

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
December 8, 2020

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, December 8, 2020 at 6:02 p.m. 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 6:00 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Town Attorney William E Cannon, Jr.
Police Chief David Adams
Members of the Police Department
Byron Hickox, Land Use Administrator
Chris Mehaffey, Assistant Fire Chief
Jeff Stines, Public Services Director

The following media representatives were present:

Becky Johnson, The Mountaineer
Cory Valliancort – Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and reminded everyone that “The Night Before Christmas” would be held on Saturday December 12th at 6:00 pm on Main Street sponsored by the Downtown Waynesville Association. He asked everyone to recite the Pledge of Allegiance.

2. Adoption of Minutes

A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the minutes from the October 27, 2020 regular meeting. The motion carried unanimously.

B. ADDITIONS OR CORRECTIONS TO THE AGENDA

Mayor Caldwell suggested to the Board that the time limit for Public Comment be expanded from thirty minutes to one hour so that anyone who wished to speak could. The Board agreed.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to take from the table the Ordinance O-26-20 repealing Chapter 22, Section 22.31 through 22.35 of the Code of Ordinances and language included in section 22.31 through 22.36 and recommend for replacement. The motion carried unanimously.

C. PUBLIC COMMENT

Town Attorney Cannon opened the Public Comment period at 6:09 pm and explained the rules for Public Comment.

**Patty Johnson
12 Lingerin Shade Lane
Waynesville, NC 28786**

Ms. Johnson stated that she is a resident of Waynesville, pays taxes in the Town of Waynesville, and this gives her the privilege to vote for the Mayor and Aldermen. She said she did not understand how people who did not live in the Town of Waynesville are able to come to the meetings and question the actions of the Mayor and Board of Aldermen. The folks from the surrounding communities have no investment in the Town. Ms. Johnson told the Board that she had seen the disrespect shown to them in previous meetings as well as tonight. She said she wanted to express her appreciation to the Board, and she thanked each of them for the work they do in keeping the Town a wonderful place to live.

**Lisa Overhultz – Member of Saving Haywood
26 Davis Lane
Waynesville, NC 28786**

Ms. Overhultz expressed her concerns about the Bethel Professional Building on South Main Street. She asked if the building was zoned and licensed for a Homeless Shelter. She said she felt this wasn't a homeless shelter, but rather a house for homeless drug addicts and sex offenders. Numerous calls to the police have been made, and it seems that nothing is being done. She asked that the Bethel House be closed and try to get help for the people who go there, because this does not belong in a residential neighborhood.

**Erich Overhultz
26 Davis Lane
Waynesville, NC 28786**

Mr. Overhultz told the Board that the Christmas parade that was held in Hazelwood this past week was a great success. He feels like this was something that lifted spirits in the part of Town that is often neglected in a very difficult year. He spoke about the deterioration in West Waynesville and Hazelwood pertaining to the Bethel Professional Building housing the homeless, and the Task Force for Homelessness asking for

more money. Mr. Overhultz said that he was very much against the Board issuing a mask mandate. He told the Board to start working for the people instead of working to do things to the people.

Bill Davis
No Address given

Mr. Davis thanked the Board for being able to speak to them. He said that too many of his ancestors had fought for freedom, and he would not stand by and allow unlawful mask mandates, unproven vaccines, and ruination of small businesses. Mr. Davis said that placing the authority to decide what constitutes an emergency in one man's hand is tyranny. He said that this country has always claimed to be a nation of laws, and laws are only enacted by legislative process.

Peggy Hannah
268 Hemlock Street
Waynesville, NC 28786

Ms. Hannah said that she feels like the Waynesville Police is the best in the County, but they need to know what they can and cannot do when it comes to the Bethel House on South Main Street. She asked the Board to do their job and stop the illegal activity that is happening there. Ms. Hannah expressed her concerns about the "catch and release" problems with criminals being released from jail with no convictions. Another concern Ms. Hannah brought to the Board was the Task Force on Homelessness. She said the Task Force was created unfairly and overloaded with people from non-profit organizations. The Task Force Board did not let the Town Board know that people were not attending meetings and they are not following what the Town Board has directed them to do. She asked the Board to make sure the Task Force is doing what they are supposed to be doing.

Stephanie Parsons
335 Youngs Pride Est.
Candler, NC 28718

Ms. Parsons gave the Board information concerning PCR tests and how false-positive may occur. She stated that when wearing a mask, the oxygen level in blood is lowered, the immune system is compromised. Bacteria can be trapped in the mask. She voiced her opinion on individual rights and choosing not to cover her face with a mask. Ms. Parsons said that the Board could not infringe their will on people because they pay taxes to the Town of Waynesville. Being segregated and not letting everyone be in the room and speak their minds is not ok.

Jill Wasky
1319 Eagles Nest Road
Waynesville, NC 28786

Ms. Wasky stated that she is an educator with valid teaching licenses in three states and was fired from her second-grade teaching job in Haywood County because she refused to impose medical intervention on her seven and eight-year old children for over eight hours a day. She had several questions for the

Board concerning who declares the emergency declaration and by what standard is that decision made. She asked what was is the definition of a finding that would necessitate an emergency. She asked how much money the Board expected to receive from emergency funds and how much has already been received because of other emergency declarations. Ms. Wasky said that as a taxpayer, answers were needed from the elected officials.

**Janet Presson
49 Lodgepole Pine Lane
Waynesville, NC 28786**

Ms. Presson said that she did not live inside the city limits of Waynesville, but she owns commercial property within the city limits. She asked the Board to respect the fact that many do not reside in Town but do pay taxes to the Town of Waynesville, and because of that she does have a say in what the Board does.

**Valerie Hubbard
179 Goldfinch Lane
Clyde, NC 28721**

Ms. Hubbard told the Board that even though she lives in Clyde, she shops and worships in the Town. She gave a brief history of her family. She spoke to the effects of mask wearing and the bacteria they contain. Under the guise of an emergency, whether it is real or imagined, our economies, churches and businesses are being shut down. Ms. Hubbard stated that she moved to Waynesville to raise her children and have freedoms. She is being harassed in stores because she is not wearing a mask. That is not how the Constitution defines freedom.

**Evelyn McDonald
1442 Max Patch Road
Clyde, NC 28721**

Ms. McDonald expressed her concerns as a child about the freedom and rights of everyone because of the decisions made during the pandemic.

**Sharon Rogles
35 R + K Drive
Waynesville, NC 28786**

Ms. Rogles gave statistics concerning COVID -19 and Tuberculosis. She said that emergencies consist of floods, fire, earthquakes and other weather-related conditions. Ms. Rogles believes there is no pandemic, and many lies are being told to the American people. She gave a brief history of being in India, and statistics of the many people who live there and the number of people who have died from COVID-19. She questioned those deaths versus the number of deaths in the United States.

**Diana Gordon
60 Candler Street
Waynesville, NC 28786**

Ms. Gordon posed several questions to the audience concerning wearing masks, and how some people feel that it is not necessary to wear one. She said she believed that the virus is deadly and very easily spread. Ms. Gordon stated there would be a vaccine soon, but until it is available, we must be cautious. She stated that she could not live with herself if she thought she had given it to a family member or someone else. This is not a political issue, but a righteous act of kindness.

Jason Harris
301 Sugarbush Lane
Canton, NC 28716

Mr. Harris moved to the area four years ago, but he does not like the stories he is hearing about Waynesville. He explained protocols of proper biohazard protection, and expressed his frustration concerning small businesses that are closed due to the pandemic, while big corporations are growing. Mr. Harris believes that this isn't an attack on people but an attack on our economy.

Melanie Williams
637 Crabtree Church Road
Clyde, NC 28721

Ms. Williams quoted a ruling of the United States Supreme Court after the Civil War that still stands today. She said that she refuses the protection of the Board concerning the wearing of masks and will not comply with being quarantined or wearing a mask when she is not sick. The lives of people are being destroyed, and children's lives are being destroyed. She said that the Emergency Proclamation is officially being rejected by Vigilant Citizens, there will be legal ramifications.

Thomas Dickerson
3785 NC 18
Moravian Falls, NC 28654

Mr. Dickerson is a member of Reopen NC which is an agency promoting the Born Alive Bill. He said the government is trying to take away freedoms of citizens and explained how the Born Alive Bill will save the lives of babies, and he asked the Board to not be part of taking freedoms away.

Jake Durbin
432 Pinecrest Lane
Waynesville, NC 28786

Mr. Durbin gave an emotional speech concerning the effect the pandemic is having on kids.

Nikki White
176 Creek Bend Lane
Waynesville, NC 28785

Ms. White told the Board that she was using her three minutes to allow the Board to vote on the Emergency Proclamation. No one spoke.

Savannah Williams
637 Crabtree Church Road
Clyde, NC 28721

Ms. Williams stated that she was on a volleyball team, and recently had to quit the team because she was going to be required to wear a mask during practice and games, and she refused. She gave several statistics concerning wearing masks and being able to exercise. She said it was her right to breath fresh air, and she would not give it up. Ms. Williams told the Board it was not fair, and asked what her options were, and how she could stay safe.

Jordon White
176 Creekbend Lane
Waynesville, NC 28785

Ms. White said that she had not, and she would not wear a mask. She said that she is being held back from doing what she wants to do in her life, and none of this makes any sense. She will not listen to false information from the Board.

Ashley Bradley
195 Cartwright Drive
Waynesville, NC 28786

Ms. Bradley stated that she believes COVID is very real because her Mother passed away from the virus, and she had contracted it also. Because of being a victim of a violent crime, she cannot wear any kind of cover over her face and mouth. She presented statistics of women in the United States experiencing violent crimes where something was placed over their mouth and head which result in PTSD and anxiety. She said it was unfair for her to have to tell people who ask why she is not wearing a mask that she is a victim of a crime.

Katie Durbin
No address given

Ms. Durbin expressed her concerns pertaining to teens and their mental health. Teens have had fear instilled into them on top of other problems that they have. There is no place for them to go or anyone to talk to. She spoke of the suicide rates among teens because of the pandemic and stated that it isn't fair. Mental health issues since the pandemic have increased. She said it is time to move on and stop being afraid and take back our rights. She said it was not her responsibility to take care of anyone else's health.

Joseph Thomas
No address given

Mr. Thomas thanked the Board for listening to the citizens, the Mountaineer Newspaper for reporting accurately and Dr. Jaben for posting the actual number of cases and deaths to the County website. Death and fear are the driving force in the Governor's order and in the consideration in changing the State of Emergency Proclamation in the Town of Waynesville. He gave statistics of survival in Haywood County. Mr. Thomas said that people could not be arrested or detained because they are not wearing a mask. No one person should ever be able to close businesses, mandate a stricter law concerning masks, enact curfews, or establish fines for choosing not to wear a mask.

**Michael Hogan
Blue Mountain Chiropractic
1510 Asheville Road,
Waynesville, NC 28786**

Mr. Hogan said the fear is totally understandable because of the illnesses in America and the skyrocketing insurance rates. Chronic stress alters the anatomy of the brain, and the kids were the ones paying the price. He said that we need to stand up and help each other out and take the fear away. Mr. Hogan stated that when he returned from Canada, he tested positive for COVID, and his family did not contract the virus.

**Mike Graham
Bethel**

Mr. Graham said the definition of insanity is doing what you are doing and expecting a better result. We are at war beginning in mid-March, and until a few weeks ago we were holding our own against this virus. It has been a constant catch up game dealing with supplies for the virus. He said his mom was the second person to die at Silver Bluff Nursing Home. At that time, it took six days to get her test result back. If there had been rapid testing, she could have been helped. Now we are waiting for the virus to come to us. We need to start fighting the virus earlier. He asked that each member of the County Commissioners, Town of Waynesville Board, and the School Board discuss how to put the rapid testing to use.

**Mary Robbins
PO Box 526
Balsam, NC 28707**

Ms. Robbins stated that she had worked in Government before moving here from New York approximately a year ago. She asked if the wording of the current Emergency Proclamation was adequate and why did it need to be changed. She said there needs to be a check on power.

**Makena James
40 Canterbury Rd.
Asheville, NC 28801**

Ms. James is a Concert Organist student at Holton College and a Concert Organist in the Asheville area. She said her college followed very strict COVID restrictions and she had to wear a mask all the time. She told the Board that wearing masks cuts off oxygen, and she cannot allow this as an organist. As a result of being constantly harassed, she decided to take a semester off from college. She will not abide by unconstitutional rules made by the Government.

Town Attorney William Cannon closed the Public Comment at 7:32.p.m.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to adopt the Ordinance O-26-20 repealing Chapter 22, Section 22.31 through 22.35 of the Code of Ordinances and language included in section 22.31 through 22.36 and recommend for replacement.

Mayor Caldwell asked Town Manager Rob Hites to read the Ordinance.

Manager Hites explained that local governments, state and county, do not have the authority to act without the empowerment by the State of North Carolina. Every city and county in the United States is a political subdivision of the State.

He read the major sections of the Ordinance that was adopted in 1987 and the complimentary section in the new Ordinance. The 1987 Ordinance was adopted under a State Statute that was repealed. The Ordinance that is before the Board, 166A 19.31 and 166A 19.22 follows the Statute that empowers local government to enact States of Emergency.

In 1987 Section 22.31 states “A State of Emergency shall be deemed to exist whenever times of great public crisis, disaster, rioting, catastrophe, or similar public emergencies, or for any reason municipal public safety authorities are unable to maintain public order or afford adequate protection for lives, safety and property.” The new language says that “An emergency is defined as an occurrence or an imminent threat of widespread or severe damage, injury, loss of life, or property resulting from any natural or man-made accidental , military, terrorism, public health related, explosion related, riot related, or technological failure or accident including but not limited to cyber incident, explosion, transportation accident, radiological incident, chemical or hazardous material incident.

The 1987 Ordinance states “In the event of an existing or threatened State of emergency, endangering the lives safety , health and welfare endangering the health safety and welfare of people within the Town, or threatening damage to or destruction to property, the Mayor is authorized and empowered to issue a public Proclamation declaring to all persons the existence of emergency, and in order to more effectively to protect the lives safety and property within the Town, to place in effect any of the restrictions authorized in Sections 22, 23.

Manager Hites said the new Ordinance makes the very broad language of the 1987 Ordinance more understandable. The new Ordinance states “In the event of a State of Emergency, the Mayor is authorized and empowered to issue a public declaration determining and imposing those prohibitions or restrictions that the Mayor deems necessary suitable to a particular State of Emergency. In the event of the Mayor’s

absence, the Board of Aldermen has authorized to confer upon the Mayor Pro Tem the Mayor's authority, and in the absence of both the Town Board may do so."

Manager Hites stated that the Town is following, word for word, the State Statute GS §166A 19.31D.

Alderman Dickson commented that the Town already has the emergency powers authorized by this State Statute. We are merely aligning our own Ordinance with the State Statute and exercising the option to give the Mayor the sole authority to declare an emergency. We are adopting the identical Ordinance that Haywood County adopted four years ago, and it also applies to all the other Towns in Haywood County. We are not doing anything out of line, merely formalizing the authority that we have been given by the State.

Alderman Jon Feichter said he fully understood the need to update the Ordinance to be in line with the State Statute, but he believes that there are changes that we could make to the language of the proposed Ordinance that would address some of the concerns of the folks who have spoken. He urged the Board to not adopt the Ordinance and let us make some adjustments to the language so that we consider everyone's input. He said that he felt that one of the worst times to update a State of Emergency Ordinance is in times like now. Alderman Feichter said it needs to be done, but it doesn't have to be tonight.

Mayor Caldwell said there was a motion on the table to adopt the Ordinance and asked the Board for a vote.

The Board voted to approve the Ordinance O-26-20 repealing Chapter 22, Section 22.31 through 22.35 of the Code of Ordinances and language included in section 22.31 through 22.36 and recommend for replacement with four yays (Alderman Chuck Dickson, Alderman Julia Freeman, Mayor Gary Caldwell, Alderman Anthony Sutton) and one nay (Alderman Jon Feichter.)

Mayor Caldwell asked for a brief recess at 7:46 pm.

The Board returned from recess at 7:55 pm.

D. PRESENTATION

3. Presentation from the County Assessor's Office
 - Judy Hickman, Haywood County Assessor's Office

Ms. Hickman gave a brief update on the 2020-2021 revaluation stating the they are currently at the end of their visits to properties and working on final review. The last revaluation was on January 1, 2017, and North Carolina State Statute §105.286 does require that a revaluation occur every eight years.

Ms. Hickman and her staff plan on mailing notices out to property owners between March and April 2021. The citizens will have thirty days from the notice to appeal the revaluation, and this year there will be a taxpayer appeal assistance program.

She gave examples of some of the sales that have taken place in Haywood County which shows a 22 % increase in market value. These examples are nation-wide, not just in the County. She told the Board that there would be updates in the newspaper and social media for citizens concerning the revaluations.

E. CALL FOR PUBLIC HEARING

4. Call for a public hearing to discuss Habitat for Humanity’s request for a grant through the Town of Waynesville’s affordable housing policy.
 - Jesse Fowler, Assistant Town Manager

Jesse Fowler, Assistant Town Manager, explained to the Board that Habitat for Humanity is seeking to take advantage of the Town of Waynesville’s Affordable Housing Policy and is requesting a grant from the Town of Waynesville to offset the development costs associated with the construction and infrastructure development of their Sylvan Street subdivision. This is a 10-unit subdivision that is expected to be completed over several years.

This grant request would be for the approximate amount of \$192,177. Habitat for humanity estimates that each unit will be appraised at approximately \$230,000. This would increase the tax base by approximately \$2,300,000 per year at buildout.

Alderman Anthony Sutton called for a motion to hold a public hearing at the regular scheduled Board meeting on January 12 at 6:00 PM or as closely thereafter to consider Habitat for Humanity’s request for a grant from the Town of Waynesville to offset development costs associated with the construction and infrastructure development of their Sylvan Street location. The motion was seconded by Alderman Chuck Dickson and passed unanimously.

F. PUBLIC HEARING

5. Public Hearing to consider the designation of the property at 53 Walnut Street as a Local Historic Landmark
 - Byron Hickox, Land Use Administrator

Byron Hickox, Land Use Administrator, said that the property located at 53 Walnut Street (known as the Charles U. Miller House) was constructed between 1906 and 1909. It is an intact example of a Dutch Colonial Revival style house. It is the oldest of several houses that line this section of Walnut Street and is located within the Spread-Out National Register Historic District. The house has been renovated with the highest level of attention paid to its historic status and architectural integrity. The owners of the property, Austin and Tina Lee, have requested that it be designated a Local Historic Landmark.

Mr. Hickox presented the following information to the Board about the house.

Local Historic Landmark Designation Report

Charles U. Miller House

Name of Property – Charles U. Miller House

Current Owner’s Name & Mailing Address – Carlton Lee, P.O. Box 283, Lake Junaluska, NC 28745

Appraised Value of the Property – \$235,000

Physical Address – 53 Walnut Street

PIN – 8615-48-0609

The proposal for designation of the Charles U. Miller House as a Local Historic Landmark focuses on the house’s prominence along the historic entry corridor into Waynesville and the integrity and distinctiveness of its architectural features. The designation as a Local Historic Landmark will include the entire property at 53 Walnut Street, with the Charles U. Miller House being the only structure located on the property. This property is the parcel that was historically and is currently associated with the house. This designation also includes the interior of the house, as several unique interior features have been preserved and are in excellent condition.

Historic Background

The lot was purchased by Charles U. Miller and Mary C. Miller from the First Presbyterian Church of Waynesville on April 13, 1906 for \$650. The house was constructed sometime between 1906 and 1909, when the Millers sold the property to Jerry R. Smathers for \$3,600.50. In 1921, Nannie B. Smathers, life estate owner of the property sold the property to James and Janie Stringfellow for \$5,000. The Stringfellows sold the property to Caroline Sackett DeNeergaard in 1925. After Ms. DeNeergaard’s death in 1941, her son, Clifford Gould DeNeergaard, was operated as a rental house. In 1952, Mr. DeNeergaard sold the house to Malcolm and Mary Williamson for \$9,700. The property remained in the ownership of the Williamsons and their sons for more than 60 years. Malcolm Williamson was pastor at the First Presbyterian Church and lived in the manse, which was located between the Miller House and the church. Between 1952 and 1954, Mrs. Williamson operated the Miller House as a summer guest house. In 1954, Reverend Williamson became associated with a church in Charlotte, but the family continued to use the house as a second residence until 1980, when Reverend and Mrs. Williamson again made the Miller House their primary residence. Upon the death of their mother in 1999, the three Williamson sons retained ownership of the house, but did not use it as a full or part-time residence. During the period 1999 to 2009, the Williamson sons made some renovations to the house, always careful to maintain its architectural integrity. However, illnesses and other complications kept the Williamsons from completing the renovation. In November 2016, the Miller House was sold to its current owners, Carlton A. and Tina T. Lee. Since then, the Lees have made significant progress, at considerable expense, to complete the renovation of the house, with thorough attention to its architectural details, both exterior and interior.

Assessment

The Charles U. Miller House is a two-and-a-half story Dutch Colonial Revival style dwelling with several Classical and Queen Anne features. It is located on Walnut Street and is surrounded by the First Presbyterian Church property and other well-maintained dwellings of a similar age, many of which have

been converted to non-residential uses but have preserved their residential character. Its setting is prominent on the lot and along the Walnut Street frontage. The roof is a gambrel style with a shed dormer at the northeast corner and a second story porch on the southeast side. Gambrel roof houses are not common in Waynesville, and this example is the only one in the Spread-Out National Register Historic District and in the larger surrounding area. The roof style is original to the house and has been maintained in excellent condition. The main front porch is located at the southeast corner and extends along two-thirds of the width of the façade. A bay window at the northeast corner gives the façade an asymmetrical appearance that is unusual for the Dutch Colonial Revival style. A second bay window is located on the first story of the south elevation. Windows include six-over-one, nine-over-one, and twelve-over-one double-hung sash, as well as some multi-light casement windows in the attic level. The front entry features a single light-over-panel single-leaf door framed by a decorative dentil block molding. The home's foundation is constructed of cut block.

The interior of the house features plaster walls throughout, and the original hardwood floors remain. The first-floor entry features a large stair hall and parlor, with stairs in the northwest corner of the room and a bay window on the east wall. The stair balustrade is solid and features a sweeping curve. To the south of the entry is a second parlor, and to the west of this is the dining room, with a bay window on the south wall. Notable interior features include the first-floor newel post, and door and window moldings. The first-floor doors are typically five-panel. The second floor includes four bedrooms and one hall bath. The balustrade on the second floor is Craftsman in style with simple detailing. Bullseye corner blocks form part of the second-floor door and window framing. Second floor doors are typically six-panel.

The Charles U. Miller House features prominently in the area that forms an informal entrance into Waynesville from the north. With a construction date of circa 1906-1909, the Miller House appears to be the oldest house on Walnut Street, as most of the other houses in the immediate area were constructed between 1915 and the early 1920s.

At a special called meeting on October 27, 2020, the Historic Preservation Commission voted unanimously to adopt the proposed ordinance of designation for the Charles U. Miller House.

Attorney Cannon opened the Public Hearing at 8:10 pm. And asked if anyone wished to speak

No one spoke.

Attorney Cannon closed the Public Hearing at 8:12 pm.

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson, to approve Ordinance O-24-20 to designate the property at 53 Walnut Street as a Local Historic Landmark. The motion carried unanimously.

G. OLD BUSINESS

6. Reporting back to the Board of Aldermen concerning the NCDHHS Serving Justice Involved Individuals Grant.

- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler presented a report from Amy Murphy-Nugen concerning the NCDHHS Serving Justice-Involved Individuals Grant.

Following the Town Board's approval to prepare the grant proposal, my colleague, Assistant Professor Beth Young and I, moved quickly to reach out to relevant stakeholders to invite their collaboration and support. Support for the comprehensive community care model was communicated by the Waynesville Police Department and Chief Adams, Haywood County Sheriff's Office and Sheriff Christopher, 30th Judicial District Supervisor Todd Sellers, Meridian Behavioral Health Services, Haywood Pathways Center, Down Home North Carolina, ABCCM, and, Mountain Projects. We also spoke to Nathan Cartwright, a member of the Task Force on Homelessness and an individual with a lived experience of homelessness, to inform our proposal and model of care.

Although we think we have prepared an innovative and evidence-based model of care, in preparing the budget of both required and evidence-based elements—we are currently exceeding the \$250,000 per year maximum eligible for the grant award. Therefore, we do not think it is feasible to pursue the grant under these parameters. Although we are disappointed with this outcome, we were encouraged by the collaborative communications and planning we engaged in with many key stakeholders and hope that our current proposal and model of care may be used to seek other funding opportunities.

We would like to thank the community stakeholders who met and planned with us in a short window of opportunity as well as the Mayor and Board of Alderman for their support as we explored the feasibility of this grant proposal.

H. NEW BUSINESS

7. Board Vacancies

- Jesse Fowler, Assistant Town Manager

Task Force on Homelessness

Alderman Anthony Sutton stated that there were currently has 17 Task Force members, and five work Groups which consists of 16 additional people on the Task Force, which makes 33 people working under its charge. Because of being almost half-way through the year, it would be impertinent to appoint additional members to the Task Force, and it might create problems trying to get new people up to speed. The suggestion of the Task Force is to let anyone who wishes to join one of the work groups, and participate in getting input from the stakeholders, so at this time it might be best not to appoint anyone else to the Task Force on Homelessness.

Alderman Jon Feichter stated that he understands where the Task Force is coming from, but he feels like they are missing an opportunity to bring in some folks who feel like that they are not being heard.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to accept the recommendation of the Task Force on Homelessness to not appoint anymore people to serve on the Task

Force. The motion carried with four yays (Alderman Anthony Sutton, Alderman Julia Freeman, Mayor Gary Caldwell, Alderman Chuck Dickson) and one nay (Alderman Jon Feichter).

Alderman Dickson and Alderman Sutton explained to Ms. Peggy Hannah of Save Haywood that she had not been forgotten in her requests for help in the Release Program. Alderman Dickson said that he knew there were problems with the Task Force, but he is waiting on statistics from the work groups to see if they are dealing with Homelessness or other types of situations. Alderman Sutton told Ms. Hannah that there would be a new Chief Justice of the North Carolina Supreme Court in January, and he has reached out to him concerning the Release Program, and he would like for Ms. Hannah to form a letter to be presented to him from the Save Haywood group.

Historic Preservation Commission Vacancy: One Vacancy

Applicants: Rodney Conard
Meg Guyton

A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to appoint Mr. Rodney Conard to the Historic Preservation Commission for the term ending June 30, 2021.

Cemetery Committee Vacancy: One Vacancy

Applicant: Roy Pressley

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson to appoint Roy Pressley to the Cemetery Committee for the Term ending June 2023. The motion carried unanimously.

8. Proposed Meeting Schedule for 2021

- Jesse Fowler, Assistant Town Manager

Mr. Fowler explained to the Board that each year the Board must approve a meeting schedule for the upcoming year. The schedule provides the date and time of each regular meeting. Please note that next year there will be five meetings at the beginning of the year that will be starting at 6:00 pm. These include the January 12th and 26th meeting, February 9th and 23rd meeting, and the March 9th meeting. The remainder meetings will start at 6:30 pm unless otherwise noted. Additional meetings may be called for a Board Retreat in early 2021 and for Budget Development and discussion in spring 2021.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Julia Freeman to approve the Board of Aldermen meeting schedule for the year 2021. The motion carried unanimously.

9. Cemetery Committee Update

- Edwin Fish, Chairman

Mr. Fish thanked the Board for the opportunity to speak concerning the Cemetery Clean up process. At the November 10, 2020 regular meeting of the Board of Aldermen, the Board asked that the Cemetery

Committee meet and discuss some of the recent complaints which have been raised during the fall clean up. The Committee met on November 17 with one member absent and one vacancy, and they voted to recommend that the clean up continue per the current Ordinance. Mr. Fish said that he talked with the member that was absent, and he did not agree with the clean-up.

Alderman Feichter told the Board that he had talked with Mr. Fish and asked him to relay to the Committee that he supports them, and he supports the Ordinance drawn up by the Committee. He said that he felt the Cemetery was in good hands, but he wants to move cautiously to regain the trust of citizens that feel like they have been done wrong.

Alderman Feichter asked if the Town is responsible for maintenance at Dix Hill. Mr. Fish explained that the Town only does the mowing in that Cemetery.

I. COMMUNICATIONS FROM STAFF

10. Manager's Report

- Town Manager Rob Hites

Additional Bonus for Town Employees

Manager Hites explained to the Board that the Town's budget was drafted in June with the expectation that the COVID-19 epidemic would create a severe shortfall in sales tax and other consumer related revenue. While the epidemic has created a change in consumer behavior it appears to have created demand for in-state vacations. The Town and its neighboring municipalities have experienced an increase in consumer related revenue rather than the decrease we projected in the budget. In addition, the staff instituted a hiring and spending freeze in March to make up the losses in revenue. While the Town staff saved a great deal of money the revenues did not experience the loss that we predicted.

He stated that one component of our reduced 2020-21 budget was the elimination of cost of living raises for employees. During the budget debate we promised to review the results of our audit and the revenues for the first five months of the year to see if the budget would permit a service recognition bonus to balance the lack of a COLA. After studying the preliminary trial balance in the General Fund for last year and the revenue collections for the current year, we believe that the Board could include a service recognition bonus of \$500 for full time employees. Part time employees would receive a reduced bonus based on the number of hours they work per pay period. The bonuses are expected to impact the General Fund Balance by \$101,402, Water Fund by \$13,004, Sewer Fund by \$13,878, Electric Fund by \$3,657, and the Internal Service Funds by \$10,564. Fund balance will be appropriated in the General Fund to cover the increase, while the other funds will be handled through budget transfers in the operating accounts.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve an increase in the Recognition Bonus by \$500 for full time and a prorated share for part time employees. The motion carried unanimously.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Julia Freeman, to approve Ordinance O-25-20 Amendment 6 to the 2020-2021 budget funding the General Fund bonus from the Fund Balance and the remaining increases from the operating funds of the Water, Sewer, Electric, and Internal Service Funds. The motion carried unanimously.

11. Town Attorney Report
 - Town Attorney Bill Cannon

Attorney Cannon reminded the Board that the sale of the Hazel Street property will be taking place at 11:00 am on Friday December 11, 2020. He said he had several inquiries and asked the Board to approve the recovery of any taxes owed and Attorney fees and costs.

Alderman Chuck Dickson made a motion, seconded by Alderman Anthony Sutton, to allow Attorney Cannon to recover any taxes owed, attorney fees, and costs from the sale of the Hazel Street property. The motion carried unanimously.

Attorney Cannon reported that the Town and a Police Officer has been served with a suit in District Court by David Terry Messer naming the Town of Waynesville, the Waynesville Police Department and Officer William Benhart individually and in his official capacity as a defendant. The lawsuit alleges that the plaintiff was sitting in a car when the police were called because of an incident. During the incident the Police Officer was struck and had to subdue the person he was questioning. That person pushed the Police Officer into the car, and the car was scratched. Mr. Messer is suing for just over \$1000.00 claiming the Town should pay for the Officer being pushed into the car.

Attorney Cannon said the claim was too small for the insurance to pay, but the Town and the Police Officer has immunity. He has checked and ethically he will be able to represent all three defendants if the Board has knowledge ahead of time and if they are aware there could be a conflict of interest later. He asked the Board to waive the potential or existing conflict of interest and permit him to represent all three defendants in Civil Action number 20CBD1072.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to waive potential conflict of interest and for Town Attorney William Cannon to represent the Town of Waynesville, The Waynesville Police Department, and Officer William Benhart in Civil Action number 20CBD1072. The motion carried unanimously.

J. COMMUNICATIONS FROM THE MAYOR AND BOARD

Alderman Jon Feichter asked the Board to return to Zoom for the January and February Board of Alderman meetings because of the rise in the cases of COVID and then discuss if the zoom meetings need to be extended. He said before the meeting he would like to address the technology so it would be easier to hear and see speakers.

Manager Hites stated the for the Public Comment section during the Zoom meetings will be published on the website. Comments may be sent to the Town Clerk and she will read them into the Zoom conference.

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson to return Zoom for the January and February Board of Aldermen meetings, and discuss at the second meeting in February if the Zoom meetings should be extended. The motion carried unanimously.

K. ADJOURN

With no further business, a motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to adjourn the meeting at 9:00 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Town Manager

Eddie Ward, Town Clerk