



Town of Waynesville, NC

Board of Aldermen Regular Meeting

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

Date: January 12, 2021

Time: 6:00 p.m.

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A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

Motion: To approve the minutes of the Board of Aldermen regular meeting held on November 10, 2020 and December 8, 2020 as presented (or as corrected).

B. PUBLIC COMMENT

C. PUBLIC HEARING

3. Public hearing to discuss Habitat for Humanity's request for a grant through the Town of Waynesville's affordable housing policy.

Motion: To award a Low-Income Housing Grant to Habitat for Humanity to offset Development costs associated with the construction and infrastructure development of their Sylvan Street location.

Motion: To approve Ordinance No. O-01-21, Amendment No. 7 to the 2020-2021 Budget Ordinance in the amount of \$45,412.00.

D. NEW BUSINESS

4. Development Services Department request for an additional Code Compliance Officer.
 - Jesse Fowler, Assistant Town Manager

Motion: To approve the new position of Code Compliance Officer within the Development Services Department.

5. Award of Contract for Chelsea Rd. Bridge Replacement

- Jeff Stines, Public Services Director

Motion: To award contract to ACMI, Inc. in the amount of \$242,675.00.

Motion: To approve Ordinance No. O-02-21, Amendment No 8, to the 2020-2021 Budget Ordinance

E. **COMMUNICATIONS FROM STAFF**

Manager's Report

- Town Manager Rob Hites

6. Annual Town Board Retreat

Motion: To choose a date for the retreat.

7. Town Attorney Report

- Town Attorney William Cannon

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

G. **ADJOURN**



TOWN OF WAYNESVILLE

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CALENDAR January 2021

2021	
Monday January 18 Martin Luther King, Jr. Day	Town Offices Closed
Tuesday January 26	Board of Aldermen Meeting – Regular Session
Tuesday Feb 9	Board of Aldermen Meeting – Regular Session
Tuesday Feb 23	Board of Aldermen Meeting – Regular Session
Tuesday March 9	Board of Aldermen Meeting – Regular Session
Tuesday March 23	Board of Aldermen Meeting – Regular Session
Friday April 2 Good Friday	Town Offices Closed
Tuesday April 13	Board of Aldermen Meeting – Regular Session
Tuesday April 27	Board of Aldermen Meeting – Regular Session
Tuesday May 11	Board of Alderman Meeting – Regular Session
Monday May 25	Board of Aldermen Meeting – Regular Session
Monday May 31 Memorial Day	Town Offices Closed
Tuesday June 8	Board of Aldermen Meeting – Regular Session
Tuesday June 22	Board of Aldermen Meeting – Regular Session
Friday July 5 Independence Day	Town Offices Closed
Tuesday July 13	Board of Aldermen Meeting – Regular Session
Tuesday July 27	Board of Aldermen Meeting – Regular Session
Tuesday August 10	Board of Aldermen Meeting – Regular Session
Tuesday August 24	Board of Aldermen Meeting – Regular Session
Monday September 4 Labor Day	Town Offices Closed
Tuesday September 14	Board of Aldermen Meeting – Regular Session
Tuesday September 28	Board of Aldermen Meeting – Regular Session
Tuesday October 12	Board of Aldermen Meeting – Regular Session
Tuesday October 26	Board of Aldermen Meeting – Regular Session
Tuesday November 9	Board of Aldermen Meeting – Regular Session
Thursday November 11 Veterans Day	Town Offices Closed
Tuesday November 23	Board of Alderman Meeting- Regular Session
Tuesday December 14	Board of Aldermen Meeting – Regular Session
December 23, 24 & 27th	Town Closed – Christmas Holidays
Saturday June 5, 2021	Oasis Shriners Spring Celebration Parade

Board and Commission Meetings – January 2021

ABC Board	ABC Office – 52 Dayco Drive	January 19 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	January 5 1 st Tuesday 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	January 28 4 th Thursday 12 Noon
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	January 6 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	January 18 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	January 14 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	January 20 3 rd Wednesday 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	January 12 2 nd Tuesday 3:30 PM

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
November 10, 2020

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, November 10, 2020 at 6:30 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 6:31 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
Esther Coulter, Administrative Assistant
Elizabeth Teague, Development Services Director
Jeff Stines, Director of Public Services
William E Cannon, Jr., Town Attorney
David Adams, Police Chief

The following media representatives were present:

Becky Johnson, The Mountaineer

The following Speakers were present:

Roy Rodriguez, Owner of property
Amy Murphy-Nugen, Homelessness Taskforce Director

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and thanked them for coming. He introduced a special guest, newly elected to represent Haywood County in The House of Representatives, Mark Pless. Mr. Pless came to the podium and said he was getting views to find out what is going on in Waynesville, Canton, and Maggie Valley. The people of Haywood County have not had a local representative in the House in a long time. He said that himself and Mike Clampitt are going to share the responsibility of Haywood County. He mentioned that if anyone needed anything to call him.

Mayor Caldwell reminded everyone that the Town of Waynesville Offices will be closed for Veterans Day November 11, 2020 and re-open on November 12, 2020.

Aldermen Chuck Dickson asked to be recognized.

Alderman Dickson said that he felt that out of concern for public safety, and due to the rapid rise the Covid-19 epidemic in North Carolina, anyone that wished to sit in the Board Room be required to wear a mask.

Alderman Dickson made a motion, seconded by Alderman Jon Feichter, that all audience members that wish to sit in the board room be required to wear a mask. The motion carried unanimously.

Alderman Dickson explained to the audience that there were masks in the back of the room, and if a person did not wish to wear a mask, or if they had an exemption, they will be accommodated. They could sit outside the Board Room and listen. If they wish to speak, they are welcome to write out any comments and they will become part of the minutes during the public comment session.

Several audience members spoke out and they were reminded that they needed to speak at the appropriate times. Police Chief Adams asked the audience to please wait their turn, and to be civil.

Alderman Dickson made a motion that anyone who was not wearing a mask to please leave the room or have the police escort them out of the room. There was no second to the motion.

Town Attorney Bill Cannon asked Mayor Caldwell to pause the meeting so that he could speak with Police Chief Adams as he was seeking legal advice about the motion. (time 6:39-6:54)

Attorney Bill Cannon asked the Board of Aldermen to go into closed session to discuss Attorney/Client issues.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, for the board to go into closed session. (Time 6:56). The motion carried unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to return to open session. (Time 7:13). The motion carried unanimously.

Alderman Dickson said that since the motion did not receive a second, he is ok with that. He said many people came to the meeting without a mask, and it was not publicized or announced to them at the door before the meeting that they would be required to wear a mask, therefore they would not be asked to leave the room

2. Adoption of Minutes

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve the minutes of the October 19, 2020 Special called meeting as presented (or corrected). The motion carried unanimously. Page 3, Paragraph 4 the word form to from.

Mayor Caldwell gave Peggy Hannah six minutes to present for her committee.

**Peggy Hannah
268 Hemlock
Waynesville, NC. 28786**

Ms. Hannah thanked the Board of Alderman, Mayor, and the Waynesville Police Department for everything they do for the people in Hazelwood. She expressed her concerns to the Board about taxpayer money being used to fund inmate housing because we as a town do not have the funds to provide good paved roads, maintain our water and sewer lines, increase our already understaffed police and firefighters, or even provide our employees with the health care that needs for their families adequately.

Ms. Hannah said that Haywood County has 70 plus non-profits to help people in need with restrictions and requirements must be followed. Many of the homeless do not wish to follow these rules, so they are denied help. She said she understands that there is a myth that everyone can be helped. In reality, many do not want help and there are even a larger number of people refuse to acknowledge that fact. She asked the Board of Alderman to please get involved and talk with county commissioners to address these issues we constituents are bringing to you and make them aware that it is the citizens of Waynesville being affected.

B. PUBLIC COMMENT

Town Attorney William E. Cannon, Jr. opened the Public Comment period.

**Lisa Overhultz
26 Davis Ln.
Waynesville, NC.**

Ms. Overhultz stated that she and her husband moved to Waynesville in 2017, and loves being here. She said that she doesn't appreciate the continued deterioration of areas like Frog Level and Hazelwood. Ms. Overhultz said that driving out South Main Street goes from breathtakingly beautiful to a crumbling ghetto appearance. She addressed the conditions of abandoned buildings, vagrants, and questioned the need for a methadone clinic, and said it was just a matter of time before someone gets hurt. Ms. Overhultz asked the Board what steps are being taken by the Town to remedy these problems.

**Erich Overhultz
26 Davis Ln.
Waynesville, NC.**

Mr. Overhultz said there had been a lot of frustration expressed by residents and business owners concerning the homeless being a nuisance, particularly in Frog Level. The Town of Waynesville Board of Alderman developed a Task Force to look at the various issues with the homeless. The Board told them that this was the best way to handle the issue, and each one of the Board of Alderman appointed various residents with various backgrounds from different areas of town to the Task Force. Mr. Overhultz said he is aware that the administrator is seeking permission to apply for \$350,000 grant from North Carolina Public Health and Human Services. This is without any findings or recommendations to the public from the Task Force. He said he understands that the purpose of the

grant is to educate and help with housing for people when transitioning from incarceration back into society. The plan is to seek matching funds from the Board which will eventually come from Waynesville taxpayers. The Bethel Professional building at 1534 S. Main St. has suddenly become a magnet for the homeless. He has seen a brochure for the Development Resource Center, and their aim is to provide a low barrier community entry, and to make it more affordable for people. They will have food resources, laundry, and personal storage. Mr. Overhultz said that residents in Waynesville wanted answers and transparency.

Larry Payne
161 Riverbend St.
Waynesville, NC.

Mr. Payne said six or seven years ago the power company put up a new power pole and left a good-sized hole. He had contacted John at public works and was told that someone had gone to see the hole and they could not find it. Mr. Payne said there is still a hole and if someone falls in it, that will be a liability for the Town

Wanda Brooks
63 N Hill Street
Waynesville, NC.

Ms. Brooks stated she had been placed on the Task Force to replace Joey Reece. She said that she feels there should be more residents and business owners on the Task Force rather than the people not effected by the homeless. She asked the board if they would consider placing the big blue recycle bins out in order to be an incentive for people to recycle.

Jill Waskey
1319 Eagle Nest Road.
Waynesville, NC.

Ms. Waskey said the town has gone to great lengths to limit the number of people in the board room and to make the audience 6 feet apart. She said if the social distance works then we shouldn't have to wear a mask, and the rules that are being put into place are nonsense. Ms. Wasky asked the Board to please consider what this is doing to our children, because we are training our children not to think freely and promoting a culture of fear with our children and society. She feels that children are not getting this virus. The only people in this county who have died from this virus are over the age of 65 and in ten months, we have had 36 deaths. She states that she is concerned with the future and freedom of this country.

Leslie Adams
1366 S. Main
Waynesville, NC.

Ms. Adams told the Board that she was a research scientist in the Bay area for over a decade. Prior to the last meeting she sent Town Manager Rob Hites links to 11 scientific sites of a journal publication on the dangers of wearing a mask. She stated that she has a medical condition and medical documents stating that if she wears a mask for a long period of time she could die. Ms. Adams said that her son has autism, suffers from child anxiety and has panic attacks when wearing a mask. She asked the Board

to lease consider this when deciding and voting to make new mandates and don't take our freedom away.

Melanie Williams
637 Crabtree Church Rd.
Clyde NC.

Ms. Williams explained to the Board that it is now November we are 8 months in the pandemic and Covid-19. She stated that people are not dying on the streets like we saw in China. She stated that, according to our Health Department, there are 783 positive cases as of November 6th and since March 665 people recovering without medical intervention. The Covid-19 section of hospitals across the state are at 6% capacity. Haywood County has a population of 58,223 with 36 deaths. We have shut down our county and we have become enemies with anyone who doesn't cover their face. The average life expectancy in Haywood County is 77-78 years old, so the people that passed away with Covid-19 could have passed away from natural life expectancy. We have not had one death under the age of 65, but we continue to ramp up the restrictions and we continue to persecute people who question the narrative. She asked the Board to prove that we should be scared.

Bill Davis
532 Westwood Circle
Waynesville, NC.

Mr. Davis said he appreciates how the mask mandate was reasonably handled earlier. He said masks harm the wearer because rebreathing your CO2 and moisture leads to fungal lung infection, which can lead to pneumonia and death. Mr. Davis said that the number of people in Haywood County that have died is less than four persons a month. He stated that the Cooper mandate is illegal, and everybody knows that.

Valery Hubbard
179 Goldfinch Ln.
Waynesville, NC.

Valery Hubbard spoke to the health reasons and science reasons of not wearing a mask. She said her Great Grandmother was alive during the Spanish flu era but did not die from the Spanish flu, but she died from bacterial pneumonia because of the mandated mask in Boston. It is our right to put what we want on our body and what we want to put in it. She stated that many people have health issues and they don't want their oxygen level going down. She stated that many people have asthma, congestive heart failure and many other conditions. She asked that people be given a choice and not be judged. She suggested that we look at the science reports, pray and ask for wisdom before you make decisions.

Shiloah Rogles
Waynesville, NC.

Ms. Rogles said her family hasn't worn a mask all year. If the Covid-19 is real, we should be sick or dead. Kids need fresh air all day long to survive. If covid-19 is real, why would the restaurant workers let you take off your mask while eating. Does the Covid-19 pause to let you eat?

**Mia Seals
Canton NC.**

Ms. Seals said that in her family they keep their immune system strong and healthy. She said her family does not use masks because they scare her and give her panic attacks. She stated that Covid-19 has been awful, and the lockdown has brought sadness because she has not seen her Dad since December. Ms. Seals said their business has also been affected. She asked the Board to please listen to them because they represent us.

**Joe Nicholson
285 Youngs Cove Rd
Candler NC.**

Mr. Nicholson thanked the Board for listening to what people have to say. He said he had moved here 2 months ago from California. In March when Covid-19 hit, his restaurant was closed and has remained closed. Since March they have heard ever changing narratives behind covid-19. First, they heard shut down business, slow the spread, flatten the curve. They never heard stop the spread. The narrative at that time was everyone had to get it with herd immunity. That was 8 months ago. He stated that we didn't want to overload hospitals all at once, so we locked down and we slowed the curve. He stated that we should quarantine the sick, not the healthy. Mr. Nicholson said that if you ask any doctor who wears a mask for their occupation, they will say that in the wrong environment and with wrong sanitation, it is completely ineffective. He stated that this is government empowerment to strip us of our rights. He asked the Board what is coming next, a mandatory stay at home, mandatory mask wearing in our own private home, or a mandatory vaccination.

C. CALL FOR PUBLIC HEARING

4. Call for a public hearing to consider the designation of the property at 53 Walnut Street as a local Historic Landmark.

Land Use Administrator Byron Hickox asked for a public hearing for the property located at 53 Walnut Street (Known as the Charles U. Miller House). The owners of the property, Austin and Tin Lee, have requested that it be designated a Local Historic Landmark. Mr. Hickox stated that on October 27, the Historic Preservation Commission voted unanimously to adopt the proposed ordinance.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter to hold a public hearing on Tuesday, December 8, 2020 to adopt the proposed ordinance for 53 Walnut Street to make it a local Historic Landmark. The motion passed unanimously.

D. PUBLIC HEARINGS

Mayor Gary Caldwell turned the meeting over to the Town Attorney Bill Cannon. Mr. Cannon opened the hearing and said that staff would present for the request for annexation, then they will hear from the public.

5. Public Hearing to consider a request for Annexation for three parcels of property along Dellwood Road and Ivy Hill: 1778 Dellwood Road, PIN 8617-10-6618; “Lot 75” of Ivy Hill Subdivision, PIN 8617-10-6745; and “Lot 77”, PIN 8617-10-7527.

Development Services Director Elizabeth Teague said the Town adopted the Annexation Ordinance for three lots owned by Roy Rodriguez, President of Big Rods Investments, Inc. a North Carolina Corporation doing business as Dickey's Barbeque. The Town must now assign a zoning designation to each lot since this property is outside of the Town's Extraterritorial Jurisdiction and was formerly part of the unzoned area of Haywood County. The Planning Board made a recommendation for zoning at their regular meeting on October 19 to zone the lot adjacent to Ivy Hill as Dellwood Medium Density Residential, and the lots that are adjacent to Dellwood Road as Dellwood Junaluska Regional Center Commercial. The basis of this recommendation is to maintain consistency with the surrounding area as well as to remain consistent with the 2035 Comprehensive Plan.

Town Attorney Bill Cannon asked the public if anyone would like to speak on the zoning for these 3 lots. Only 1 speaker came forward. Business owner Roy Rodriguez came to the podium. Mr. Rodriguez said that he wanted to build his 4th Dickey's Barbeque. He said the only reason for zoning the property is that the Health Department requires them to have access the Town's water and sewer system.

Town Attorney Bill Cannon closed the Public hearing.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, stating the zoning map amendments are approved and are consistent with the Town's comprehensive land use plan because:

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

- ***Create walkable and attractive neighborhoods and commercial centers***
- ***Encourage in-fill and context-sensitive development;***

Goal 5: Create opportunities for a sustainable economy.

- ***Promote Waynesville's downtown districts, inns, restaurants, and reputation as the "Gateway to the Smokies."***

The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson stating the zoning amendment and is reasonable and in the public interest because:

The proposed zoning is consistent with the surrounding land uses allowing for continued commercial development along the commercial corridor of Dellwood Road and providing a buffer area to the unincorporated residential neighborhood of Ivy Hill.

Alderman Anthony Sutton made a motion, seconded by Alderman Chuck Dickson to recommend the map amendments as presented. The motion passed unanimously.

Town Attorney Bill Cannon opened the Public hearing.

6. Public Hearing to consider a Text Amendment to Land Development Standards Section 4.5 – Accessory Uses and Structures.

Land Use Administrator Byron Hickox said this was a Public Hearing to consider a Text Amendment to Land Development Standards Section 4.5 – Accessory Uses and Structures.

The Land Development Standards Section 4.5 defines accessory structures and establishes in Tables 4.5.2 and 4.5.3 the applicable standards, such as the maximum number of accessory structures permitted on a lot, maximum square footage, permitted locations, maximum height, and setbacks. These existing tables categorize lots into only three broad categories, which many consider to be too restrictive, especially for smaller properties. Staff has proposed a more graduated, “sliding” scale to amend the existing standards. At its September 21, 2020 meeting the Planning Board reviewed the staff proposal and voted to appoint a subcommittee to work with staff to resolve a few points of contention and return with a new proposal. The proposed amendment was considered by the Planning Board at its October 19, 2020 meeting at which the Planning Board voted to recommend to the Board of Aldermen the proposed amendment to this section of the LDS.

Proposed Table

<i>Standards</i>	<i>Single-Family/Two-Family Lots Less Than 0.5 Acre</i>	<i>Single-Family/Two-Family Lots 0.5 Acre – 1 Acre</i>	<i>Single-Family/Two-Family Lots Greater Than 1 Acre – 3 Acres</i>	<i>Single-Family/Two-Family Lots Greater Than 3 Acres – 5 Acres</i>	<i>All Other Lots</i>
<i>Permitted Location</i>	<i>Side or Rear Yard Only</i>	<i>Side or Rear Yard Only</i>	<i>Side or Rear Yard Only</i>	<i>Permitted In All Yards</i>	<i>Permitted In All Yards</i>
<i>Height</i>	<i>Not Greater Than Principal Structure</i>	<i>Not Greater Than Principal Structure</i>	<i>Subject to District Height Standards</i>	<i>Subject to District Height Standards</i>	<i>Subject to District Height Standards</i>
<i>Maximum Number Permitted</i>	<i>2</i>	<i>2</i>	<i>3</i>	<i>No Maximum</i>	<i>No Maximum</i>
<i>Maximum Area</i>	<i>1,000 Square Feet In Aggregate</i>	<i>1,500 Square Feet In Aggregate</i>	<i>1,500 Square Feet Per Structure 2,500 Square Feet In Aggregate</i>	<i>2,000 Square Feet Per Structure 4,000 Square Feet In Aggregate</i>	<i>No Maximum</i>

Town Attorney Bill Cannon asked the public if anyone wish to speak for or against the Amendment. No one spoke. Attorney Cannon closed the public hearing.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson stating the zoning amendments are approved and are consistent with the Town's comprehensive land use plan because:

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

- *Encourage in-fill and context-sensitive development.*
- *Reinforce the unique character of Waynesville.*

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

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

. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson stating the zoning amendment and is reasonable and in the public interest because:

The text amendment balances the rights of property owners to construct reasonable structures on their property, and to approve the proposed text amendment to the Land Development Standards Section 4.5 – Accessory Uses and Structures. The motion passed unanimously

Town Attorney Bill Cannon open the public hearing.

7. Public Hearing regarding a reimbursement agreement between the Town of Waynesville and Tribridge LLC.

Town Manager, Robert Hites said Tribridge LLC intends to construct 210 apartment units on the property previously occupied by a strip shopping center anchored by a BI-LO Grocery Store. They anticipate an increase in the tax base in excess of \$25 million. The developer requests that the Town reimburse them \$827,212 over a ten- year period for the public improvements needed to provide streets and utilities to the development. The improvements will be located on property purchased by the Town. In addition to the public improvements the Town will reimburse the developer for property adjacent to Richland Creek. The property will be used to locate a segment of the Town's Greenway and serve as an access point for trout fishers. The developer will reserve 20 units for moderate income tenants for the period of the reimbursement agreement. The ten-year agreement is based on the ad valorem taxes paid to the Town. The first four years of the agreement the Town will reimburse the developer 75% of the taxes paid. The rate will be reduced to 65% for the next two years and the remaining four years will be further reduced to 55%. Tribridge agreed to set aside 20 apartments for moderate income housing.

Town Attorney Bill Cannon asked the public who wished to speak for or against the agreement. There were no public questions.

Attorney Cannon closed the hearing.

A motion was made by Alderman Chuck Dickson, Seconded by Alderman Jon Feichter to have Town Attorney Bill Cannon develop a reimbursement agreement with Tribridge LLC. The motion passed unanimously.

E. NEW BUSINESS

8. Galloway Street Drainage Project

Public Services Director, Jeff Stines said with this cost they would have to list this as a Capital expenditure and want permission to install drainage on Galloway Street per plans submitted by Dana Bolden, Bell Engineering. This project has an estimated cost of approximately \$16,000.00-\$20,000.00 of which funding is available from Streets and Sanitation Materials and Supplies.

A motion was made by Mayor Gary Caldwell, seconded by Alderman Anthony Sutton, to consider approval listing Galloway Street drainage project as a Capital item. The motion passed unanimously.

9. Water Plant Intake Tower Repairs

Public Services Director, Jeff Stines said that there is money left over from the Mud Valves and he would like to use it to repair the dissipater beams in the Intake Tower at the Water Plant.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter Sutton, to consider approval of remaining funds from approved Capital Line (Mud Valves Install) to be used for emergency repairs to Intake Tower dissipater beams and list project as a capital expenditure. Approval for Mud Valves was \$60,000.00, Replacement cost(s) was \$25,870.00 with a balance of \$34,130.00. Dissipater beam project was quoted at \$21,950.00. The motion passed unanimously

10. Request for the Homelessness Taskforce to apply for a grant for the NC Department of Health and Human Service.

The Homelessness Taskforce Director, Amy Murphy-Nugen said that the Homelessness Taskforce was created in February 2020 and due to the uncertainty safety measures and priorities regarding Covid - 19 we delayed meeting until June 2020. Since then the taskforce has been meeting actively to address the four charges given to us by the Mayor Gary Caldwell and the Board of Alderman.

1. This included researching the demographics of persons who are homeless in Waynesville and the causes of homelessness;
2. Examine stigmatization, criminalization and discrimination associated with homelessness;
3. Conduct a gap analysis to identify needs, existing community capacity, and additional resources necessary to prevent and respond to temporary and chronic homelessness; and,
4. Developing a collaborative community action plan to fill system gaps and improve existing programs.

As a Task Force, we also committed to addressing the continuum of community needs and opportunities:

- Strengthening service delivery systems

- Improve the quality of life for our neighbors who are homeless
- Addressing concerns of our neighbors, local businesses & faith community

Using KFF's Social Determinants of Health framework, we developed work groups to focus these efforts as well as invite community participation. To constitute the work groups, we reached out to every individual who applied to serve on the TF as well as responded to individuals who indicated interest in serving on one of the work groups. Further, Alderman Sutton invited each Alderperson and Mayor to serve on one of the work groups.

Work Groups include:

Structure: 1-2 Task Force members on each working group, 3-5 community members invited to join (4-7 total in each working group), Task Force member takes the lead in convening; each group reports progress at Task Force meetings

Community & Social Connections Team: homeowner support—homeowners that live in proximity to homelessness, support systems for individuals who are homeless, addressing social cohesion Alderman Feichter.

Economic Stability Team—business support, employment/income support, affordable housing development Alderman Sutton

Education Team: prevention, early intervention Alderman Dickson

Eviction, Foreclosure, Crisis Response and Winter Prep Team Mayor Caldwell

Health Team—include physical, mental/behavioral—including substance use Alderperson Freeman

Each Work Group has been tasked with answering the following questions about their focus area:

--What do we know about _____ that we need to know? (i.e. known knowns)

--What don't we know about _____ that we need to know? (i.e. unknown knowns)

Essentially—these are data-driven questions that tell us what data we have and what data we need to collect to make informed recommendations addressing homelessness in our community.

Each Work Group is also currently working on collecting data relevant to their focus:

The Task Force also participated in a Packing Party—held October 15 and organized by one of our Task Force members, Brandon Wilson, who is also affiliated with ABCCM and Veterans of the Carolinas, which oversees the program Homeless Outreach Partnerships for Empowerment (HOPE). In addition, local law enforcement participated as well as Allen's Creek Baptist Church. The event was designed to stuff backpacks — known as outreach bags — to be distributed to homeless veterans. The packs contain sleeping bags, hygiene kits, flashlights, trash bags, socks, beanies and resource materials. The Eviction, Foreclosure, Crisis Response and Winter Prep also recently developed and released the Winter Cold Grace Plan for 2020-2021, which is our recommended plan for emergency homeless shelter for nights with forecasted temperatures below 32 degrees.

Data Collection Strategy

Source	What	When	Who
Interview/Survey	Experiences of homelessness	Jan—March	Amy, Hannah *Trained in HSR
Listening Sessions	Key stakeholder groups	Jan-March	Amy, Hannah
Public Data	Social determinants of health	Nov—Jan	Work Groups— coordinated by Leads
Public Data	Socio-economic community profile	Nov-Jan	Amy, Hannah
Standardized Survey; Media Content Analysis; Public Data	Stigmatization, Discrimination, Criminalization	Jan-March	Amy, Hannah

Thank you for your time this evening to present information concerning a grant proposal we are suggesting the Town of Waynesville pursue. At our meeting last week, the Task Force on Homelessness discussed and unanimously approved a motion in support of the TOW considering pursuing the grant.

I have prepared a brief overview of the grant opportunity. I am happy to respond to any questions afterwards. Here is the who, what, where, when, and how:

Who: I, along with my colleague, Professor Beth Young have volunteered to prepare the grant application. Of course, we will prepare the application in collaboration with key and relevant stakeholders in our community—including law enforcement and service providers. Community collaboration among law enforcement, health departments, emergency services, jails and prisons, substance use disorder treatment providers, hospitals, health centers, clinics, pharmacies, and other not-for-profit and for-profit organizations serving justice-involved individuals are critical for a successful grant application and program.

We, Professor Young and I, are not asking to be compensated for the preparation and submission of the grant proposal; however, we are proposing to be part of the evaluation team for the grant—evaluation is a required component of the grant.

My colleague, Professor Young's practice and research expertise is in substance use and substance use disorders. Her clinical experience includes employment with Mission Hospital, Elida Homes, Haywood County Psychological Services, and Family Preservation Community Services. She is an assistant professor in the social work department at Western Carolina University where she also coordinates our Substance Use Studies Certificate Program. She is licensed as an LCSW, LCAS and CCS. She provides clinical supervision for practitioners pursuing licensure as clinical social workers

and substance use specialists. She is the principal investigator for a 3-year, \$1.35 million grant received from the U.S. Health Resources and Services Administration to oversee the Opioid Workforce Expansion Program (OWEP). The purpose of the Opioid Workforce Expansion Program is to enhance community-based experiential training for students who are preparing to become behavioral health professionals, with a focus on opioid use disorder and other substance use disorders prevention, treatment and recovery services.

What: NCDHHS Supporting Justice-Involved Individuals with Substance Use Disorder during COVID19

This request for applications (RFA) is to advance the goals outlined in the North Carolina Opioid Action Plan to prevent future opioid addiction by addressing the needs of justice-involved individuals with substance use disorder and expanding access to treatment and recovery support.

Specifically, the purpose of the grants awarded under this program is to advance the goal of the North Carolina Opioid Action Plan to reduce opioid overdose deaths by implementing key strategies under Connect to Care: Address the needs of justice involved populations. Justice involved individuals with substance use disorder are in critical need of support during the COVID pandemic.

Where: Focus of efforts in Town of Waynesville

When: Grants are due **December 14, 2020**, Awards announced **January 15, 2021**, awarded projects begin January 15, 2021 through September 31, 2022

Grant funds are one-time only funds and may not be extended beyond the contract term. A second RFA will be released January 2021 as part of the program awarded to NCDHHS by the Bureau of Justice Assistance's Comprehensive Opioid Abuse Program (COAP) grant. The second RFA is still under development.

How:

Organizations, including local governments, may apply for grants of up to \$350,000 per year for two years—for a total of \$700,000 to do one or both of the following:

- Option A: Create and expand pre- and post-arrest diversion programs to divert people with substance use disorders from jail to appropriate treatment options,
- Option B: Create comprehensive re-entry programs that help connect people to appropriate care upon release from incarceration,

We are proposed to develop a program in alignment with Option B.

Option 1, Strategy B Program Requirements: Comprehensive re-entry and jail discharge programs are designed to connect returning citizens to appropriate behavioral health and substance use treatments and supportive services upon release from incarceration. To be eligible to receive funds applicants must:

- Identify the law enforcement agency and local jail partners committed to supporting comprehensive re-entry and jail discharge planning programs and provide evidence of commitment that outlines support of what is proposed in project narrative. If the applicant is not a law enforcement agency, Sheriff's office or Detention Center, application must include a letter of support from the law enforcement agency

- Design a linkage-to-care process that will be used to engage at-risk individuals prior to release from jail, or a description of referral and intake processes and jail discharge planning.
 - The program must have a dedicated linkage coordinator to connect people to behavioral health, substance use treatment, and other needed services. People who have lived experience and/or come from directly impacted communities should be prioritized.
 -
- Outline specific, evidence-based re-entry services that will be provided and describe how these services reduce the risk of overdose among justice-involved individuals, including strategies for connecting individuals to community jail-based MAT upon release from jail and referrals to accessible housing.
- - Linkage and navigation services should be based on the identified needs of the individual and can include navigation to primary care, job training, harm reduction, hepatitis C treatment, etc.
- Outline and describe how participants will be selected for re-entry services and programmatic plans to prioritize historically marginalized populations for program inclusion. Programs will be required to report demographic information of program participants and individuals served.
- Outline and describe how participants will be selected for re-entry services and programmatic plans to prioritize historically marginalized populations for program inclusion. Programs will be required to report demographic information of program participants and individuals served.
- Identify and respond to re-entry program challenges and service gaps related to COVID-19 and how the project plans to address these challenges.
- Include naloxone distribution to individuals and overdose prevention education upon release from incarceration.

Proposed Models and Frameworks of Care include:

KFF's Social Determinants of Health Framework

SAMHSA Guidelines for Successful Transition of People with Mental or Substance Use Disorders from Jail and Prison

SAMHSA's Principles of Community-based Behavioral Health Services for Justice-involved Individuals

SAMHSA's Screening and Assessment of Co-occurring Disorders in the Justice System

SAMHSA's Tailoring Crisis Response for Rural Communities

Adapted model of aftercare, a community care model from Altschuler and Armstrong—recognized by the Department of Justice as an evidence-based model program.

The Homelessness Taskforce Director, Amy Murphy-Nugen said NC Department of Health and Human Services has established a Covid-19 grant program that would fund Opioid Addiction related programs to assist individuals who have experienced jail time in diverting them to alternate treatment programs aside from incarceration. The second element of the grant would be to provide re-entry programs for individuals who are being released from incarceration. The program permits a local government who is involved in law enforcement to apply for \$350,000 per year for a period of two years. There doesn't appear to be any match required. The applicant is responsible for compensating the consultant for preparing the grant should such an arrangement be necessary.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to approve Amy Murphy-Nugen of the Homelessness Taskforce to apply for a grant from the NC Department of Health and Human Services subject to final approval from Board of Alderman. The motion carried unanimously.

11. Review of Homelessness Taskforce applications and 5 vacant seats

Assistant Town Manager, Jesse Fowler said at the regularly scheduled Board of Aldermen meeting on October 27, 2020 the Board requested for staff to present them with the current applications for the Homelessness Taskforce. Currently, there are five vacant seats on the Homelessness Task Force. Attached are those applications for your consideration. Below is a list of Aldermen and the number of appointments open to each. You have a total of 16 applications. The vacant seats are due to attendance issues. Mayor Caldwell said when board returns in December have applicants ready.

- Mayor Gary Caldwell: 2
- Alderman Chuck Dickson: 1
- Alderman Jon Feichter: 0
- Alderman Anthony Sutton: 1
- Alderwoman Julia Freeman: 1

F. COMMUNICATIONS FROM STAFF

Town Manager Rob Hites called Downtown Waynesville Association Executive Director Buffy Phillips to explain the Night before Christmas event. Director Phillips said the event is Saturday December 12, from 6:00 pm to 9:00 pm. It will have luminaries, First Baptist Church will do a living nativity, and she said she was not sure about wagon rides at this time. Ms. Phillips said the parking areas would be filled with venues. She added that there would be a Santa parade through town.

12. Manager's Report

Town Manager Rob Hites said there is a memo included from Haywood County Board of Education about the Brown Avenue Project Consideration. Mr. Hites stated they were going to terminate the project at this time the estimate came back much higher than expected.

A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to terminate the Brown Avenue Project. The motion carried unanimously.

Town Manager Rob Hites stated that staff recommends canceling the board meeting on November 24, 2020 due to lack of items on agenda.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to cancel November 24, 2020 board meeting due to lack of items on agenda. The motion carried unanimously.

13. Town Attorney Report

Town Attorney Bill Cannon said the sale of the Hazel street property will be take place at 11:00 am on December 11, 2020 on courthouse steps.

G. COMMUNICATION FROM THE MAYOR AND BOARD

Alderman Julia Freeman asked if the board could start the Board meetings at 6:00 pm instead of 6:30 pm due to it getting dark earlier, and to consider the people that travel further during the winter months.

A motion was made by Alderman Julia Freeman, seconded by Alderman Anthony Sutton, to use Eastern standard daylight-saving time to start the Board of Alderman meetings at 6:00pm instead of 6:30. The motion carried unanimously.

Alderman Jon Feichter said he has heard from families of loved ones buried in the Cemetery and stated that they are very confused and have distrust in what the Town is doing. Alderman Feichter said he had spent some time in the Cemetery, and he has 2 suggestions. 1) If there is something that is an obvious danger to maintenance staff, he proposes to hold any removals until the next scheduled clean up. 2) He said he was unsure about what items were tagged and similar items were not tagged. Alderman Feichter proposed that when tagging is being done, they should have one cemetery staff and one committee member tagging the items.

There was much discussion concerning the rewritten Ordinance and items that have been tagged to be removed for this clean-up.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to direct the staff to halt the clean-up until a meeting is held with the Cemetery Committee to confirm the process going forward. The motion carried unanimously.

Mayor Caldwell asked Manager Hites about the easement for the Sutton property on South Main Street. Manager Hites stated that the easement had been executed from the owner, and if the cars parked there were not removed by the time the bridge work began, the Town had the authority to remove the cars. He said the bids for the bridge work would be presented at the December meeting.

Another item brought up by the Mayor Caldwell was the Hendrix Street study. Manager Hites said that the Town did not have the staff to conduct the study quickly, and that it had been contracted through J. M. Teague and Associates

H. ADJOURN

With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to adjourn the meeting at 9:03 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Esther Coulter,
Administrative Assistant

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk

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 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 or 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

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: January 12, 2021

SUBJECT: Public hearing to discuss Habitat for Humanity's request for a grant through the Town of Waynesville's affordable housing policy.

AGENDA INFORMATION:

Agenda Location: Public Hearing
Item Number: C3
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY:

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.

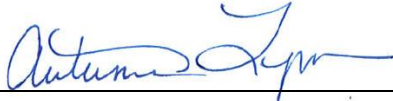
This grant request would be for the approximate amount of up to \$75,412. Habitat for humanity estimates that each unit will be appraised at approximately \$230,000. This would increase the tax base by approximately \$2,300,000 per year at buildout. With this increase in the tax base it would take the Town approximately 6.6 years to recoup on this investment.

MOTION FOR CONSIDERATION:

1. To award a Low Income Housing Grant to Habitat for Humanity to offset development costs associated with the construction and infrastructure development of their Sylvan Street location.

FUNDING SOURCE/IMPACT:

1. \$45,412 from the General Fund Balance awarded incrementally on a unit by unit basis
2. \$30,000 provided by the Town via in-kind services and materials purchasing.



Autumn Lyvers, Finance Director

1/5/2021

Date

ATTACHMENTS:

1. Habitat for Humanity Grant Request Overview
2. Town of Waynesville Affordable Housing Policy
3. Budget Amendment

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Habitat For Humanity Grant Request Overview

Habitat for Humanity is asking for a grant from the town to cover:

- Water tap fees:	\$12,500
- Water system development fees:	\$9,432
- Sewer tap fees:	\$12,500
- Sewer system development fees:	\$10,980
- Install new hydrant & water/sewer lines:	\$155,254
Current approximate total of grant request	\$75,412

Cost and appraisal specifics of the habitat units are as follows:

- Estimated appraisal value per unit: \$230,000
- Estimated Cost of construction: \$131,000
 - Habitat sells each unit at the cost of the appraisal, but they use two different mortgages. The first mortgage is for the cost of construction and the second mortgage is for the difference between the cost of construction and the appraised value. This second mortgage is forgiven after the 30-year loan period so that the resulting financial burden of the buyer is only the cost of construction.

Tax base increase data are as follows:

- Town of Waynesville tax rate is 49.57 cents per \$100 valuation
- Expected tax base increase of project: \$2,300,000
- Expected tax revenue increase: \$11,401
- Number of years to recoup grant award upon completion of development: 6.6

If awarded this grant, then the financial burden of the home buyer is reduced by \$7,541. This would mean that instead of the homebuyer paying off a loan of \$131,000 they would be paying off a loan of \$123,459 with the rest of the costs being forgiven through a 30 year mortgage.

TOWN OF WAYNESVILLE AFFORDABLE HOUSING POLICY

POLICY STATEMENT:

It is the policy of the Town of Waynesville to promote affordable rental and owner occupied housing within its corporate limits. In the spirit of this policy the Town Board may find it necessary to stimulate development of affordable housing opportunities by offering incentive grants to offset development costs associated with the construction and occupancy of such housing. Such grants may be used to offset the cost of expenses including, but not limited to: environmental testing, clearing, grading, stormwater mitigation, water/wastewater/power line extensions road construction and buying down the construction cost of the project, closing costs and sales price and rental subsidies.

CRITERIA FOR INCENTIVE CONSIDERATION:

The Town will entertain requests for incentives on a case by case basis and will weigh their merit according to the following:

- Incentives may be granted for location and construction of a specific affordable housing development where the Town's participation will have an immediate impact on the ability of low to moderate income residents to rent or purchase dwellings. The Town will evaluate projects to determine the economic feasibility of such a development and the extent to which the Town may reasonably provide grants or loans. The Town shall determine the "gap" between the construction cost of the development and the rental or sales price for persons who qualify under HUD guidelines as having 80% of the median household income for moderate income and assess its ability bridge the "gap".
- The Town will evaluate the impact of the request on the rental or sales price of the development to determine the extent to which it may aide in lowering rents or sales prices to a meaningful level.
- The dwelling design and floorplan will be studied to insure that it is efficiently and economically designed and it is energy efficient and economical to maintain.
- The applying party must be a business, nonprofit corporation or a CHDO (Community Housing Development Organization) with a successful track record in the development and construction of low to moderate income housing.
- The business, nonprofit or CHDO must be willing to guarantee, through contract, that 20% of the rental units will be available to low to moderate income persons for a period of twenty (20) years and that housing sale prices will be set to attract low to moderate income persons through the sell-out of the development.
- The recipient party shall reimburse the Town for any grants should the project not be completed. If only a portion of the project is completed the Town shall be reimbursed for that percentage of the project grant not completed.

- The Town shall approve any sale or assignment of the development to another qualifying party.
- The Town will take into consideration the tax value of the development in determining its ability to offer grants to affordable housing developments.

PROCEDURES:

In concert with GS 160A-456 (b) and GS 157-4.1 the Town adopts the following procedures for requesting an affordable housing grant or loan:

The Applicant shall provide the following information in order to be considered for an affordable housing grant:

- A. Name, address and list of officers of the development entity.
- B. Number of years entity has been in business and list of affordable housing projects completed.
- C. Site Plan, dwelling floorplans and elevations, energy efficient features, phasing, projected buildout, proforma of development, projected unit costs, rents and sales prices.
- D. Target market,
- E. Funding sources
- F. Projected tax base at buildout

The project will be evaluated based on the efficiency of design, energy efficiency of the dwellings and cost. The staff will compare the unit cost or rents with the prices that the eligible clients can afford to determine the “gap” that needs to be funded.

The staff will determine the Town’s ability to meet the gap and estimate the payback in property taxes necessary to restore the grants of funds to Town’s fund balance.

The staff will recommend a course of action to the Town Board.

Should the Board wish to present the proposal to the Public it will set a date for a public hearing to solicit input. After such a hearing the Board will determine the amount of a grant to offer the applicant and direct the town attorney to prepare a contract outlining the terms of the grant.

The grant shall be paid to the applicant as construction progresses if the grant is to construct infrastructure. If the grant is to buy down the cost of the dwellings, the grants will be paid as the dwellings are completed.

Policy Effective Date: January 2019

Gavin A. Brown, Mayor

Ordinance No. 0-01-21

Amendment No. 7 to the 2020-2021 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2020-2021 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2020-2021 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

Other Financing Sources

Fund Balance Appropriated	103900-493992	\$ 45,412
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(Additional revenues needed to award a low-income housing grant to Habitat for Humanity.)

Increase the following appropriations:

Special Appropriations

Donations & Contributions	105300-536910	\$ 45,412
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Total General Fund appropriations increase	\$ 45,412
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Adopted this 12th day of January 2021.

Town of Waynesville

J. Gary Caldwell
Mayor

Attest:

Eddie Ward
Town Clerk

Approved As To Form:

William E Cannon Jr
Town Attorney

Please Publish on December 27, 2020 and January 3, 2021

NOTICE OF PUBLIC HEARING

The Town of Waynesville Board of Aldermen will be holding a public hearing on Tuesday, **January 12, 2021** beginning at 6:00 p.m. or as closely thereafter as possible in the Town Hall Board Room located at 9 South Main Street, Waynesville. The purpose of the Public Hearing is 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.

Interested persons are encouraged to attend and be heard. For more information please contact Jesse Fowler, Assistant Town Manager at 828-456-2491 or via email at jfowler@waynesvillenc.gov.

This public hearing will be held via Zoom. Those who are interested in making a public comment can email their comments in written form to the Town Clerk at eward@waynesvillenc.gov. Those comments will be read into the record by the Town Clerk. Those who wish to listen to the hearing may dial in with the information below.

To access the meeting via Zoom follow this link:

<https://us02web.zoom.us/j/82500448884>

To call in to the zoom meeting with your phone please dial **1-301-715-8592**.

The meeting ID is **825 0044 8884**

s/Eddie Ward

By: Eddie Ward, Town Clerk

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: January 12, 2021

SUBJECT: Development Services Department request for an additional Code Compliance Officer.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: D4
Department: Development Services
Contact: Elizabeth Teague, Development Services Director
Tom Maguire, Senior Code Compliance Officer
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY:


The Development Services Department has experienced an increase in workload due to increased construction and development in the past 3 years. This year alone, building inspectors are having to spend more time on large projects such as the Plott Creek Apartments, the Hampton Inn, the Browning Branch subdivision, Haywood Hospital, and the new Shining Rock Academy. We have also experienced an increase in complaints under the nuisance, minimum housing and environmental ordinances, which take time away from other department responsibilities. With several other large projects on the horizon (Ingles, Mountain Creek Plaza), we expect a similar or increased workload for the next several years. Attached for your consideration is the staffing request submitted last spring as background for this staffing request and budget amendment.

MOTION FOR CONSIDERATION:

1. Motion to approve the new position of Code Compliance Officer within the Development Services Department.

FUNDING SOURCE/IMPACT:

For this fiscal year, the loss of Jesse Fowler in the Planner 1 Position has created room in the Department's personnel budget for a new hire between now and July 1. This addition in staff will then be incorporated into future budget years.

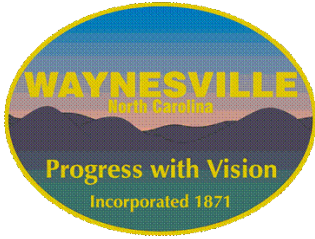

Autumn Lyvers, Finance Director

1/5/2021
Date

ATTACHMENTS:

- Memorandum of Personnel Request
- Permit trends.
- Code Compliance Officer Job Description

MANAGER'S COMMENTS AND RECOMMENDATIONS:



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

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

www.waynesvillenc.gov

MEMORANDUM

To: Autumn Lyvers, Finance Director
Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
From: Elizabeth Teague, Development Services Director
Re: Request for Code Compliance Officer
Date: January 4, 2021

The Town of Waynesville is experiencing steady population and development growth (see attached summary report). Our office has also seen an increase in demand for nuisance and minimum housing complaints. In order to maintain our desired standard of service and be appropriately responsive, I would like to request a new employee to start at as a **Probationary Code Enforcement Officer**.

This is an entry level position in the code enforcement and building inspections disciplines. The expectation of someone at this level is that within a one to five year period they would pursue: Probationary certification in at least three(3) technical fields, complete the Law and Administration class for North Carolina Code Enforcement Officials and other training, and would respond to citizen needs in the areas of code compliance, nuisance, minimum housing and customer service. Upon successful completion of Law and Administration and a minimum of six (6) month of on the job training, the employee may be eligible for movement to **Code Enforcement Officer I** with a 2.5% pay increase. This person would then be on a 1-3 year track to get their level 1 -2 certifications. This will enable the Town's level 3 inspectors (Tom Maguire and David Kelley) more availability to meet emerging needs, particularly with the permitting of two apartment complexes over two stories, a commercial hotel, and probable growth of commercial properties in the Russ Avenue, Hyatt Creek and Dellwood Regional Center Districts.

The goal in this hire is to not only meet growing demand in work-load and demand, but also to position our Department for future succession planning. There is a statewide shortage of certified building inspectors. Tom Maguire and I would like to bring someone in so that s/he can train under Tom and myself and begin the process of building inspector certifications, and so the Town will not be caught short-handed upon Tom's retirement.



Date: 01/14/2020

Position: Code Enforcement Officer

Department: Development Services

Salary: \$34,830.00 w/5% increase after successful 6mth. Probation

Hours: 8:00am-4:30pm

GENERAL DESCRIPTION OF CLASS

The purpose of the class is to perform building, housing, fire prevention and other inspections and to review plans and specifications to ensure compliance of buildings and properties with all pertinent regulatory codes and ordinances, and to perform related work as required. The class works within a general outline of work to be performed and develops work methods and sequences under general supervision.

ESSENTIAL TASKS

The tasks listed below are those that represent most of the time spent working in this class. Management may assign additional tasks related to the type of work of the class as necessary.

Reviews site plans, blueprints and specifications submitted for construction projects to ensure code compliance.

Interprets and enforces all adopted regulatory codes and ordinances pertaining to building construction; meets with architects, engineers, contractors, developers, property owners and others to discuss plan review and inspection procedures and results.

Inspects residential and commercial building construction for compliance with codes in five trades areas and with fire prevention codes; monitors the construction of foundations and framing; notifies responsible parties of defects, and reinspects to determine if corrective actions have been taken; issues stop work orders; prepares cases for prosecution in the event of non-compliance; testifies in court as necessary.

Conducts minimum housing code inspections.

Issues certificates of occupancy when properties pass inspection.

Enforces zoning and flood prevention ordinances.

Prepares and maintains inspection and permit records.

Assists in coordinating department activities and functions with those of other Town

departments, counties and outside agencies as appropriate.

Receives and responds to inquiries, concerns, complaints and requests for assistance regarding areas of responsibility.

Attends training, workshops, meetings, etc., to enhance job knowledge and skills and maintain certifications.

Performs general clerical work as required, including preparing reports and correspondence, entering and retrieving computer data, copying and filing documents, answering the telephone, attending meetings, etc.

DATA INVOLVEMENT:

Requires gathering, organizing, analyzing, examining or evaluating data or information and may prescribe action based on such data or information.

PEOPLE INVOLVEMENT:

Requires giving information, guidance or assistance to people to directly facilitate task accomplishment; may give directions or assignments to helpers or assistants.

INVOLVEMENT WITH THINGS:

Requires handling or using machines, tools or equipment requiring brief instruction or experience, such as computers for data entry, fax machines, copiers, telephones or similar equipment; may service office machines, including adding paper and changing toner.

COGNITIVE REQUIREMENTS

REASONING REQUIREMENTS:

Requires performing skilled work involving rules/systems with almost constant problem-solving.

MATHEMATICAL REQUIREMENTS:

Requires using basic algebra involving variables and formulas and/or basic geometry involving plane and solid figures, circumferences, areas and volumes, and/or computing discounts and interest rates.

LANGUAGE REQUIREMENTS:

Requires reading technical instructions, procedures, manuals and charts to solve practical problems; composing routine reports and specialized reports, forms and business letters with proper format; speaking compound sentences using normal grammar and word form.

MENTAL REQUIREMENTS:

Requires doing specialized technical or entry-level professional work requiring general understanding of operating policies and procedures and their application to problems not previously encountered; application of specialized technical or professional principles and practices or the use of a wide range of administrative methods in the solution of problems; requires normal attention with short periods of concentration for accurate results and occasional exposure to unusual pressure.

VOCATIONAL/EDUCATIONAL PREPARATION:

Requires high school diploma or GED equivalent.

SPECIAL CERTIFICATIONS AND LICENSES:

Must possess a valid state driver's license.

Must possess or be able to obtain state certification as a Standard Level I Building Inspector in fire prevention, building, plumbing, heating, electrical and fire prevention within one year of employment.

Possession of a commercial contractor's license in one trade area is preferred.

EXPERIENCE REQUIREMENTS:

Requires over one year and up to and including two years in building construction and/or inspection, and/or in the enforcement of state and local codes.

AMERICANS WITH DISABILITIES ACT REQUIREMENTS**PHYSICAL AND DEXTERITY REQUIREMENTS:**

Requires light work that involves walking or standing much of the time and involves exerting up to 50 pounds of force on a recurring basis, or skill, adeptness and speed in the use of fingers, hands or limbs on repetitive operation of mechanical or electronic office or shop machines or tools within moderate tolerances or limits of accuracy. Must be able to perform basic life operational functions of climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, grasping, feeling, and repetitive motion.

ENVIRONMENTAL HAZARDS:

The job may risk exposure to dusts and pollen, extreme heat and/or cold, wet or humid conditions, fumes and/or noxious odors, traffic, electrical shock, heights, construction site hazards.

SENSORY REQUIREMENTS:

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

JUDGMENTS AND DECISIONS:

Responsible for guiding others, requiring frequent decisions affecting co-workers and others who depend on the service or product; works in a somewhat fluid environment with rules and procedures but with many variations from the routine.

ADA COMPLIANCE

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

Interested applicants may submit an application to:

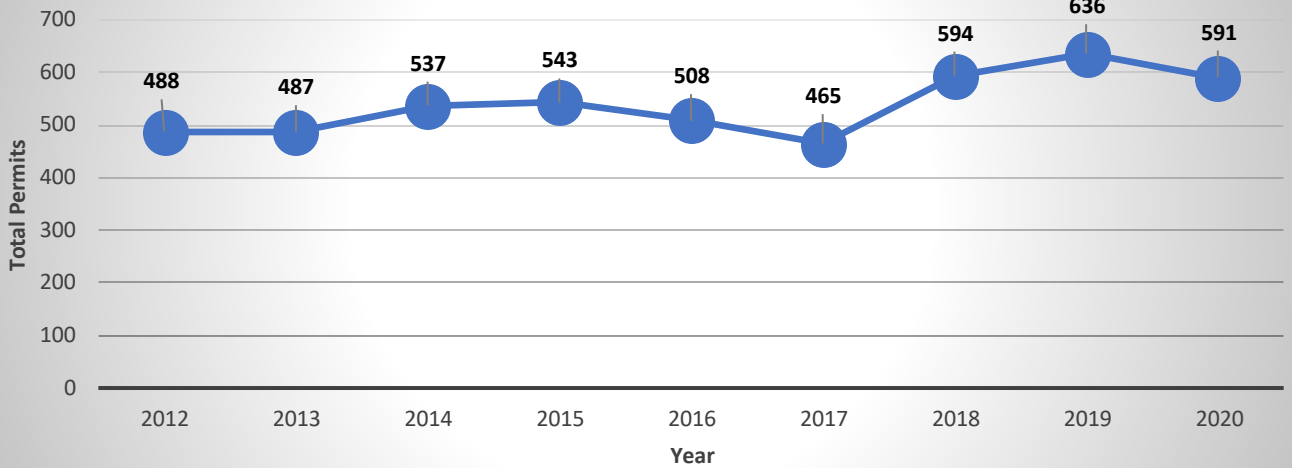
**Town of Waynesville,
Brittany Angel, HR Specialist
Human Resources Department
16 S. Main Street
Waynesville, NC 28786**

Or via email to bangel@waynesvillenc.gov

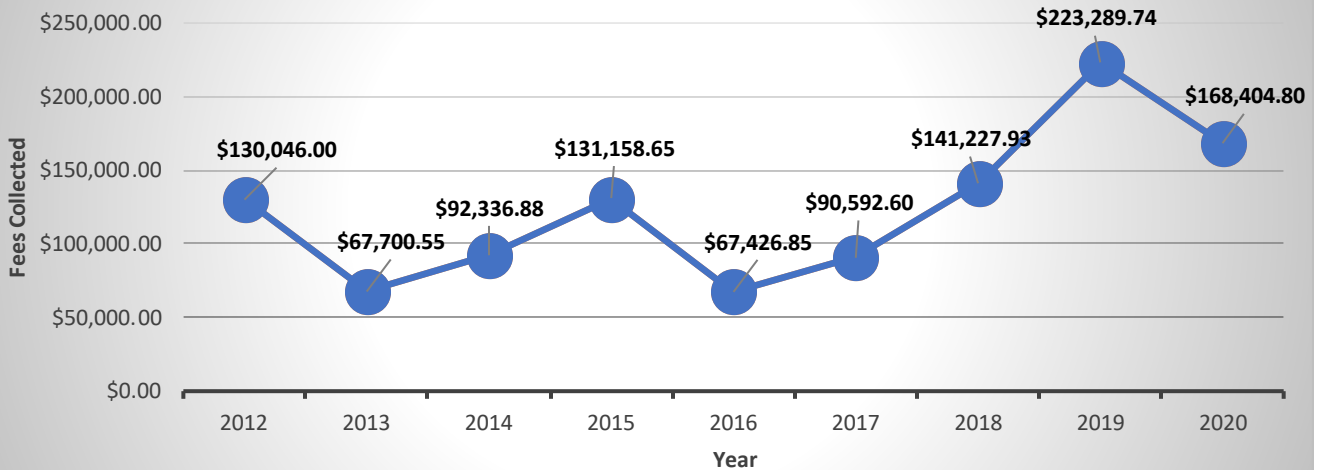
Applications will be accepted until January 29, 2021

Building Permit Evaluation and Comparison by Year 2012 – 2020

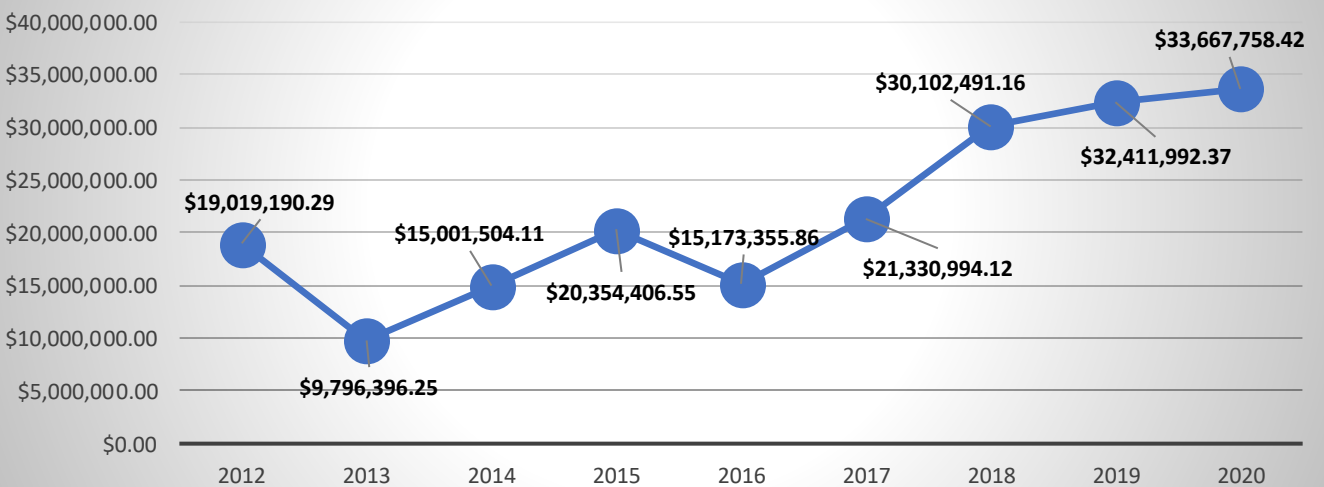
Total Permits Issued



Total Fees Collected



Total Valuation



TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: January 12, 2021

SUBJECT: Award of Contract for Chelsea Rd. Bridge Replacement

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: D5
Department: Public Services Department
Contact: Preston Gregg, Jeff Stines
Presenter: Jeff Stines

BRIEF SUMMARY:


Chelsea Rd. is a Town maintained road located near Waynesville Country Club and directly behind Doyle Sutton's Garage. As discussed, and presented at a previous board meeting late last year, the bridge on Chelsea Rd. is a single span, wooden superstructure bridge estimated to have been built in the 1950's. The bridge girders are composed of 8x10 wood with 4x8 wood decking. All girders and decking are experiencing wood decay / rot with one specific girder being completely collapsed leaving the entire structure compromised and in severe risk of failure. This bridge requires emergency attention and is a public safety issue. Plans were assembled for the complete replacement of this bridge and issued for bid. The new bridge will be constructed out of steel and concrete deck. See attached bid results.

MOTION FOR CONSIDERATION:

Award of contract to ACMI, Inc.

FUNDING SOURCE/IMPACT:

Total cost of project \$242,675 to be appropriated from the General Fund Balance.

	01/05/21
Autumn Lyvers, Finance Director	Date

ATTACHMENTS:

- Bib Tabulation Sheet
- Bid Summary Sheet
- Budget Amendment

MANAGER'S COMMENTS AND RECOMMENDATIONS:

In efforts to achieve as many bids as possible, this bid date for this project was extended two and re-advertised. The recommendation is to award contract to ACMI, Inc. in the amount of \$242,675

BID TABULATION

Company Name: **ENTER CONTRACTOR NAME**

Project No.: 2020093

Project Name: Town of Waynesville Chelsea Road Bridge Replacement

Location: Waynesville, NC

Engineer: Drye-McGlamery Engineering, PLLC

Bid Due Date: 11/30/2020, 3:00 PM

BID QUANTITIES				ENTER CONTRACTOR NAME	
Ref #	Bid Item #	Item Description	Unit Price	UNIT	Total Amount
1	1.001	Lump Sum Bid	\$0.00	LS	1
TOTAL BID AMOUNT			\$242,675	-	\$242,675
				BID	

I acknowledge, by my signature below, that I received and reviewed the contract documents (drawings and specifications on plan). I understand that the information included in these documents are to be included in my bid.

Signature Nathan Ashe

Pint Name Nathan Ashe

Company Ashe Construction & Maintenance Inc.

Date 12/7/20

BID TABULATION

Company Name: **BUCKEYE BRIDGE, LLC**

Project No.: 2020093

Project Name: Town of Wayneville Chelsea Road Bridge Replacement

Location: Waynesville, NC

Engineer: Drye-McGlamery Engineering, PLLC

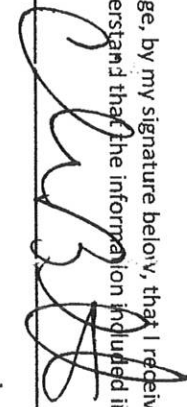
Bid Due Date: 11/30/2020, 3:00 PM

BID QUANTITIES

Ref #	Bid Item #	Item Description	Unit Price	UNIT	Total Amount	BID
1	1.001	Lump Sum Bid	\$244,135.00	LS	1	\$ 244,135.00
TOTAL BID AMOUNT			\$	244,135.00		

I acknowledge, by my signature below, that I received and reviewed the contract documents (drawings and specifications on plan). I understand that the information included in these documents are to be included in my bid.

Signature



Print Name

Christopher K. Bohan

Company

Buckeye Bridge, LLC

Date

12/2/20

Ordinance No. O-02-21

Amendment No. 8 to the 2020-2021 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2020-2021 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2020-2021 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

Other Financing Sources

Fund Balance Appropriated	103900-493992	\$ 242,675
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(Additional funds needed to complete an emergency repair for a bridge partially collapsed on Chelsea Rd.)

Increase the following appropriations:

Street and Sanitation

Capital Improvements	104510-545900	\$ 242,675
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Total General Fund appropriations increase	\$ 242,675
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Adopted this 12th day of January 2021.

Town of Waynesville

J. Gary Caldwell
Mayor

Attest:

Eddie Ward
Town Clerk

Approved As To Form:

William E Cannon Jr
Town Attorney

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 1/12/21

SUBJECT: Annual Town Board Retreat

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E6
Department: Administration
Contact: Rob Hites
Presenter: Rob Hites

BRIEF SUMMARY: The Town Board usually conducts a retreat in February to discuss their priorities and those of the staff. It is an informal time for the Board to discuss their priorities for the upcoming year and provide the staff with their marching orders. I suggest that you permit Autumn to provide her financial update during the closest regular board meeting to the retreat. This will free up the first 1 ½ hours of the retreat for Board discussion. It would be helpful for each Board member to send us a list of your priorities so that we can develop a tentative agenda. In the past Friday has been the most convenient date for most of the Board to meet. We set the agenda to meet until late afternoon. If we have additional items, we schedule them for the next regular Board Meeting. The staff is not wed to this schedule, however. We could meet for 1 ½ or 2 days should the Board's agenda exceed one day. It is important for Board members to send us your priorities, so we develop information and cost out programs to aid the Board in their discussions. I suggest that you consider either Friday February 18th or 25th. Our regular meetings in February will be the 9th and the 23rd.

MOTION FOR CONSIDERATION: Choose a date for the retreat.

FUNDING SOURCE/IMPACT: None

ATTACHMENTS: None

MANAGER'S COMMENTS AND RECOMMENDATIONS: This will be an interesting year for the Town. On the revenue side we can expect a significant increase in value for real property. If you remember the Town experienced a 1.5% drop in tax base four years ago over the values established in 2008. While some may claim their taxes are suddenly going up the values haven't changed greatly since 2008. The State requires that the staff produce two budgets, one that uses a Statutorily mandated formula to determine a "revenue neutral" tax rate. That is one that produces relatively the same revenue as in the current year and a second budget that recommends a rate based on the Town's program of work for the upcoming year.

The staff has been deferring capital purchases and programs including funding of the pay plan since 2016. While I don't expect to fund everything in one year we need to purchase some equipment that is rated "Poor" by our mechanic, insure our salaries are competitive in our region, and set aside funds for priorities set by the Board. We can accomplish many of these with cash and larger ones with financing. The municipal debt market is very competitive, and we have not borrowed funds since 2016.