

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**Regular Meeting**  
**January 14, 2020**

**THE WAYNESVILLE BOARD OF ALDERMEN** held its regular meeting on Tuesday, January 14, 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  
Alderman Jon Feichter  
Alderman Anthony Sutton  
Alderman Chuck Dickson

Mayor Pro Tem Julia Freeman was absent due to sickness.

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  
Jeff Stines, Interim Public Services Director  
Julie Grasty, Asset Services Manager  
Jonathan Yates, Outside Services  
Joey Webb, Fire Chief

The following media representatives were present:

Becky Johnson, The Mountaineer  
Cory Vaillancourt, Smoky Mt. News

1. Welcome/Calendar/Announcements

Mayor Caldwell reminded the Board of the following calendar events:

January 18<sup>th</sup> – 20<sup>th</sup> – Martin Luther King Day events  
Thursday January 30<sup>th</sup> – Elected Officials Reception – 5:00 – 7:30 – Wells Event Center

2. Adoption of Minutes

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve the minutes of the December 10, 2019 organizational and regular meetings as presented. The motion carried unanimously.***

3. Presentation
- Alderman Jon Feichter

Alderman Feichter presented Mr. Dick Young with a certificate of appreciation from the Board of Alderman of the Town of Waynesville as an expression of the Town's appreciation for Mr. Young's constant attendance at the Board meetings and continual interaction with the Board and staff. Alderman Feichter said that it seemed that unless it was a controversial item, there was very low attendance to the meetings. Mr. Young was the exception to the rule because he was almost always at the meetings, and not shy about "holding their feet to the fire." Mr. Young thanked the Board and said he would continue to be present at the meetings.

3. Mayor Caldwell – Homelessness Task Force update

Mayor Caldwell stated that due to the overwhelming number of applications (31) that were received for the Homelessness Task Force, he would like to give the Board time to review the applications before making appointments to the Task Force. He said he would like to have a special meeting to discuss the applicants and he asked the Board to check their calendars for the week of February 3<sup>rd</sup> – 7<sup>th</sup> and let the Town Clerk know what days is best for them.

Mayor Caldwell told the Board that the grant application for Dogwood Health Trust had been completed and submitted.

## **B. PRESENTATION**

4. Cemetery Presentation
- Assistant Town Manager Amie Owens

Assistant Manager Amie Owens said that in 2018, following an unfortunate incident involving Greenhill Cemetery, applications were taken for membership to an adhoc cemetery committee to better develop the cemetery ordinance and to correct some inconsistencies in the ordinance. She stated that the cemetery ordinance discussion is not slated for discussion at this meeting, but she will ask the Board for some recommendation for actions.

Assistant Manager Owens introduced the members of the committee and staff and thanked them for their hard work and open-mindedly working to develop regulation for the future. She said that the committee had met a total of 13 times between May and November.

Some of the highlights the committee worked on included:

- Touring both Greenhill and Dix Hill Cemeteries
- Discussed the annual budget for the Cemetery division and the use of the house on the grounds as an office
- Clarified that individuals who have burial or cremation sites do not own the site, but rather can use them for burials – could be called an easement instead of a deed
- Delved into the existing ordinance to reach a compromise related to maintenance and freedoms for decorating/memorializing
- Graphic representation to better show how it is possible to have multiple individuals remains in one burial site and how to properly mark those sites with memorials

- Created process much like special event process for tours – where the cemetery committee would review and send to the Board for approval
- Provisions for items that are permanently affixed to a headstone to remain.
- New revision for items to be at burial site, but must be in a memorial box to allow for proper maintenance

Assistant Manager Owens told the Board that the current committee members are prepared to continue serving until June and have the option, if the Board chooses, to make this a standing committee on a staggered appointment schedule with the terms being as follows:

Utilizing current membership until June 30, 2020 then appoint:

- One Year - 2 members
- Two years - 3 members
- Three years - 2 members

The Committee would work with Public Services and the Historic Preservation Commission to have signs placed at two entrances to Green Hill Cemetery and one at Dix Hill Cemetery and assist with clean-ups and notifications prior to clean-up. The bi-annual clean-ups would be held in the spring and the fall, with a 14-day requirement for compliance. A portion of the Cemetery budget for maintenance and improvements to Dix Hill Cemetery in the future. Assistant Manager Owens said the Committee would look at improvements to both cemeteries such as accessibility needs like handrails and steps.

Assistant Manager Owens presented the proposed calendar for the upcoming meetings which included Public Hearings to be held on January 28, and February 11 to gain public input. In February and March, the committee will educate the public regarding ordinance changes and prepare for spring clean-up in April.

***A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton to make the Cemetery Committee a standing committee. The motion carried unanimously.***

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to call for a Public Hearing to be held on Tuesday January 28, 2020 at 6:30 pm, or as closely thereafter in the Town Hall Board Room, 9 South Main Street, to gain public input on the Cemetery Ordinance. The motion carried unanimously.***

5. Audit Presentation of the FY 2019 Financial Statements

- Finance Director Ben Turnmire
- Nancy Lux – Ray, Bumgarner, Kingshill and Associates
- Bruce Kingshill – Ray, Bumgarner, Kingshill and Associates

Bruce Kingshill and Nancy Lux of Ray, Bumgarner, Kingshill and Associates attended the meeting to present highlights and an overview of the Town’s financial condition and audit report for the year ended June 30, 2019. Ms. Lux explained that there were two (2) audits completed, the first was a financial audit, the second a yellow book audit looking specifically at Powell Bill funds from a compliance perspective. The report noted no deficiency in internal controls, compliance or financial reporting was identified and the auditors issued an unmodified opinion. Ms. Lux noted that unmodified is the new terminology used

when auditing and is the same as the previous unqualified opinion which is the highest level of compliance. She added that the firm has been doing Waynesville's audits since 1986 and thanked the Board for the opportunity to present. Ms. Lux concluded by noting that the audit report was ready to be provided to the Local Government Commission (LGC) prior to the October 31, 2019 deadline; however, the actuaries reviewing the other post-employment benefits (OPEB) took a bit longer to review and the December 1, 2019 deadline was met for submission to the LGC. The LGC found nothing wrong with the audit report.

Mr. Kingshill noted that he would be providing information in graphic form of revenues and expenditures for the current and prior year for comparison. He highlighted the changes by fund and by department and noted the additions to each fund's fund balance. Mr. Kingshill indicated that this had been a good year for the Town, not a great year, but a good one. Mr. Kingshill thanked Finance Director Ben Turnmire, Former Finance Director Eddie Caldwell, Assistant Finance Director Dean Trader, the Finance staff and Manager Hites for their cooperation during the audit.

Finance Director Turnmire, provided a report on the overall position of the Town. He illustrated the property tax valuation and analysis noting the trending of percent change. He continued by noting that revenues came in as expected but that all departments had done a great job in keeping expenditures under budget. Finance Director Turnmire highlighted the tax collection rate of 96.92% which was an increase over previous years and that delinquent taxes from prior years had been collected at 4.2% which was nearly double from previous years. He reminded the board that one of the benchmarks used with peer groups is the general fund balance. Currently, the Town is at 41.78%; this is slightly below average in the peer groups of like-size Electricities in the state which is 45.70%.

Finance Director Turnmire provided a summary of the Fiscal Year 2018-2019 including: Waynesville managed the budget so that the fiscal year was within expectations; revenues grew slightly with a positive trajectory going forward; paid off significant debt for the Recreation Center; enterprise funds were stable and were able to make budgeted transfers; Town Board with Administration awarded Employees a Cost of Living increase of 3 Percent and Administration with Department Leadership successfully managed expenditures while maintaining a high standard of service. This reflects well on the fiscal responsibility shown by the Town.

Mayor Caldwell thanked Mr. Kingshill, Ms. Lux and Mr. Turnmire for their portions of the presentation and was grateful for a good year.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to accept the audit report as presented. The motion carried unanimously.***

## **C. NEW BUSINESS**

### **6. Rehabilitation of Digester at Waste Water Treatment Plant**

- Jeff Stines, Interim Public Services Director

Jeff Stines, Interim Public Services Director, explained to the Board that the Town currently uses an "anaerobic digester". This is a digester that treats sludge in an environment that is free of air, to treat solids (sludge). This process is creating high levels of sulfur oxide which is dangerous for operators to breath as they operate a belt press to dewater it. Mr. Stines stated that in the past hydrogen peroxide has

been added to change the chemical makeup of the sulfur oxide. He said that this process creates a great deal of foam which overflows onto the ground. The Town has been cited by the Asheville Regional Office of DENR for overflows, so this is no longer a viable method of dealing with the sulfur oxide.

Mr. Stines said the plan for rehabilitating the Waste Water Treatment Plant calls for the anaerobic digester to be converted to an “aerobic digester”. The aerobic digester will produce more air which will eliminate the problem of excessive sulfur oxide buildup. The current budget has a line item of \$200,000 to fund improvements such as this. The current digester has been redesigned by McGill by removing the ¼ inch steel lid and the internal piping and converting the digester.

Mr. Stines told the Board that this digester would be converted to aerobic as part of the long-term renovation of the plant. This work would be carried out as part of the overall renovation. The Town received three bids for the conversion, and the low bid was submitted by Ashe Construction and Maintenance of Canton for \$83,259.00.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve the bid of \$83,259.00 submitted by Ashe Construction and Maintenance for the conversion of the anaerobic digester to and aerobic digester. The motion carried unanimously.***

7. Award of Contract to Green Light Electric: Haywood & Church St. Pedestrian Signal Upgrade
  - Jeff Stines, Interim Public Services Director

Approximately two years ago a visual impaired person who frequently walks throughout Town, identified an area that was ADA deficient. Mr. Stines said that last year the Board had approved the company of Mattern & Craig Engineering to provide engineered plans and specifications for the upgrade to the signals at Haywood and Church Street.

The project was advertised for multiple weeks and the Town received two responses. Green Light Electric was the low bidder at \$30,275.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to award the project to Green Light Electric in the amount of \$30,275.00. The motion carried unanimously.***

8. Chestnut Walk Tank Bid Results
  - Jeff Stines, Interim Public Services Director

Mr. Stines explained that the 10,000-gallon water tank located off Apple Tree Court, which serves the Chestnut Walk community, is slowly deteriorating and beyond its service life. This tank has developed large pin hole leaks over the last two years, and multiple attempts have been made to repair the tank. In addition to a depleted a tank, the tank is well undersized, and this is creating inadequate flow for fire protection in the area. Because of this, the Town is unable to sell any more water taps off this system.

An avenue to replace the tank early last year was presented to the board and requested hiring an engineering firm to put together plans, specifications and bid documents. McGill & Associates have prepared plans for a forty-thousand-gallon tank and received the bids back in October 2019. McGill’s

method of advertising included the following: local newspaper, town website, various construction sites and sending plans directly to 16 different qualified potential bidders.

Mr. Stines said that four bids for the tank were received ranging in price from \$151,412 to \$392,410. ACMI was the low bid for the tank project by nearly half the price. McGill & Associates requested a price from ACMI to install the tank and prep the site per the plans and specifications. ACMI's proposal for this work was for \$154,540 plus an additional \$15,000 for payment and performance bond.

After much discussion concerning the legality of providing city services, such as water, to people who live outside the city limits and pay no taxes, the Board decided to table the item until a later date.

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Jon Feichter, to table the item until the Town Attorney can report back to the Board on the legality requiring the Board to provide a \$320,000.00 water tank to people who live outside the City Limits of Waynesville. The motion carried unanimously.***

9. Award of RFQ and Fee for Engineering Services: Hydraulic Modeling / Fire Flow Mapping

- Jeff Stines, Interim Public Services Director

As part of last year's budget request, Public Works and the Fire Department identified the need to map available fire flows by developing a hydraulic model of the Town's water distribution system. Mr. Stines told the Board that this project will significantly reduce staff time required to test fire hydrants annually and will assist the fire department with ratings and inspections by the office of the State Fire Marshal. It will also aid Town staff in prioritizing new capital improvement projects and help determine available pressures and flow for new development proposed in Waynesville.

An RFQ for engineering services was issued, and McGill & Associates stood out among the group of responses. Their local presence added value to this project because they have completed various hydraulic grade line studies for the Town over the years. In addition, they hold all the GIS data for utilities for the Town.

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to award the contract to McGill & Associates in the amount of \$55,500 for Hydraulic Modeling/Fire Flow Mapping. The motion passed unanimously.***

10. Request approval of NC 457(b) Deferred Compensation Plan

- Assistant Town Manager Amie Owens

Assistant Town Manager Amie Owens explained to the Board that the Town has previously offered a 457(b) deferred compensation plan for its employees. Unfortunately, there has been minimal participation in previous years. At the present time, there are only 5 participants in the program. Nationwide was the previous account holder and they will no longer be providing this service; Prudential has indicated that they would be interested in working with the Town and they are the current 401(k) vendor.

Ms. Owens said that this program is different from the 401(k) in that it allows for full-time and part-time employees to participate, does not require matching from the Town and there is already a code in the

payroll system for deductions. Because of changes to the plan, a resolution is required by the Board to allow new enrollment in the plan.

If approved, Ms. Owens stated that the plan would be available to employees with the open enrollment in June 2020 with a July 1, start date for contributions. Existing participants could roll their previous contributions into the new plan and will be receiving information related to their options via mail from the NC Retirement System in March/April.

Ms. Owens said that this is a great way for the Town to provide a benefit for part-time employees that previously not had access to, and an additional option for our full-time staff related to their retirement contributions.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve the Resolution R-01-20 to Adopt A Qualified Defined Contribution Plan (NC 457) for the Employees of the Town of Waynesville. The motion carried unanimously.***

11. Report to Board on Feasibility of Printed Quarterly Newsletter

- Assistant Town Manager Amie Owens

At the last Board meeting, staff was asked to study the feasibility of resuming a printed quarterly newsletter. Ms. Owens said that the last printed Town of Waynesville newsletter was done for May/June 2015. At the beginning of FY 2016, due to the cost of the printing/postage, the practice of printing a newsletter was discontinued. Instead, with the implementation of a new website, information would be included there and sent out via regular press releases.

After researching, Ms. Owens explained to the Board that the information related to the cost of the printed newsletter was included in their packets. This is for internal and external printing and includes staff time, mail permits, printing costs, additional copies, postage, and cost for a mail management service to label the pieces with addresses. The estimated cost annually would be \$34,060.00. Ms. Owens stated that staff feels that this is not a feasible option and recommends that the Town continue to publish information on the website and in the newspaper via press releases and continue to use the Everbridge notification system for communication with the public.

Ms. Owens made a recommendation to try publishing a one-page two-sided flyer, beginning in July 2020, on a bi-annual basis, that could be placed in public areas such as Finance office, Recreation Center and downtown kiosks. This would provide basic budget information, holiday and trash schedules and events for the next six months.

Alderman Dickson thanked Ms. Owens for the information and her research and stated that he would like to revisit this at the board retreat when it is scheduled. He also added that televising the board meetings may be a good option instead of printing.

#### D. COMMUNICATIONS FROM STAFF

##### 12. Manager's Report

- Town Manager Rob Hites

Manager Hites had no report.

##### 13. Attorney's Report

- Town Attorney Bill Cannon

Town Attorney Bill Cannon brought back a parking lot lease for the area next to the Town Hall/Watami building that was initially presented in November 2019. At that time, the then Mayor Gavin Brown asked for the item to be tabled for more extensive review by the board.

The lease is for \$400.00 per month (\$4,800 annually) and assures that Police have designated parking spots and that the lot can be used for public parking outside of Watami's normal business hours. The owners of Watami are amenable to closing the parking lot for the various street festivals as part of the agreement. This lease was approved by the attorney of the Watami owners who purchased the lot. This is a five-year lease.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve the lease for the parking lot adjacent to the Town Hall/Watami as presented. The motion carried unanimously.***

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

##### 14. Call for Public Hearing

- Alderman Jon Feichter

Alderman Feichter explained to the Board that he had been inspired by an action taken by the Graham County Board of Commissioners when they had voted unanimously to show their full support for House Bill 655 NC HealthCare for Working Families. He said it had been well documented that physical and mental health problems and homelessness are linked. Conditions such as diabetes, heart disease, and HIV/AIDS are found at high rates among the homeless population, sometimes three to six times higher than that of the general population.

Alderman Feichter said that currently, some 500,000 North Carolinians are unable to afford health insurance, even though most are working. This creates an untold number of problems, including, making it more difficult to address the opioid crisis, increasing both infant and maternal mortality, and straining our rural hospitals. Moreover, it is reasonable to conclude that the lack of health insurance by so many in this state contributes significantly to homelessness in our community.

He told the Board that in our ongoing effort to reduce homelessness in Waynesville, it is imperative that all possibilities be considered. For individuals and families who experience homelessness, having access to health insurance provides a path to greater self-reliance and independence, and Medicaid expansion is an idea our state should carefully consider. He asked the Board to consider holding a Public Hearing at



the February 11, 2020 Board of Aldermen meeting to gain public input of a Resolution supporting House Bill 655.

***A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson, to hold a Public Hearing on Tuesday February 11, 2020 at 6:30 pm, or as closely thereafter in the Town Hall Board Room, 9 South Main Street, in order to gain public input on a Resolution supporting House Bill 655. The motion carried unanimously.***

#### Broadview Road

Alderman Feichter stated that the Board had received an email from Leisa McDonald concerning parking on Broadview Road. He said that since the new businesses have opened at the Overbrook intersection, the residents are experiencing significant more traffic on Broadview Road, with cars being parked on the sides of the road and delivery trucks blocking the entire road.

Alderman Dickson stated he had heard from several people also concerning parking in that area.

Manager Hites said he would like to see if there could be a delivery time for the trucks and designate three parking spaces as a delivery zone for 7:00 -10:00 am. That would provide room for cars to get around the trucks. He said staff would look at the width of the road to see if there were two travel lanes, and possibly striping for parking.

#### Highlands Road

Alderman Feichter told the Board that he had been asked about a sidewalk on Summit Street that just stops. Below this point there is a steep bank, and at one point a man in a wheel chair had gotten stuck in this spot and had to ask for help getting out. Alderman Feichter asked is there could be a wheel chair accessible curb ramp on that sidewalk, so that if someone is there in a wheel chair, they could exit the sidewalk.

Manager Hite said that could be done.

#### **F. CALL ON THE AUDIENCE**

Mr. Dick Young said that he had spoken with the Board previously concerning several issues such as protecting the Watershed, paving Main Street and Pigeon Street, and establishing a truck route. He asked the Board to address these issues.

Alderman Feichter asked Manager Hites about the truck route. He said that property would have to be acquired in order to have ample turning radius from Main Street to Haywood Street, and rebuild the intersection in order to accommodate tractor trailer trucks.

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

16. Enter closed session to discuss potential acquisition of property under NC General Statute §143-318.11(a)(5)

*A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to enter into closed session under 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.

The Board returned from closed session at 9:15 p.m.

**H. ADJOURN**

*With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter to adjourn the meeting at 9:16 p.m. The motion carried unanimously.*

**ATTEST:**

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Gary Caldwell, Mayor

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

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