

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**Regular Meeting**  
**February 11, 2020**

**THE WAYNESVILLE BOARD OF ALDERMEN** held its regular meeting on Tuesday, February 11, 2020 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER REGULAR MEETING**

Mayor Gary Caldwell called the meeting to order at 6:30 pm with the following members present:

Mayor Gary Caldwell  
Mayor Pro Tem Julia Freeman  
Alderman Jon Feichter  
Alderman Anthony Sutton  
Alderman Chuck Dickson

The following staff members were present:

Rob Hites, Town Manager  
Amie Owens, Assistant Town Manager  
Eddie Ward, Town Clerk  
Bill Cannon, Town Attorney  
Ben Turnmire, Finance Director  
Jesse Fowler, Planner  
Jonathan Yates, Outside Facilities  
Rhett Langston, Recreation Director  
Luke Kinsland, Aquatics Supervisor

The following media representatives were present:

Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Caldwell reminded the Board of the following calendar events:

Friday February 21 – 8:30 am – 3:30 pm - Board Retreat – Public Services Training Room

The minutes of the January 28th Board of Aldermen regular meeting, and the February 4th Special Called meeting will be approved at the February 25, 2020 meeting.

**B. PRESENTATION**

2. Tuscola AFJROTC annual presentation by Cadets

Mayor Gary Caldwell asked Cadet Captain Leah Cagle to come forward and give the Tuscola Air Force Junior ROTC presentation. Ms. Cagle stated that this was her fourth and final year of presenting to the Board of Aldermen. She thanked the Board for their time and sponsorship of the program. She said that the ROTC program at Tuscola was established in 1972. Last year they achieved the honor of Distinguished Unit with Merit. She explained that only eight percent of units receive this award throughout the nation.

She gave a lot of credit to Major David Clontz for earning this award. Senior Master Sergeant Steven Robertson was the VFW teacher of the year in the high school categories. Ms. Cagle thanked both teachers for the work they do with the unit.

Airman Hunter Bush and First Lieutenant Sierra Rupe reported on the goals, community service, special leadership, cadet achievements, and the extracurricular activities of the unit.

## **C. PUBLIC HEARINGS**

3. Resolution of support for the passage of House Bill 655 – NC Health Care for Working Families
  - Alderman Jon Feichter

Alderman Feichter stated that he had researching ways to improve homelessness in addition to the Homelessness Task Force that is being formed. He stated that every situation is different, but generally some of the things that cause homelessness includes:

- Lack of income
- Shortage of affordable housing
- Escaping domestic violence
- Health

Alderman Feichter said he was very aware of the relationship between homelessness and health. Hundreds of thousands of North Carolinians are unable to afford health insurance even though many them are working. He said he feels that lack of health insurance by so many in our state contributes to homelessness in Waynesville.

He urged the Board to consider voting to express full support for House Bill 655 – NC Health Care for Working Families. Alderman Feichter stated he had invited several people who deal with this issue every day to speak.

### **Dr. Don Buckner CEO\Medical Director of Meridian Behavioral Health**

Dr. Buckner told the Board that Meridian Health provides a wide range of care to people, and they do get some funds from the State in order to provide mental health help, but not as much if there was Medicaid assistance. He said some of the folks they see have Medicaid, and some have no insurance. Dr. Buckner said that homeless individuals are more vulnerable to mental illness such as depression, anxiety disorders, and substance abuse, just by being homeless. If they had access to additional resources, this would help with getting treatment for their mental health issues. Life expectancy for people with severe mental issues is twenty-five years less than the average, and these people need access to insurance. Expanding Medicaid would be one way to give them access to other types of care. Dr. Buckner said it would be a very powerful statement for Towns and communities across the State to appeal to the legislature to expand Medicaid.

### **Sheriff Greg Christopher**

Sheriff Christopher gave an overview of a numbers for the Detention Center. In 2019, 3.5 % of Haywood County's population was booked into the jail. In all of Haywood County 2,183 people were arrested, and

of that number 813 people were arrested more than once. He said there were 1,244 drug offenses, and more than half were felonies. He discussed the amount of time it takes for law enforcement officers to serve Involuntary Commitment (IVC) Orders. Last year in Haywood County there were 524 IVC's that had to be done by law enforcement, and 162 out of County IVC's for a total of thirty-six thousand (36,000) miles in taking people to places all over the State. Most of the facilities are in Winston Salem, Raleigh, or at the coast of North Carolina.

An evaluation of the Haywood County Detention Center in 2016, and the results showed that 85 percent of all inmates admitted to being addicted to some sort of substance, and 68 percent reported at least one severe substance use disorder, and admitted to it being an opioid disorder. Access to services to these individuals dealing with these issues can drastically impact recidivism rates in the jail, and the quality of life in Haywood County.

Sheriff Christopher said there are issues with insurance of any kind when dealing with inmates. As of February 10, 2020, there were 105 inmates in Haywood County Detention. Of those, there were none with private health care, twelve on Medicaid, two veterans who had insurance with the VA, and two on tribal insurance.

He said his office continues to move forward with treatment opportunities. Two weeks ago, a rural action guide was released and in it is stated jails are at the intersection where public health and public safety crisis collide. Law enforcement officials can serve a vital public health need by providing incarcerated individuals treatment and tools. The Haywood County Sheriff's Office started a partnership with the North Carolina Harm Reduction Coalition to be a part of a pilot program to allow for overdose prevention education in our jail. This will provide an outreach specialist and Naloxone kit with discharge from the jail, and the ability to enroll in various groups and support groups. Ninety percent of the program's enrolled inmates were engaged and entered back into society and twenty nine percent exited back into homelessness or no home.

#### **Rod Harkleroad, CEO Haywood County Hospital**

Mr. Harkleroad thanked the Board for allowing him to speak. He explained he would be giving statistics as a CEO of Haywood Regional Medical Center and as a registered nurse. He said that the hospital currently has one thousand employees and sees one-hundred thirty thousand (130,000) patients annually. Fifty thousand of those patients are seen in the emergency room. Thirty three percent of those patients are self-pay, and there is \$24 million dollars in charity unpaid debt and going up every year. Mr. Harkleroad stated this puts a lot of stress on the infrastructure, and the hospital is looking for help to take care of these patients.

As a nurse, Mr. Harkleroad said that there were thirty thousand veterans that would benefit from the Medicaid expansion. Patients who are ages fifty-five to sixty-four and not Medicaid eligible, working single parent mothers, and the one hundred forty-four thousand with mental illness who could be supported by passing Medicaid expansion.

#### **Shelly Foreman – VAYA Health**

Ms. Foreman explained that VAYA Health is a public health agency which manages Medicaid funds for those people with mental health issues, and substance abuse who cannot access the care that they need and are having costs absorbed by others. She said that VAYA Health cannot expand their health services

because they must use the money set aside for indigent care. They are constantly trying to break even and stay afloat. This is a huge cost to the community.

Ms. Foreman said that in Haywood County, if you have Medicaid, it is an entitlement program, and you have access to a wide variety of programs across the state. With Medicaid, VAYA Health helps to get the right services for the right time and the right length of time needed for the patient. She said that in Haywood County there were 1521 adults served in the last quarter of the year with Medicaid. There were 614 without Medicaid. Adults with mental issues or substance use issues, 772 had Medicaid and 573 did not have Medicaid.

Ms. Foreman stated that the General Assembly in the State of North Carolina has taken the stance of reducing the funding available for the uninsured and indigent care. Since 2015, VAYA Health has been cut 47 million dollars in indigent care. This year the reduction will 4.9 million in indigent care. The system cannot continue for people who do not have insurance without Medicaid expansion.

### **Joe Sam Queen – NC House Representative**

Representative Queen thanked the board for the opportunity to speak about Medicaid expansion. He said the squeeze is on to keep the resources. The General Assembly is denying is those federal taxes to serve the citizens of Haywood County. He said we pay 30 million dollars annually for Medicaid expansion, but it is sent to other states for their Medicaid expansion. Mr. Queen said his two districts are losing \$60 million dollars annually. Medicaid is not only for indigents or handicapped, but for the low wage worker who makes between six thousand to sixteen thousand dollars annually. There would be three thousand four hundred people in Haywood County who will receive Medicaid expansion this is being paid for and not receiving any benefits from it. He told the Board that when the State of Ohio expanded Medicaid, the opioid deaths were cut in half. He said many lives are lost with lack of health care that we are paying for and not receiving. House Bill 655 would expand Medicaid to working families by helping low wage working families that cannot simply afford health insurance. If this Bill is passed, everybody's access to care goes and insurance rates will go down. He said that it is proven to save money at every level.

***Attorney Bill Cannon opened the Public Hearing at 7:49 pm and asked if anyone wished to speak.***

### **Will Shuping - Waynesville**

Mr. Shuping stated that he is a proud Democrat, and he is not predisposed to liking Republican Health Care. Medicaid expansion is not red or blue. West Virginia and Kentucky have better healthcare than we do. Policy and politics are hard, and many difficult decisions will have to be made, and Medicaid expansion is not one of them.

### **Amy Murphy-Nugen – Western Carolina University professor**

Ms. Nugen said that she is a resident of Waynesville. She said that most of what she wanted to say has been discussed. Most have a pre-conceived idea that people who are on Medicaid are not working, but six in ten people who have Medicaid are working. Care giving responsibilities, school attendance, and structural issues such as wanting full time employment but can only do part time, are challenges for insurance. She said we have learned from states that have work requirements such as Arkansas which require 80 hours of work per month. With that eighteen thousand people found themselves removed from Medicaid with that requirement. She said that in March of last year, a federal judge rejected both

Arkansas' and Kentucky's attempt to enforce that requirement did not help states provide medical assistance to its citizens, and that is the basis for Medicaid.

***Attorney Cannon closed the Public Hearing at 7:54 pm.***

Alderman Jon Feichter read Resolution R-02-20 Town of Waynesville in support of House Bill 655.

***A motion was made by Alderman Julia Freeman, seconded by Alderman Anthony Sutton, to approve Resolution R-02-20 in support of the passage of House Bill 655 – NC Health Care for Working Families. The motion carried unanimously.***

4. Public Hearing for consideration of amendments to the Cemetery Ordinance
  - Town Attorney Bill Cannon

Town Attorney Bill Cannon explained that he had reviewed made some amendments to the Cemetery Ordinance. Some of the proposed changes included:

- Use of the word easement instead of deed throughout the document
- Correct legal term of conveyance rather than transfer
- Some language is vague and needs to be clarified in sections 18-21 and 18-26

***Town Attorney Cannon opened the public hearing at 8:05 p.m.***

**Randy Mathis - Chairman of the Cemetery Committee**

Mr. Mathis said thanks to Alderman Jon Feichter for appointing him to the Committee. He encouraged the new Board members to read those letters from when the incident first happened in 2018. Mr. Mathis stressed that this ordinance and the compromises made were very important things to many.

**Scott Ybanez - Cemetery Committee Member**

Mr. Ybanez thanked the Board and the Committee for their support. He noted that the committee came together collectively on this ordinance and urged the board before making final considerations. Mr. Ybanez added that if changes are made after all the work was done by the Cemetery Committee, that if the people don't get what they want, it will go backwards again. There was tremendous work by the committee and town staff and citizens had a collective hope for this ordinance. It is a sensitive subject and he thanked the Board for allowing him to be part of this.

**Jim Burke - Cemetery Committee Member**

Mr. Burke began by stating his comments may be a bit outside the box. What was presented tonight was not what was worked on first by the Cemetery Committee, was not the recommended version that had already had a public hearing to address. He asked that the Cemetery Committee be allowed to sit back down and go over the changes with the attorney. This is the second public hearing, and this is the first that the changes have come to us. Let's review with the attorney and then have another public hearing.

***Town Attorney Cannon closed the public hearing at 8:10 p.m.***

Mayor Gary Caldwell explained that having a meeting with the Town Attorney and Cemetery Committee to discuss the proposed changes should be held. Following this meeting, another public hearing will be held.

***Alderman Anthony Sutton made a motion, seconded by Alderman Julia Freeman to recommend a meeting with the Town Attorney and Cemetery Committee and to call for a public hearing to be held on March 10, 2020. The motion carried unanimously.***

#### **D. NEW BUSINESS**

5. Appointment of Ron Reid as alternate to Zoning Board of Adjustment
  - Town Clerk Eddie Ward

At the last Board meeting Mayor Caldwell asked Town Clerk Eddie Ward to contact some of the applicants that were not chosen at the previous Board Meeting to see if they would like to serve on another commission. Ms. Ward contacted Mr. Ron Reid and he indicated he would like to serve as an alternate on the Zoning Board of Adjustment for the term ending June 30, 2023. Ms. Ward said that with his appointment, all vacancies on Boards and Commission would be filled.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the appointment of Ron Reid as an alternate to the Zoning Board of Adjustment for a term ending June 30, 2023. The motion passed unanimously.***

6. Report on selection of Design/Build firm to design and install Dehumidification system in Rec Center
  - Town Manager Rob Hites

Manager Hites explained to the Board that the Town had chosen to use the “Design Build Method” of designing and constructing a replacement dehumidification system for the pool area of the recreation center. In this method the contractor selects an engineer to jointly design and build a project. That project can be a fire station, water line, heating and air conditioning system, etc. The Town reviews the bids and chooses the firm that exhibits the best training, experience and conception of the work requested. The Town may choose to interview bidders. When the Town chooses a design builder, they negotiate a “turnkey” contract for the entire project and presents it to the governing body for approval.

Manager Hites stated that the Town had received three bids for the project and chose to interview the two most qualified. Both firms had extensive experience in the HVAC business and in working with pool HVAC. After reviewing the interviews our team chose the team of Bolton Construction of Asheville and Mechanical Edge, LLC of Black Mountain. The Town will begin negotiating a contract for approval by the Board. If the Town is not able to negotiate a contract, the Town will reject their bid and move to the next bidder, accordance with the General Statutes.

#### Resolution for Replacement of the current Dectron financing Agreement

- Town Manager Rob Hites
- Finance Director Ben Turnmire

In order to provide adequate and safe air quality inside the Waynesville Recreation Center natatorium, a complete replacement of the current Dectron unit is needed. A dedicated air treatment system is

needed to protect against corrosion, deterioration, rust, chloramines, and the overall health of the public and members that use the facility. For years the current unit achieved this. The current Dectron unit has been deemed unsafe to operate. Other ventilation options have been used to try and sustain air quality standards at health code minimum. To preserve the facility and protect the health of the public and staff, a new unit is needed.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve a Budget Ordinance O-2-20 in the amount of \$800,000 for the purchase of Dectron dehumidification HVAC Unit for the Recreation Pool. The motion passed unanimously.***

***A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to approve a Financing Agreement Resolution for the purchase of Dectron dehumidification HVAC Unit for the Recreation Pool. The motion carried unanimously.***

7. Saunook Fire Department Water Tap Fee Grant

- Chief Chris S. Chandler

Chief Chris S. Chandler of the Saunook Volunteer Fire Department stated that the Fire Department is requesting that the Town of Waynesville consider offering a grant to cover the expenses of a water tap fee to the existing water line on Old Balsam Road located at 2908 Old Balsam Road, Waynesville NC. The water tap would provide the basic water needs to the firehouse which operates as a non-staffed Fire/Emergency Services building as well as a Federally designated polling place. Chief Chandler stated that the exact cost of the grant would be determined by the Town of Waynesville Water Department but is believed to be as follows:

Water Tap Fee:	\$1,250.00 (one-time fee)
Capacity Fee:	\$1,113.50 (one-time fee)

**Total:                    \$2,363.50**

He said that the Saunook Fire Department would then be responsible for the normal monthly expense associated with an out of jurisdiction water tap.

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Jon Feichter, to cover the expenses of a water tap fee in the amount of \$2,363.50 for the purpose of providing basic water needs to the Saunook Fire Department. The motion passed unanimously.***

8. Authorization to proceed with park development

- Jesse Fowler, Planner

Jesse Fowler, Planner, said that Town Staff is requesting the Board of Aldermen to approve the preliminary site plan for Calvary Craven Park, and to allow Town staff to open a formal bid process for the construction of a covered pavilion. He said the current plan for Calvary Craven Park is to use the \$60,000 already appropriated by the Board to construct this covered pavilion on a concrete pad. Any remaining funds from that \$60,000, the \$2,650 raised by the community in a golf tournament, and possible funding from the Medford Grant, would be used to purchase playground and park amenities such as picnic tables, benches, grills, and a horseshoe pit.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the Calvary Craven Park Preliminary Site Plan. The motion carried unanimously.***

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to allow staff to advertise for bids for the construction a covered pavilion at Calvary Craven Park. The motion carried unanimously.***

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

9. Manager's Report
- Town Manager Rob Hites

##### Request to seek a drainage easement from the Owners of Stephanie Lane

Manager Hites explained that property owners that reside at the intersection of Thomas Park and Stephanie Lane contacted the Town several months ago to complain that a water runoff from Hodges Street and Thomas Park Street is severely eroding the surface of a private gravel street. The erosion has limited the access of vehicles to the garage of one of the houses. Former Public Services Director David Foster, former Streets and Sanitation Superintendent Daryl Hannah, and Town Engineer Preston Gregg have studied the situation and conclude that the lack of a "crown" on Hodges and Thomas Park is the cause of the runoff from into Stephanie Lane. A solution to the problem includes rebuilding Hodges and Thomas Park to create a crown that disperses water to the side ditches, rebuilding the existing storm water basin to catch the sheet flow from the streets and constructing a catch basin in Thomas Park that directs the storm flow into a basin down the right of way of Stephanie Lane with its outlet at the bottom of the hill (130').

The small storm water system would cost approximately \$2,800. Manager Hites said Staff is requesting that the Board permit staff to seek a drainage easement from the adjacent property owners and construct the system.

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to approve the Staff's request to seek a drainage easement to extend the storm water system from Thomas Park down Stephanie Lane. The motion carried unanimously.***

10. Attorney's Report
- Town Attorney Bill Cannon

Attorney Cannon had nothing to report.

#### **E. COMMUNICATIONS FROM THE MAYOR AND BOARD**

Mayor Gary Caldwell explained that during the most recent municipal campaign, homelessness and the impact on the community was brought forth as an important issue. In response, a taskforce comprised of key stakeholders was proposed. Mayor Caldwell asked Assistant Town Manager Amie Owens to read the listing of the nine individuals who were mayoral appointments prior to the Aldermen naming their appointees.



- Alderman Anthony Sutton
- Sheriff Greg Christopher or designee
- Police Chief David Adams
- Mountain Projects Executive Director - Patsy Davis
- Haywood Pathways Center Executive Director - Mandy Haithcox
- Representing Frog Level Merchants – Teresa Pierce
- Haywood County Board of Commissioners Representative – Kevin Ensley
- Open Door Executive Director – Bill Guy
- ABCCM/Veterans Services – Brandon Wilson

Alderman Chuck Dickson asked that one clarification be added to the list that the appointment be Chief Adams or his designee. The board agreed by consensus to this clarification.

Mayor Caldwell asked each Alderman to provide their appointees' names. He asked Alderman Anthony Sutton to begin. Alderman Sutton yielded his turn and asked that Alderman Feichter be allowed to share his listing first.

Alderman Jon Feichter made the following appointments:  
Joel "Joey" Reece; Juleah Berliner; Nathan Cartwright

Alderman Anthony Sutton made the following appointments:  
Joslyn Schaefer; Laura Howell; Keri Guidry

Alderman Julia Freeman made the following appointments:  
Linda Nulsen; Jon Lynn McDermott; Neese Morris

Alderman Chuck Dickson made the following appointments:  
Bob Cummings; Dale Burris; Amy Murphy-Nugen

Alderman Chuck Dickson commented that he encouraged the Board to look at the resumes of these individuals and acknowledged that this was a diverse group with much to offer.

***Alderman Chuck Dickson made a motion, seconded by Alderman Anthony Sutton: (a) to appoint Amy Murphy-Nugen as the interim chair of the Task Force until such time as a consultant is hired; (b) have the Town Clerk work with Ms. Murphy-Nugen to plan and schedule the first meeting of the taskforce; (c) that the Taskforce consider the goals and objectives of the Dogwood Health Trust grant application for guidance in its work; and (d) that minutes of all meetings be prepared by the Taskforce and provided to the Board of Aldermen following each meeting. The motion carried unanimously.***

Alderman Anthony Sutton inquired as to whether Ms. Murphy-Nugen could be hired as the consultant rather than being named as an interim chair. Assistant Town Manager Owens responded that since the total salary would be \$50,000 (\$25,000 grant and \$25,000 match), an RFQ process would need to be followed to select the consultant.

Mayor Gary Caldwell asked if there was a need for a motion to approve the membership of the Taskforce. Assistant Manager Owens explained that since the motion was made at the February 4, 2020 special meeting that each Alderman would have three appointees, there was no need for a motion to approve. Mayor Caldwell thanked the Board for their patience in selecting the membership and those individuals who have applied for this Taskforce.

**F. CALL ON THE AUDIENCE**

No one addressed the Board.

**G. CLOSED SESSION**

*Alderman Chuck Dickson made a motion, seconded by Alderman Anthony Sutton to enter into closed session as indicated earlier by the Town Attorney to discuss under NC General Statute § 143-318.11(a)(3) – Attorney/client privilege and NC General Statute § 143.318.11(a)(5)(i) to consider the price or other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease. The motion carried unanimously.*

*The Board entered closed session at 8:47 p.m.*

*Alderman Julia Freeman made a motion, seconded by Alderman Jon Feichter to return to open session at 9:18 p.m. The motion carried unanimously.*

*Alderman Anthony Sutton made a motion, seconded by Alderman Jon Feichter to approve the contract of sale for the 3.5-acre parcel owned by Glenn M. Toler and Patricia Tolar. The motion carried unanimously.*

**H. ADJOURN**

*With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman to adjourn the meeting at 9:20 p.m. The motion carried unanimously.*

**ATTEST:**

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Gary Caldwell, Mayor

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Robert W. Hites, Jr. Town Manager

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Eddie Ward, Town Clerk