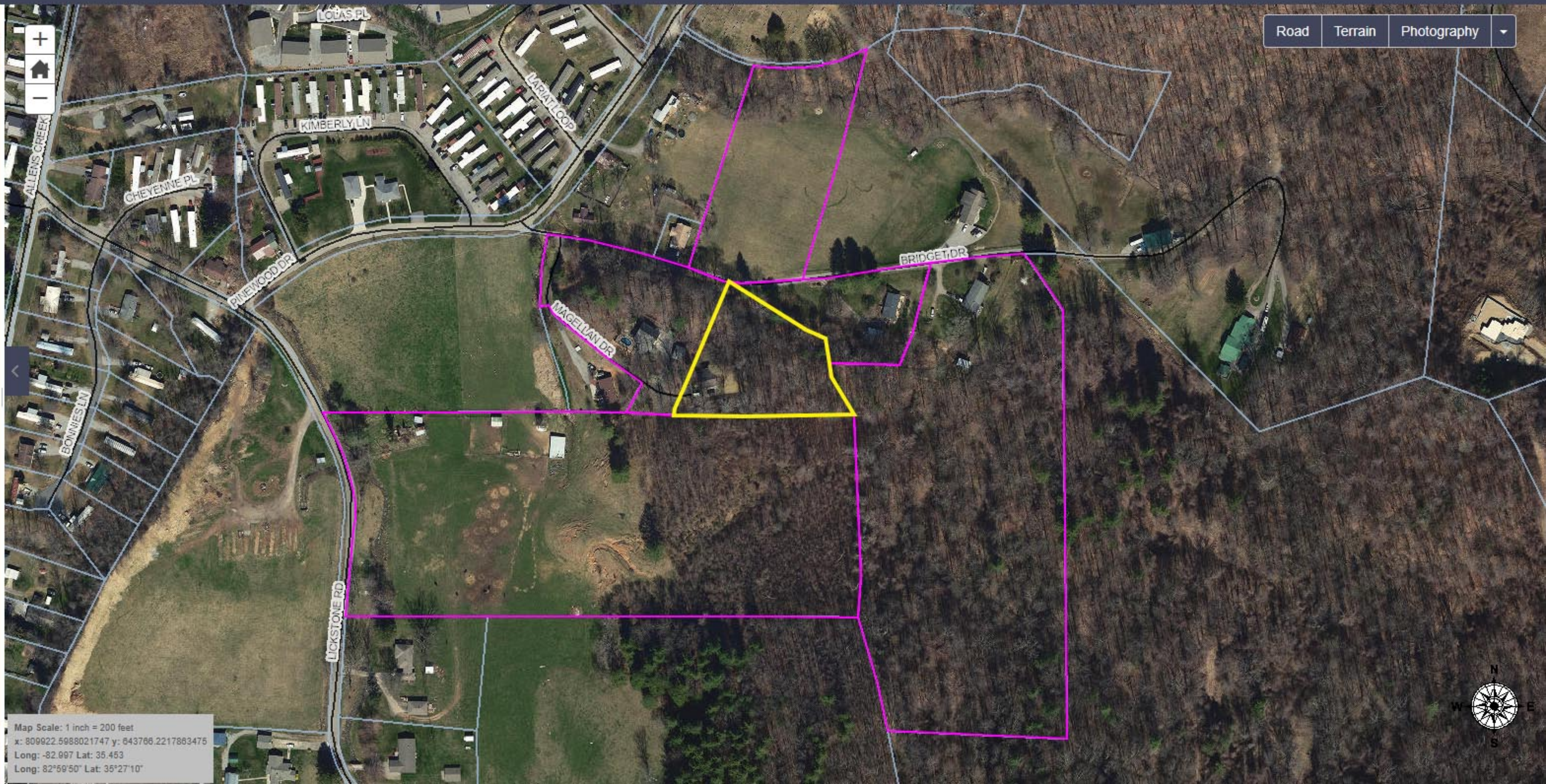
8604-03-6849

Zoom

Details

Details

Buffer



Road

Terrain

Photography

Map Scale: 1 inch = 200 feet

x: 809922.5988021747 y: 643766.2217863475

Long: -82.997 Lat: 35.453

Long: 82°59'50" Lat: 35°27'10"

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 11-18-2025**

SUBJECT Approval of Service Contract with Davis Engineering and Consultants PLLC

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department: Electric

Contact: Rob Hites

Presenter: Rob Hites

BRIEF SUMMARY Louis Davis has been serving as one of the Town's electrical engineers for the past eleven years. He has performed both engineering and electric rate related duties. While an employee of Carolina Power and Light, he specialized in negotiating wholesale rate contracts between CP&L and their distributors. After leaving CP&L, he began consulting in rate negotiations with municipalities. Mr. Davis negotiated the current contract Waynesville has with Santee Cooper. While he has been negotiating a new wholesale contract with the Town, he has done so without a contract. The contract that is before you set the same hourly rate that he charged in 2014 as a contractor with UTEK. He has contacted a number of potential bidders and understands that the Town is interested in both the best wholesale electric rate it can achieve but also the need to purchase wholesale power from a utility that has as low a carbon footprint as possible. He is seeking to have a "green rate" set as well as the base wholesale power bid. While utility rates may involve engineers, they are financial services and do not fall within the statutes involving the soliciting of architectural, engineering and surveying services.

MOTION FOR CONSIDERATION: Approve the Contract of Davis Engineering and Consulting, PLLC

FUNDING SOURCE/IMPACT Electric fund

ATTACHMENTS Proposed Contract

MANAGER'S COMMENTS See Above.

**AGREEMENT FOR
GENERAL CONSULTING SERVICES**

BETWEEN

THE TOWN OF WAYNESVILLE, NC

AND

DAVIS ENGINEERING AND CONSULTANTS, PLLC

NOVEMBER 3, 2025

CONTENTS

ARTICLE 1.0 - SERVICES TO BE PERFORMED BY CONSULTANT

ARTICLE 2.0 - COMPENSATION

ARTICLE 3.0 - PROFESSIONAL OBLIGATIONS OF CONSULTANT

ARTICLE 4.0 - OPINIONS OF THIRD PARTIES TO MEET PROJECT SCHEDULES

ARTICLE 5.0 - LIABILITY AND INDEMNIFICATION

ARTICLE 6.0 - INDEPENDENT CONTRACTOR

ARTICLE 7.0 - COMPLIANCE WITH LAWS

ARTICLE 8.0 - TOWN'S RESPONSIBILITIES

ARTICLE 9.0 - TERMINATION OF CONTRACT

ARTICLE 10.0 - NONDISCLOSURE OF PROPRIETARY INFORMATION

ARTICLE 11.0 - GOVERNING LAW

ARTICLE 12.0 - INTEGRATION AND MODIFICATION

ATTACHMENT 1.0 – COMPENSATION

ATTACHMENT 2.0 – SCOPE OF SERVICES

**AGREEMENT
GENERAL SERVICES**

THIS AGREEMENT, effective the 3rd day of November, by and between the TOWN OF WAYNESVILLE, NC (hereinafter referred to as Town) and DAVIS ENGINEERING & CONSULTANTS, PLLC (hereinafter referred to as Consultant), is as follows:

WITNESSETH:

WHEREAS, Town requires general consulting services, referred to hereinafter as the Services, and;

WHEREAS, Consultant is prepared to provide such Services;

NOW THEREFORE, in consideration of the premises and the mutual covenants herein contained, the parties hereto agree as follows.

ARTICLE 1.0 - SERVICES TO BE PERFORMED BY CONSULTANT

Consultant shall perform the Services as requested by Town. When Town has a need for services, Town shall notify Consultant and request Consultant to outline a scope of work. Prior to developing a scope of work, Consultant may respond to Town's requests and provide the services necessary to investigate Town's needs and determine the work scope, or respond to an emergency request of Town. After developing a scope of work, Consultant will continue work only after Town has approved the scope of work.

ARTICLE 2.0 - COMPENSATION

Town may request that Consultant provide a particular scope of work on a fixed fee, Cost Plus Expenses, or a not to exceed basis. If Town requests Consultant to provide services on a fixed fee basis, Consultant will submit a proposed cost with the scope of work as required in ARTICLE 1.0 of this agreement. Consultant will proceed with the work after Town and Consultant have agreed on the proposed cost and Town has approved the proposed cost. If Town requests Consultant to provide Services on a Cost Plus Expenses basis, Consultant will proceed with the work following Town request. If Town requests Consultant to provide Services on a not to exceed basis, Consultant will submit a maximum fee with the scope of work required in ARTICLE 1.0 of this agreement. Consultant will proceed with the work after Town approval.

Town shall pay Consultant in accordance with Attachment 1.0, Compensation, which is attached hereto and incorporated by reference as a part of this Agreement.

ARTICLE 3.0 - PROFESSIONAL OBLIGATION OF CONSULTANT

Consultant shall exercise the same degree of care, skill, and diligence in the performance of the Services as is ordinarily provided by a professional Consultant under similar circumstances and Consultant shall, at no cost to Town, re-perform services which fail to satisfy the foregoing standard of performance.

ARTICLE 4.0 - OPINIONS OF THIRD PARTIES TO MEET PROJECT SCHEDULES

Consultant has no control over the resources provided by third parties to meet contract schedules, Consultant's forecast schedules shall be made on the basis of his experience and qualifications and shall represent his best judgment as an experienced and qualified professional Consultant.

ARTICLE 5.0 - LIABILITY AND INDEMNIFICATION

5.1 General. Town and Consultant have considered the risks and potential liabilities that may exist during the performance of the Services and in consideration of the promises included herein agree to allocate such liabilities in accordance with this Article 5.0. Words and phrases used in this Article shall be interpreted in accordance with customary insurance industry usage and practice.

5.2 Liability. Consultant agrees to defend and indemnify Town from and against liability for damages because of bodily injury or property damage caused by an occurrence arising out of Consultant's sole negligent performance of Services. In addition, Town agrees to defend and indemnify, to the extent permitted by applicable law, Consultant from and against damages arising out of Town's sole negligence.

5.4 Remedies. Town's rights and remedies set forth in this Agreement are exclusive and Consultant's liabilities are limited as set forth herein whether based upon contract, tort (including negligence), or otherwise.

ARTICLE 6.0 - INDEPENDENT CONTRACTOR

Consultant undertakes performance of the Services as an independent contractor and shall be wholly responsible for the methods of performance. Town shall have no right to supervise directly the methods used, but Town shall have the right to observe such performance. Consultant shall work closely with Town in performing Services under this Agreement.

ARTICLE 7.0 - COMPLIANCE WITH LAWS

Consultant agrees that in performing the Services, Consultant will comply with applicable regulatory requirements including federal, state, and local laws, rules, regulations, orders, codes, criteria and standards.

ARTICLE 8.0 - TOWN'S RESPONSIBILITIES

Town shall supply to Consultant, either directly or indirectly from others, all available information and data which is required by Consultant and specified in the scope of work approved by Town.

ARTICLE 9.0 - TERMINATION OF CONTRACT

Town shall have the right to terminate this Agreement for Town's convenience upon written notice to Consultant, and Consultant shall terminate performance of Services on a schedule acceptable to Town. In the event of termination for Town's convenience, Town shall pay Consultant for all Services performed. Consultant shall have the right to terminate this Agreement for Consultant's convenience upon written notice to Town, and Consultant shall terminate performance of Services

on a schedule acceptable to Town. In the event of termination for Consultant's convenience, Town shall pay Consultant for all Services performed. The liability and indemnification provisions of Article 5.0 shall remain effective following any termination of this Agreement.

ARTICLE 10.0 - NONDISCLOSURE OF PROPRIETARY INFORMATION

Consultant shall consider all information provided by Town and all documents resulting from Consultant's performance of the Services to be proprietary unless such information is available from public sources. Consultant shall not publish or disclose proprietary information for any purpose other than the performance of the Services without the prior written authorization of Town.

All documents, drawings, and work products provided by Consultant shall be considered applicable only for the project for which they are provided and Consultant shall not be liable if such items shall be published or used for any other purpose by Town without prior written authorization of Consultant.

ARTICLE 11.0 - GOVERNING LAW

This Agreement shall be governed by the laws of the State of North Carolina.

ARTICLE 12.0 - INTEGRATION AND MODIFICATION

This Agreement is adopted by Consultant and Town as a complete and exclusive statement of the terms of the Agreement between Consultant and Town. This Agreement supersedes all prior agreements, contracts, proposals, representations, negotiations, letters, or other communications between Consultant and Town pertaining to the Services, whether written or oral.

This Agreement may not be modified unless such modifications are evidenced in writing signed by both Consultant and Town.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized representatives effective the day and year first above written.

THE TOWN OF WAYNESVILLE

By _____
Rob Hites, Town Manager (Date)

DAVIS ENGINEERING & CONSULTANTS

By _____
Louis H. Davis, President (Date)

ATTACHMENT 1.0

COMPENSATION

Consultant will submit to Town monthly invoices for Services performed. Each invoice will be submitted by about the 5th day of the month following the month during which such Services were performed. Town agrees to pay Consultant's monthly invoice within 30 days after the invoice date and to pay Consultant a carrying charge at the legal rate on all amounts remaining unpaid after 60 days following an invoice date.

FIXED FEE SERVICES

For fixed fee Services requested, Town shall pay to Consultant for the performance of Services outlined in an approved scope of work, a lump sum amount equal to the approved proposed cost. Invoices shall be submitted and payment made monthly for partial completion of fixed fee projects based on the percentage of work actually completed.

COST PLUS EXPENSES AND NOT-TO-EXCEED SERVICES

For any Cost Plus Expenses and Not-To-Exceed Services requested, Town shall pay to Consultant for the performance of the work the sum of the following amounts:

1. Hours of personnel directly applied to the project times the rates in the rate schedule in Attachment 1.0.
2. An amount equal to the actual out-of-pocket cost or standard charges for all expenses incurred by Consultant directly chargeable to the Services rendered pursuant to this Agreement. Such expenses shall specifically include, but are not necessarily limited to, the following.
 - (a) Prints, reproductions, word processing, and printed documents at standard rates.
 - (b) Reasonable traveling expenses for personnel.
 - (c) The actual cost paid by Consultant to third parties.
 - (d) Other direct expenses related to the Services.

The following table shows the hourly billing rate to Town for Davis Engineering and Consultants. This billing rate will remain in effect through December 31, 2026.

Position	Hourly Billing Rate
Senior Project Consultant	\$169.07
Senior Project Analyst	\$160.00

ATTACHMENT 2.0

SCOPE OF SERVICES TO BE PROVIDED

The scope of services for this project is the following:

- **Address and complete data request requirements from SERC Reliability Corporation**
- **Address and complete data request requirements from North American Reliability Corporation (NERC)**
- **Address and complete data request from Duke Energy Transmission**
- **Address and complete request from Southeastern Power Administration (SEPA)**
- **Address and complete data request from the North Carolina Utilities Commission (NCUC) or Public Staff of the NCUC**
- **Address compliance with Clean Energy and Energy Efficiency Portfolio Standard (CEPS) and NC-RETS Program, including filing annual reports with the NCUC and Public Staff**
- **Operations of the peak clipping generator**
- **Power Supply Request For Proposals (RFP)**
- **Power Supply Agreement**
- **Duke Transmission Agreement**