



Town of Waynesville, NC

Board of Aldermen Regular Meeting

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

Date: October 26, 2021 Time: 6:00 p.m.

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(828) 452-2491 eward@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements

B. PUBLIC COMMENT

C. CONSENT AGENDA

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

- i. Adoption of minutes of the September 28th regular meeting
- ii Adoption of minutes of the October 12, 2021 regular meeting

D. CALL FOR PUBLIC HEARING

2. Call for a Public Hearing for November 9 , 2021 to consider a Text Amendment to the Land Development Standards Section 11.6 to establish a new sign category for Elementary and Secondary Schools and associated standards.

- Elizabeth Teague, Development Services Director

Motion: To call for a Public Hearing to be held on November 9, 2021, at 6:00 pm or as closely thereafter as possible, in the Town Hall Board Room located at 9 South Main Street Waynesville, to consider a Text Amendment to the Land Development Standards Section 11.6 regarding signage for secondary and elementary schools.

E. NEW BUSINESS

3. Speed Limit Signs (Broadview Road)

- Jeff Stines, Public Services Director

Motion: To approve the installation of 25 MPH speed limit signs on Broadview Road

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

October 26, 2021

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4. ARP funding for Police and Fire Vehicles

- Lisa Burnett, Purchasing Agent

Motion: To award the purchase of (5) new vehicles to Fields Auto Group in the amount of \$136,005.06 and award (2) vehicles to Taylor Motor Company in the amount of \$66,296.00.

5. Waynesville Recreation Center and Old Armory Roof Project Approval and Budget Amendment Approval

- Rhett Langston, Parks and Rec Director
- Dean Trader, Interim Finance Director

Motion: To approve WNC Roofing for the Waynesville Recreation Center and Old Armory project

Motion: To approve a budget amendment for the CIP items in the total amount of \$48,625

H. COMMUNICATION FROM STAFF

7. Manager's Report

8. Town Attorney Report

- Town Attorney, Martha Bradley

I. COMMUNICATIONS FROM THE MAYOR AND BOARD

J. ADJOURN



TOWN OF WAYNESVILLE

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CALENDAR

November 2021

Saturday October 30	Treats on the Street – Main Street – 5:00 – 7:00 pm
Saturday October 20	Hazelwood Halloween – Hazelwood Ave. 5:00 – 7:00 pm
Tuesday November 2	Election Day
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
Thursday & Friday November 25 & 26	Town Offices Closed - Thanksgiving
Friday December 3	Waynesville Christmas Tree Lighting – Main Street - 6:00 pm
Monday December 6	Waynesville Christmas Parade – Main Street - 6:00 pm
Saturday December 11	Night Before Christmas – Main Street – 6:00 pm
Tuesday December 14	Board of Aldermen Meeting – Regular Session
December 23, 24 & 27th	Town Closed – Christmas Holidays

Board and Commission Meetings – November 2021

ABC Board	ABC Office – 52 Dayco Drive	November 16 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	November 2 1 st Tuesday 5:30 PM
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	November 3 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	November 15 3 rd Monday 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	November 11 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	November 17 3 rd Wednesday 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	November 9 2 nd Tuesday 3:30 PM

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
September 28, 2021

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday September 28, 2021 at 6:00 pm. 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
Martha Bradley, Town Attorney
Police Chief David Adams
Assistant Police Chief Brandon Gilmore
Jeff Stines, Public Works Director
Beth Gilmore, Director of Downtown Advisory Board

The following media representative was present:

Tom Lotshaw, Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone to the meeting and reminded them of the upcoming events including the Annual Church Street Arts & Crafts beginning at 10:00 on Saturday October 9, and the Apple Harvest Festival on Saturday October 16 beginning at 9:00 am.

Mayor Caldwell asked for a moment of silence for the passing of a Waynesville Town employee, Jeremy Haney, and for everyone in Haywood County who has lost family members due to Covid 19.

B. PUBLIC COMMENT

Several people expressed concerns with the Town of Waynesville Task Force on Homelessness including Kay Miller, Erick Overhultz, and Sherry Morgan.

Kay Miller and Teresa Pennington also expressed their concerns about the DWA.

C. CONSENT AGENDA

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

- i. Adoption of minutes of the September 14th regular meeting
- ii Adoption of minutes of the September 17 Special Called meeting
- iii Approval of Hazelwood Halloween Festival Special Event Permit

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton, to approve the consent agenda as presented. The motion carried unanimously.

D. PRESENTATION

- 2. Haywood County TDA 1% Zip Code Year End Report
 - Lynn Collins, Executive Director

Ms. Lynn Collins, TDA Executive Director, presented to the Alderman the year end report on the 1% funding for the 28785/28786 zip code. She reminded the Board that the TDA tax is broken down between the 3% net occupancy tax and the 1% net occupancy tax. The 3% tax is used for marketing in the County, and the 1% tax is divided and goes back to the zip code where it is collected through a grant program. Ms. Collins said that for the last 13 months there had been record setting 3% occupancy tax, and July was the biggest collection month the TDA has ever had.

Some of the projects that have been funded by the TDA include the Shelton House air condition in the barn, Historic Frog Level lighting, marketing for the marketing for the historic farmers market, marketing for the Hart Theater, the Night Before Christmas event, and Waynesville destination zip code marketing. Some projects were funded, but then canceled because of Covid, so those projects will be revisited in this year.

According to the Occupancy Tax Historical Report, the 2020-2021 year collected over a million dollars more than the previous year (2019-2020). Over the last four years, the gross sales have almost doubled, and based on Waynesville's percentage, twenty million dollars of the sales was from Waynesville. Ms. Collins went over the Star Report which tracks the occupancy and the average daily rate for hotels and motels and explained that they took a big hit due to Covid. She

said that at this point they are recovering nicely. Vacation rentals for the 28785-zip code rose from 153 to 194 in a year, and the revenue increase for available rooms rose from \$152.00 to 193.00. For the 28786-zip code listing the vacation rentals increased from 198 to 233 and the revenue increase for available rooms increased from \$123.00 to \$166.00. She said there were approximately 500 vacation rentals in Waynesville and 1200 in Haywood County.

Some of the other highlights from the report included Website Traffic Overview, Organic Blog Content, Email Campaigns, Google Ads, Facebook Ads, and Organic Facebook.

3. Citizen Request to Speak/Present

- Jared Lee

Mr. Jared Lee spoke to the Board concerning the Waynesville Skate Park He asked the Board if there were any plans for improvements to the park. He asked that during the next budget, to set aside money for a water fountain, shade for a picnic table, a small addition to the park, and allow more events to be held there.

4. Police Pay Structure

- Jesse Fowler, Assistant Town Manager
- Brandon Gilmore, Assistant Police Chief

Assistant Manager Fowler explained to the Board that when the recent pay study was completed, it was based on time in grade. This conflicted with the way the Police Department's pay classification was set up with five percent with every grade. The pay study ignored the pay classification and gave every officer different amounts of compensation.

Assistant Chief Brandon Gilmore stated that in order to maintain the level of professionalism, reputation, retention, and creating future leaders in law enforcement, these pay adjustments are a necessity. He said that Chief David Adams has reached out to other law enforcement agencies similar in size to Waynesville's and discovered that there are notable differences in our starting salary.

Three options were presented to the Board for discussion for sworn Police Officers, as well as recommended pay adjustments for Communications, Evidence Technician, and Administrative Assistant. Assistant Manager Fowler said that these three options spread out the pay structure for 14 different grades matching the current career track which will set every grade five percent apart. The three options included starting salary of \$39,500.00 at a cost of \$127,462.40, \$40,500.00 at a cost of \$132,862.82, and \$42,500.00 at a cost of \$257,544.75 to the Town. Assistant Manager Fowler told the Board that management believes that to make this equitable across the organization, staff will have to analyze the career tracks of every department to ensure

equity, which may require organization wide pay increases. He said he would present a detailed report to this effect at the next budget retreat.

A motion was made by Alderman Jon Feichter, seconded by Alderwoman Julia Freeman, to approve Option 2 which would bring the starting salary up to \$40,500.00 at a cost of \$132,862.82. The motion passed unanimously.

Chief Adams thanked Assistant Chief Gilmore and Assistant Town Manager Fowler for all the work they have done, and he thanked the Board for approving this adjustment for the Police Department.

E. OLD BUSINESS

5. Amendment to Chapter 26 Section 91 (Noise) Exceptions

- Town Manager Rob Hites

Manager Hites said that at the last meeting there had been a request for Fireworks to be displayed at a wedding reception at Laurel Ridge. There is an exception to the Noise Ordinance to permit fireworks during holidays and religious ceremonies. He said that for several years companies have been shooting pyrotechnics without contact with the Town. At that meeting the Board instructed the staff to amend Chapter 26 Section 91 (Noise Exceptions) to permit the lawful discharge of fireworks on New Year's Eve, New Year's Day, and July 4th.

He mentioned that there is a form of pyrotechnics that is silent. He encouraged companies that want to use pyrotechnics to contact companies who specialize in silent pyrotechnics. This would be an option for people who want a display of fireworks and not have loud explosions.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve Ordinance O-18-21 amending Chapter 26 Section 91, Exceptions to permit the lawful discharge of fireworks on July 4th, New Year's Eve and New Year's Day. The motion carried unanimously.

F. CALL FOR PUBLIC HEARING

Conditional District Amendment to the Land Development Map and standards for PIN 8604-99-9017, within the Country Club Low Density Residential District (CC-RL).

- Elizabeth Teague, Development Services Director

Ms. Teague said this Public Hearing would be for a Conditional District Amendment to the Land Development Map and standards for PIN 8604-99-9017, within the Country Club Low Density Residential District (CC-RL). This project would be for 2.84 acres from the Country Club property for 8 single family units with areas for driveways walkways, parking spaces, and green space. This

area formally contained the hotel and condominiums which have recently been demolished. The Planning Board unanimously recommended this to the Board for district rezoning.

A motion was made by Alderman Chuck Dickson, seconded by Alderwoman Julia Freeman, to call for a Public Hearing to be held on Tuesday October 12, 2021 at 6:00 pm or as closely thereafter as possible in the Town Hall Board room located at 9 South Main Street Waynesville to consider a Conditional District Amendment to the Land Development Map and standards for PIN 8604-99-9017, within the Country Club Low Density Residential District (CC-RL). The motion carried unanimously.

G. NEW BUSINESS

6. Board Room Audio Visual Upgrades

- Jesse Fowler, Assistant Town Manager

Assistant Manager Fowler said that during the budget retreat process, the Board directed staff to seek quotes to upgrade the audio/visual capabilities in the Board Room and Town Hall. He said that he had tried to get 4 quotes, but only obtained 2. The upgrades will include new televisions, monitors, cameras, and sound equipment in the overflow mezzanine as well as the downstairs lobby. This will allow the Board to accommodate larger crowds and the ability to record and stream video. Carolina Technologies and Consulting, LLC, in partnership with Electronic Office will be providing the equipment and carrying out the installation. The project is quoted at \$69,476.16, and monies have already been allocated for this project.

Mayor Gary Caldwell said that it was hard to see spending that amount of money for all the equipment when there was only one time that an overflow of people had happened. He feels that he cannot support spending tax-payer money for this equipment when it will just sit there and not be used.

Manager Hites asked if the equipment could be installed without the streaming so it would just be in-house. Assistant Manager said he could turn the streaming off but that the equipment in the Board Room was so far out of date and it needs to be replaced. The amount of \$69,476.16 is lower than the budgeted amount of \$80,000.00.

Alderman Feichter stated that he felt that it was imperative that this equipment be replaced because it would be a disservice to the public if we do not have this capability. There is substantial benefit to having this equipment if overflow crowds occur again. He said the Board agreed earlier in the year when it was discussed at the Board Retreat, and he proposed that the Board move forward with the purchase and installation.

Mayor Caldwell said there were flaws in the contract that if the equipment failed the Town would be responsible for repairs. Town Attorney Martha Bradley said that as far as the terms in the

contract, she would not recommend the Town signing the contract. She encouraged the Board to authorize her to renegotiate the contract so there are more performance guarantees, quality assurances, and better contract terms.

Alderman Feichter said that this is routine for IT, and he would be shocked if Electronic Office did not support the equipment after installation, and he fully supports having the Attorney rewrite the contract.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Jon Feichter, to approve the integrated systems proposal for new board room equipment at \$69,476.17. The motion failed with 3 nays (Mayor Gary Caldwell, Alderman Anthony Sutton, Alderman Julia Freeman) and two yays (Alderman Chuck Dickson and Alderman Jon Feichter.)

Attorney Bradley told the Board that she would request in writing the identity of the subcontractors that might be used and incorporate that in the contract and bring it back to the Board.

There was much discussion concerning what should be included in the contract. Manager Hites recommended to the Board for staff to provide additional options and return to the Board with a better contract and options later.

H. COMMUNICATION FROM STAFF

Manager's Report

- Rob Hites, Town Manager

Options for Organization of Town Administered Municipal Service District

Manager Hites said the Board had begun discussions on the structure of a Town administered Municipal Service District at the last meeting. Since then, he has studied the structures of several Main Street Communities and modified them to fit Waynesville. He provided three options for the Board to discuss and gave details for each one.

- Steering Committee to develop an organizational plan for a Town Administered Municipal Service District.

Makeup of Steering Committee

Five- person committee appointed by the Board made up of two merchants, one property owner and two Alderman. Committee would study the needs of the Downtown/Town and develop an organizational operating plan for Board approval.

Staff will be Town Employees dedicated to the Steering Committee and supervised through the Manager's Office.

- 13 Member Board Advisory Committee (Approved by Town Board through application process) Committee to carry out the “N C Main Street Program” (Promotions, Design, Economic Vitality and Organization. Three members will sit on the committee with the addition of one volunteer from the District. The Board chair will be a member of all committees permitting five members.

Committee Made up of the Following:

Four members representing merchants

Four members representing owners/residents

One member of the Board of Aldermen

One member representing County (may be a Commissioner or Staff Member)

Three At-Large Members

Staff will be Town Employees dedicated to the Advisory Board and Special Events and supervised through the Manager’s Office.

Options for Establishing and Advisory Committee to administer the Downtown MSD

- 17 Member Board Advisory Committee (approved by Town Board through Application Process) Committee to carry out the NC Main Street Program (Promotions, Design, Economic Vitality and Organization)

Member Committee made up of the following:

Four members representing merchants

Four member representing owners/residents

Two members from Board of Aldermen

One member representing the County (may be commissioner or staff member)

Three at-large members

Three members representing the non- profit corporation titled “Downtown Waynesville Association” .

The 17- member structure permits four members to be appointed to each of the four “Main Street Committees” with the chair being a member of all committees. Total committee membership “5”.

Staff will be Town Employees dedicated to the Advisory Board and town wide special events supervised through the Manager’s office

Manager Hites provided a charter describing rules and procedures, intent of the organization, implementing staggered terms, open meetings, and follow Roberts Rules of Order.

Alderman Anthony Sutton said he was in favor of setting up the thirteen-member Advisory Board, and then instructing them to form the four sub-committees.

Manager Hites told the Board that the DWA’s fiscal year is over on December 31, 2021 that is an opportunity to make a clean financial break, and if everything is up and running by that date, that would be a financial and organizational smooth transition.

Both Alderwoman Julia Freeman and Alderman Chuck Dickson agreed that they felt that the thirteen-member Advisory Board along with a Steering Committee would work best for the Town. Letters and applications would be sent to merchants, property owners, and residents inviting them to apply for the committee. The Board would then make decisions as to who would be appointed.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve the Advisory Committee comprised of 13 members: 4 members from Downtown Merchants, 4 members from Downtown Owner/Residents, 3 at-large members, 1 County Official, and 1 Town Board Member. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to retain the current staff as the DWA merges into the Town of Waynesville. The motion carried unanimously.

Manager Hites told the Board that he had been contacted by Bond Attorney Bob Jessup and he said that in the November meeting of the local Government Commission and request the refinancing of Fire Station 1 what has a \$2,993,000.00 and 4.9 percent interest rate. He said that BB & T's refinancing rate is for 12 years at 1.99 percent, and this would save the Town over a million dollars. Then in January or February after the audit if reviewed the \$775,000.00 loan to repay for the land for the new Fire Station and Tanker Truck. The fee for the financing would be \$9,500.00.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to hold a public hearing on October 12, 2021, at 6:30 p.m. (or as soon thereafter as the matter may be heard) in the Town Hall Board Room located at 9 South Main Street Waynesville, NC. The purpose of the hearing is to take public comment concerning proposed financing contracts, under which the Town would borrow (1) approximately \$1,000,000 to pay for a new tanker truck and the acquisition of property for a new fire station and (2) approximately \$1,700,000 to refinance existing loan obligations.

6. Town Attorney Report

- Town Attorney, Martha Bradley

Town Attorney Bradley gave an overview of the DWA and recommended the revision of Town Ordinance and adopting Statutes concerning non-profits and non-public entities that manage public funds. She asked the Board if they would like her to draft such an Ordinance for presentation the next meeting.

The consensus of the Board was to direct Attorney Bradley to draft an Ordinance for presentation at the next meeting.

I. COMMUNICATIONS FROM THE MAYOR AND BOARD

Mayor Caldwell stated the Chelsea Street bridge is in great need or repair. He asked Jeff Stines, Public Services Director to report to the Board.

Mr. Stines explained that was an approved project that was carried over to the 2021/2022 fiscal year. He said that Mr. Sutton's business is supposedly moving, and he assures that the vehicle on the property will be moved in the next week. If the cars are not moved when the construction on the bridge begins, the Town has the right to move them. Once the right of way is open, the old bridge will be demolished, and contractor will begin work on the new bridge.

J. ADJOURN

With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to adjourn the meeting at 8:28 pm. The motion carried unanimously.

ATTEST:

Robert W. Hites, Town Manager

Gary Caldwell, Mayor

Jesse Fowler, Assistant Town Manager

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
October 12, 2021

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday October 12, 2021 at 6:00 pm. in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER - Mayor Gary Caldwell

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
Eddie Ward, Town Clerk
Martha Bradley, Town Attorney
Police Chief David Adams
Development Services Director, Elizabeth Teague

The following media representative was present:

Tom Lotshaw, Mountaineer
Cory Valliancort, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone to the meeting and reminded them of the upcoming Apple Harvest Festival to be held on Main Street beginning at 10:00 am.

B. PUBLIC COMMENT

Several people spoke during Public Comment concerning the Town of Waynesville Homelessness Task Force including:

Lisa Overhultz	David Eachus	Peggy Hannah (for Rita Bolin)	
Erich Overhultz	Kay Miller	Peggy Hannah	Sherry Morgan
Janet Presson	Trudy Schmidt	Joey Reece	Stephanie Bell
Stephanie Sutton	John Cowley	Wanda Brooks	John Baus

C. CONSENT AGENDA

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

Adoption of minutes of the September 28th regular meeting will be at the next regular meeting on October 26, 2021

D. PRESENTATION

2. Task Force on Homelessness Needs and Assessment and Community Action Plan
 - Amy Murphy Nugen

Ms. Amy Murphy Nugen, Facilitator for the Town of Waynesville Task Force on Homelessness, presented a detailed final report to the Board. She reminded the Board of the Charge of the Task Force that was given to her as part of the research during the year which included:

1. Researching Demographics
2. Examining Stigmatization, Criminalization and Discrimination
3. Conduct a Gap analysis to identify needs, existing Community Capacity, and additional Resources for preventing and responding to chronic Homelessness.

The Homelessness Task Force completed many surveys that included social and economic demographic data, community feedback, and people who are homeless.

Ms. Nugen concluded with the recommended action plan – which is named Waynesville Community Cares:

C: Coordination, Collaboration, Community-Building & Civility

A: All neighbors are known

R: Residence – A place to call home

E: Education (prevention & Early intervention)

S: Supports (education, financial capability, workforce, development, integrated health

As part of the CARES program, Ms. Nugen recommended to the Board the hiring of a Community CARES Director. The Director would establish a care coordination team of community-based providers, and on a monthly basis connect with the services providers. Monthly meetings would be hosted with neighbors and businesses to respond to issues associated with homelessness. Meetings with neighbors and business impacted by homelessness would be held monthly to communicate needs and opportunities to appropriate officials and implement actions. The Director would be required to track aggregate data and outcomes for success measures and report to the Board of Alderman quarterly.

Ms. Nugen recommended that the Town increase affordable housing units, rental, and homeownership opportunities. The Town would monitor progress and make modifications as needed after year three and year five to determine if an additional shelter is needed, and an annual housing fair would be coordinated. The CARES Director would also work with community agencies, and schools to support teaching positive coping skills

Other activities coordinated by the Director include mental health would include studying the feasibility of a panel of mental health providers and a Community Response Team.

Mayor Gary Caldwell thanked Ms. Nugen and the rest of the Task Force on Homelessness for the hard work and time they have put into this report. He said that the Board of Aldermen would need time to consider the recommendations Ms. Nugen has made.

E. PUBLIC HEARING

3. District Amendment to the Land Development Map and standards for a 2.84-acre portion of the Waynesville Country Club, PIN: 8604-99-9017
 - Elizabeth Teague, Development Services Director

Ms. Elizabeth Teague explained to the Board that this project proposes to carve out 2.84 acres from the 104.41-acre track from the Waynesville Country Club property for 8 single-family units and shared areas for parking, driveways, walkways, and greenspace. The project is located where the Club facilities of a hotel and three duplexes have been demolished. The units will be 4 bedrooms each, reducing water and sewer demand, and the project will re-use and redesign the existing driveway entrance and parking lot reducing impervious surface.

The redevelopment area is adjacent to approximately 550 linear feet of frontage on Chelsea Drive, along which they are proposing sidewalks, and is otherwise surrounded by the Waynesville Country Club property.

The applicant is seeking relief from the Country Club Residential – Low Density District of 6 dimensional standards for 10% Civic Space, minimum lot size of .5 acre, the 60' lot width requirement and the specific setbacks. She said the applicant was also seeking relief from the LDS Section 4.3 Basic Lot Standards which require all lots to front a public street as residences are design to be served by common driveways and parking areas. Adequate fire and emergency vehicle access within 150' of all sides of residential lots except for Lot #8 which abuts the golf course. Fire access to Lot # 8 must be verified at the time of the building permit or driveway lengthened. Other requests for relief include street classification and design, pedestrian requirements in favor of shared driveways, parking areas, and walkways. Lighting and signage for parking lots buildings, and driveway entrances shall be submitted to Town Staff for approval and must comply with Chapter 10 and 11 of the Land Development Standards.

Planning Board held a public hearing and found that the project is consistent with the 2035 Plan and unanimously recommended adoption of the conditional district at the September 29, 2021 meeting.

Town Attorney Martha Bradley opened the Public Hearing at 7:55 pm and asked if anyone wished to speak.

No one spoke

Attorney Bradley closed the Public Hearing at 7:56 pm.

Patrick Bradshaw from Civil Design Concepts, Jay Hamm from the Raines Company and Emily Lanning from Clark Lanning Architects spoke about the proposed projects.

Mayor Caldwell said that the Board was very excited and pleased that the Waynesville Country Club was being brought back to life and this will be a major plus for our community.

Attorney Bradley closed the Public Hearing at 8:15 pm.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to find that the project is consistent with the 2025 Comprehensive Plan and is reasonable and in the public interest by creating a range of housing opportunities and choices and protect and enhance Waynesville's cultural resources. The motion carried unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to approve with conditions the Conditional District Amendment Ordinance O-19-21 to the Land Development Map and standards for PIN 8604-99-9017, within the Country Club Low Density Residential District (CC-RL). The motion passed unanimously.

4. Public Hearing on the Refinancing the USDA Loan for Fire Station #1, reimbursing the Town for purchase of land for Fire Station #2 and purchase of a Fire Tanker Truck
 - Rob Hites, Town Manager

Town Attorney Martha Bradley opened the Public Hearing at 8:17 pm and asked if anyone with to speak.

No one spoke.

Town Manager Hites told the Board that Mr. Bob Jessup of Sanford Holshouser, has prepared a resolution requesting the Local Government Commission to consider the refinancing of the USDA loan for Fire Station #1.

The balance on the loan is \$2,993,432 at a 4.5% interest rate. BB&T's refinancing terms involves a twelve (12) year loan at 1.99%. Over the life of the loan the Town would save \$1,045,899. The new fifteen (15) year loan payment would descend from an annual payment of \$68,356 to \$52,515 on the last year of the loan. The financing of the land and tanker estimated to be \$1,000,000 would be scheduled after January 1st once the LGC has reviewed our 2020-21 audit.

The Town advertised the public hearing on Friday, October 1st and will cover both the refinancing of the loan and a winter financing of the property the Town acquired for Fire Station #2 and purchase of a new tanker truck.

Town Manager Rob Hites read into the record Resolution No. R-02-21 supporting applications to the Local Government Commission for its approval of Town financing agreements – Property Acquisition for a Fire Station, Tanker Truck – Financing, and Refinancing of Existing Loan.

Town Attorney Bradley closed the Public Hearing at 8:23 pm

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to adopt resolution R-08-21 requesting approval of both the refinancing (November meeting of the LGC) and financing the repayment of the purchase of the land for Fire Station #2 and Tanker truck after January 1st, 2022. The motion carried unanimously.

F. OLD BUSINESS

5. Review of Rules and Procedures for Appointing a Downtown Advisory Board

- Town Manager Rob Hites

Manager Hites stated that the Board of Aldermen adopted a Downtown Advisory Board to be comprised of 13 members: 4 from Downtown Merchants, 4 from Downtown Property Owners or Residents, 4 At-Large members, 1 Member of Board of Aldermen and 1 Member of the County Commission or County staff member. This Board shall be appointed for staggered three-year terms with the Advisory Board Chair appointed annually by the Board of Aldermen. Initial staggered terms will be chosen by "Lot" from the appointees. Invitations to apply will be sent to the Service District's merchants, residents and property owners. Applications will be taken until November 12th, and then sent to the Town Board for consideration.

Manager Hites told the Board that the non-profit DWA's will pay for the fall events. Their fiscal year closes on December 31st, and he said this would be a good time to formally separate the Town's financial administration of the Downtown Municipal Service District from the non-profit DWA. The Town will be due the remainder of the MSD taxes, and the DWA will retain \$80,000.0 which amounts to the tax funds that have been retained from previous years and not kept in an

identifiable account. The non-profit will need to determine their path forward after December 31, 2021. The Director and her assistant will be fully dedicated to the Downtown Advisory Board.

There were several amendments discussed for the Rules and Procedures including the appointment of a Vice Chairman to committees, notices being mailed, and serving two three-year terms before taking a year off.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve rules and procedures including the amendments for Appointing a Downtown Advisory Board. The motion carried unanimously.

G. NEW BUSINESS

6. Proposal to conduct a study to connect Clyde and Waynesville's water system for emergency purposes
 - Town Manager Rob Hites

The Town of Clyde, Canton and Waynesville have been discussing the interconnection of the three Town's water systems to provide emergency water in cases involving emergencies such as catastrophic fire events, line breaks that drain a town's water system and short-term drought relief. Manager Hites told the Board that none of Towns have the storage capacity to handle fire or major line breaks. Waynesville has a major interconnect with Maggie Valley. The study would be paid locally however, the Towns would seek funding through the State and Federal Governments. It is most efficient to keep interconnects charged so fresh water needs to be added daily. Approximately ½ of the interconnect would be a territory that Waynesville could add to its water system. To keep the line fresh, the Town could permit a limited number of taps for new developments along its section of the interconnect.

McGill's proposed to install a 12-in water main beginning at Clyde Town Hall, along Mulberry Street, Poison Street, to Ratcliff Cove Road to a water storage tank and Clyde Gap. The line will continue along Ratcliff Cove and will connect to Waynesville's Water Distribution on US-23. The major components of this project include \$750,000.00 water storage tank, and pump stations to fill the new tank.

Manager Hites said the project getting underway in the next two years was doubtful unless we get a quick 100% grant using State or Federal recovery funds or funds from the infrastructure bill that "might" be approved. The Clyde Board of Commissioners have appropriated \$10,000 to fund 50% of the study and request that Waynesville fund the balance of the study (\$10,000).

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve a study to connect Clyde and Waynesville's water system for emergency purposes. The motion carried unanimously.

H. COMMUNICATION FROM STAFF

7. Manager's Report

Budget Amendment for the Purpose of Adjusting the Police Department's Pay Scale

- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler explained to the Board that at the they had approved last meeting on September 28th, the had approved salary increases to the Police Department based on a new minimum salary of \$40,500.00 and would require a budget amendment of \$132,862.82. This number did not include benefits and there was a computational error in several of the salaries. Assistant Manager Fowler said that in order to correct these discrepancies, a budget amendment of an additional \$60,838.58 would be needed.

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton, to approve Ordinance No. O-20-21, budget amendment #7, in the amount of 193,702.00 to increase salaries and benefits of the Police Department for pay study and career track.

8. Town Attorney Report

- Town Attorney, Martha Bradley

Attorney Bradley had nothing to report.

I. COMMUNICATIONS FROM THE MAYOR AND BOARD

Mayor Caldwell asked about the Chelsea Bridge project, and the vehicles on the Sutton property in Hazelwood. Attorney Bradley said that letters had been sent out and Town staff reported that it looked like some of Mr. Sutton's cars had been moved from the right-of-way. Manager Hites stated that if he intends on providing an alternate route, the Town will require in writing that he keep the right-of-way open during the construction of the bridge.

Mayor Caldwell also asked about the crosswalk at the Suntrust Bank on Main Street which has parking on both sides. He expressed concerns that someone would be hurt there. Manager Hites said that there had been discussion of removing the two parking spaces and install traffic pinching devices. Assistant Manager Fowler said he would investigate costs for the devices.

J. ADJOURN

With no further business, a motion was made by Alderman Jon Feichter, seconded by Alderwoman Julia Freeman, to adjourn the meeting at 8:52 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites Jr., Town Manager

Eddie Ward, Town Clerk

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: October 26, 2021

SUBJECT:

Call for a Public Hearing for November 9 , 2021 to consider a Text Amendment to the Land Development Standards Section 11.6 to establish a new sign category for Elementary and Secondary Schools and associated standards.

AGENDA INFORMATION:

Agenda Location: Call for Public Hearing
Item Number: D2
Department: Development Services
Contact: Elizabeth Teague
Presenter: Elizabeth Teague

BRIEF SUMMARY:

This project proposes a text amendment that would allow schools to have electronic, interchangeable face signs and to establish a uniform set of dimensional standards for school signs across zoning districts. At their regularly scheduled meeting on October 18, 2021, the Planning Board held a public hearing and found that the project is consistent with the 2035 Plan and unanimously recommended adoption of the text amendment.

MOTIONS FOR CONSIDERATION:

1. Motion to call for a Public Hearing to consider a Text Amendment to the Land Development Standards Section 11.6 regarding signage for secondary and elementary schools.

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

Draft Ordinance

MANAGER'S COMMENTS AND RECOMMENDATIONS:

ORDINANCE NO. O-21-21

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

WHEREAS, the Town of Waynesville has the authority, pursuant to Section III of Chapter 1 of 160D, of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety and welfare; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed amendment to the text of the ordinance and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest, and recommends the text amendment for its enactment by the Board of Aldermen; and

WHEREAS, after notice duly given, a public hearing was held on _____ at the regularly scheduled meeting of the Waynesville Planning Board, and on _____ at the regularly scheduled meeting of the Board of Aldermen;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

1. That the Land Development Standards Section 11.6.2 – Other Permitted Signage be amended as follows (*in red italics*):

11.6.2 Other Permitted Signage

Development Type	Standard
Home Occupations (All Residential Districts)	8 sq. ft.
Master Development Sign (For Development 5 acres or greater) within RC and CI districts	160 sq. ft.—25 ft. tall—1 permitted per major road frontage
Master Development Sign (For Development 2 acres or greater) within NC and BD districts	48 sq. ft.—8 ft. tall—1 permitted per major road frontage
Neighborhood Entrance Signs	Subject to Planning Board design approval

Development Type	Standard
<i>Elementary and Secondary Schools</i>	<i>32 sq. ft. – 8 ft. tall – May be Electronic Changeable Face Sign (See Section 11.7.4) – Must be static between one hour after dusk and one hour before dawn except during special events</i>

2. That the Land Development Standards Section 11.7.4 – Electronic Changeable Face Signs, be amended as follows (*in red italics*):

11.7.4 Electronic Changeable Face Signs (Permitted in RC *and at Elementary and Secondary Schools* Only)

ADOPTED this _____ Day of _____, 2021.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Eddie Ward, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: October 26, 2021**

SUBJECT: Speed Limit Signs (Broadview Road)

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E3
Department: Public Services
Contact: Jeff Stines
Presenter: Jeff Stines

BRIEF SUMMARY: Currently there are no speed limit sign on Broadview Road. I have had conversations with several concerned citizens about this. This is a residential neighborhood as well as being adjacent to several businesses. The volume of traffic here has grown over the past few years to the point of needing a posted speed limit to make this area safe to pedestrians.

MOTION FOR CONSIDERATION: To approve the installation of 25 MPH speed limit signs on Broadview Road

MANAGER’S COMMENTS AND RECOMMENDATIONS:

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: October 26, 2021

SUBJECT: ARP funding for Police and Fire Vehicles

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: E4

Department: Police and Fire

Contact: Lisa Burnett, Joey Webb, Chris Chandler

Presenter: Lisa Burnett

BRIEF SUMMARY: Included in the 2021-2022 annual budget are funds to purchase (8) new Police and Fire vehicles with Federal ARPA monies.

MOTION FOR CONSIDERATION: To award the purchase of (5) new vehicles to Fields Auto Group in the amount of \$136,005.06 and award (2) vehicles to Taylor Motor Company in the amount of \$66,296.00.

FUNDING SOURCE/IMPACT: Police Dept. \$169,153.06 funding approved in 2021-2022 Budget.
274310-545400

Fire Dept. \$33,148.00 funding approved in 2021-2022 Budget.
274340-545400

Total ARPA funds budget for Police Department is \$250,000.00 and \$80,000.00 for Fire Department.



Dean Trader, Assistant Finance Director

10/19/2021

Date

ATTACHMENTS:

- Bid Tabulation

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Town of Waynesville

Police and Fire Vehicle Bid Tabulation

October 13, 2021

Category 1

Police Mid-Size Sedan Police Pursuit

Dealer Name	Quantity	Make and Model	Each	Total Cost	Estimated Delivery
Ilderton	3	Dodge Charger	\$ 27,104.00	\$ 81,312.00	6-8 months
Fields Auto Group	3	Dodge Charger	\$ 26,910.14	\$ 80,730.42	90-120 days

Category 2

Police Mid-Size SUV Police Pursuit

Dealer Name	Quantity	Make and Model	Each	Total Cost	Estimated Delivery
Ken Wilson	2	Ford Explorer	\$ 36,478.40	\$ 72,956.80	90-120 days
Taylor Motor	2	Ford Explorer	\$ 36,396.00	\$ 72,972.00	12-14 weeks
Ilderton	2	Dodge Durango	\$ 30,869.00	\$ 61,738.00	9-10 months
Fields Auto Group	2	Dodge Durango	\$ 27,637.32	\$ 55,274.64	90-120 days

Category 3

Police Mid-Size SUV

Dealer Name	Quantity	Make and Model	Each	Total Cost	Estimated Delivery
Ken Wilson	1	Ford Explorer	\$ 33,230.40	\$ 33,230.40	90-120 days
Taylor Motor	2	Ford Explorer	\$ 33,148.00	\$ 66,296.00	12-14 weeks
Ilderton	1	Dodge Durango	\$ 30,869.00	\$ 30,869.00	9-10 months
Fields Auto Group	1	Dodge Durango	\$ 27,637.32	\$ 27,637.32	90-120 days

Category 4

Police Full-Size SUV Police Pursuit

Dealer Name	Quantity	Make and Model	Each	Total Cost	Estimated Delivery
No Bids Received	2	N/A	N/A	N/A	N/A

The Police and Fire Departments have agreed to accept a mid-size SUV in place of the full-size SUV. Chevrolet has shut down 2022 fleet orders for the Tahoe. Ford has not opened Expedition pricing. Both departments prefer the extra passenger and cargo room that the Ford Explorer has over the Dodge Durango. I believe, due to the use of the vehicle, this qualifies as an exception to award to Taylor Motor Company for the Ford Explorer as quoted in Category 3.

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: October 26, 2021

SUBJECT: Waynesville Recreation Center and Old Armory Roof Project Approval and Budget Amendment Approval

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E5
Department: Parks and Recreation and Finance
Contact: Rhett Langston and Dean Trader
Presenter: Rhett Langston and Dean Trader

BRIEF SUMMARY:

1 - We would like to ask permission from the Board of Aldermen to approve WNC Roofing for both the Waynesville Recreation Center and Old Armory.

2 – We would like to ask the Board of Aldermen to approve a budget amendment to the CIP from \$99,000 to \$145,250 (difference of \$46,250) for the Waynesville Recreation Center and from \$60,000 to \$62,375 (difference of \$2,375) for the Old Armory. **Total - \$48,625**

MOTION FOR CONSIDERATION:

- 1 - To approve WNC Roofing for the Waynesville Recreation Center and Old Armory project
- 2 – To approve a budget amendment for the CIP items in the total amount of \$48,625

FUNDING SOURCE/IMPACT: (must have approval by Finance Director prior to submission to the Board)



Dean Trader, Interim Finance Director

10/19/2021

Date

ATTACHMENTS: WNC Roofing Estimate for the Waynesville Recreation Center and Old Armory

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Description – TPO Proposal

Date: 10/18/2021

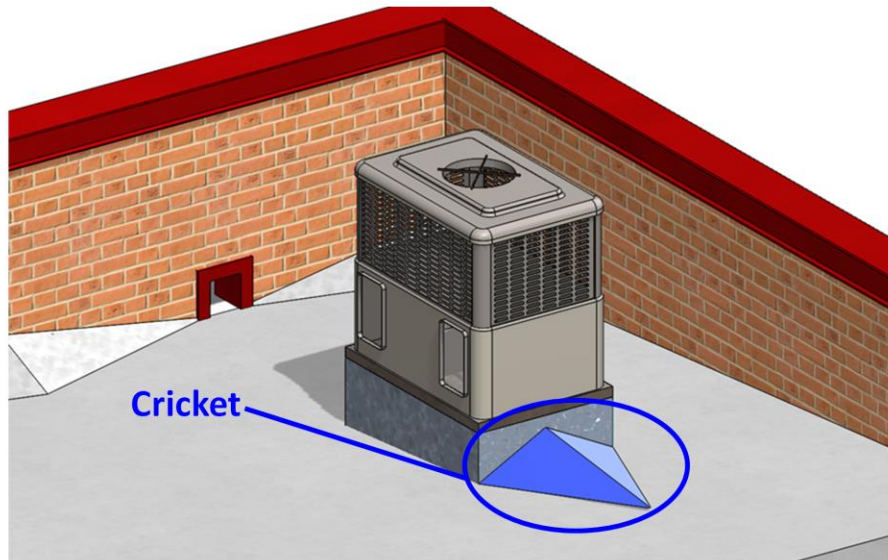
□ Scope of Work:



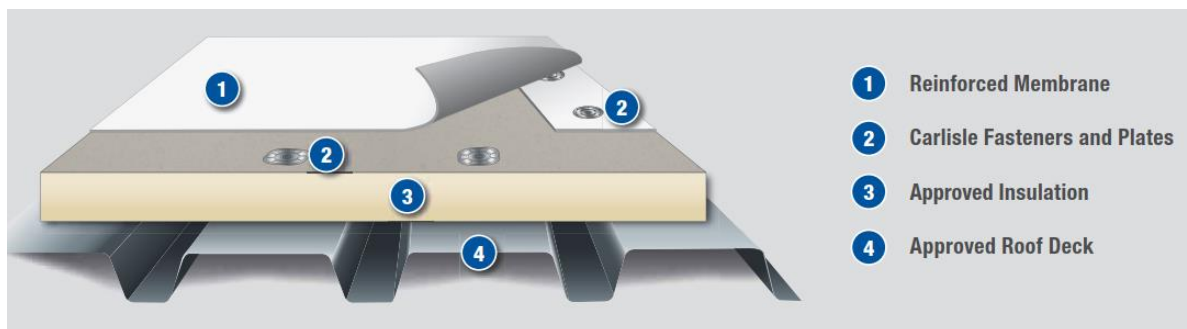
Description – TPO Proposal

Date: 10/18/2021

1. Provide all licenses, permits and insurance to complete the project.
2. Perform pre-construction meeting to discuss set up, staging area for equipment, loading of the roof, appropriate work hours, safety and production projections.
3. Set up equipment, materials, safety lines at all roof perimeters, and ground loading/dumpster area.
4. Provide all dumpsters and dump fees for the removal of the roofing debris.
5. Slit existing roof membrane per manufacturer requirements.
6. Provide and install new tapered crickets upslope of curbs & HVAC units to prevent ponding water and membrane deterioration.



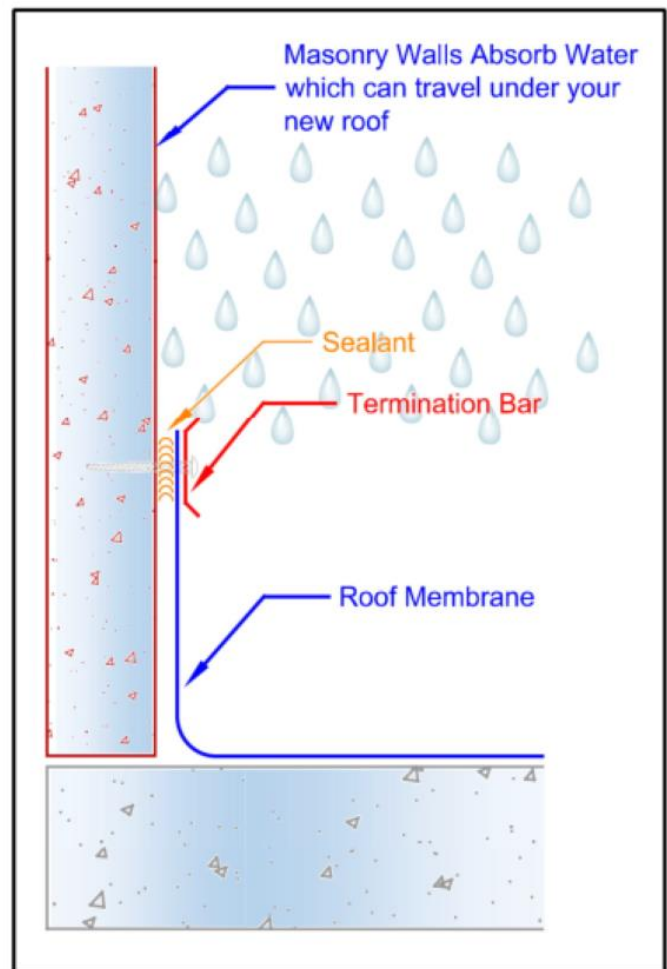
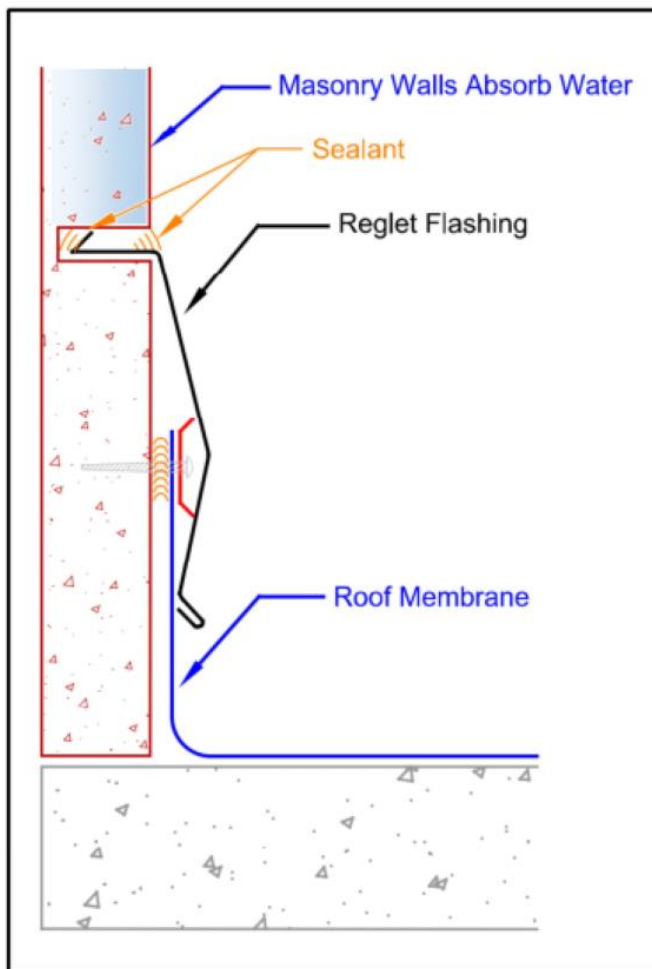
7. Provide and install new Firestone White 60 Mil TPO roof membrane, mechanically fastened to existing wood roof deck per manufacture specifications.



Description – TPO Proposal

Date: 10/18/2021

8. All roof top penetrations will be flashed with new Firestone TPO membrane flashings according to manufactures specifications.
9. Reglet Flashing at Roof to Masonry Wall Transitions:
 - Nearly all masonry materials are porous and will absorb and wick significant amounts of water. To prevent this moisture from transferring from the vertical wall to the underside of your new roof, reglet flashing will be installed.
 - Metal reglet flashing which covers the membrane transition is inserted into a groove cut into the wall. The flashing is sealed with a bead of single-ply roofing sealant.



Note: Some details omitted for clarity

Description – TPO Proposal

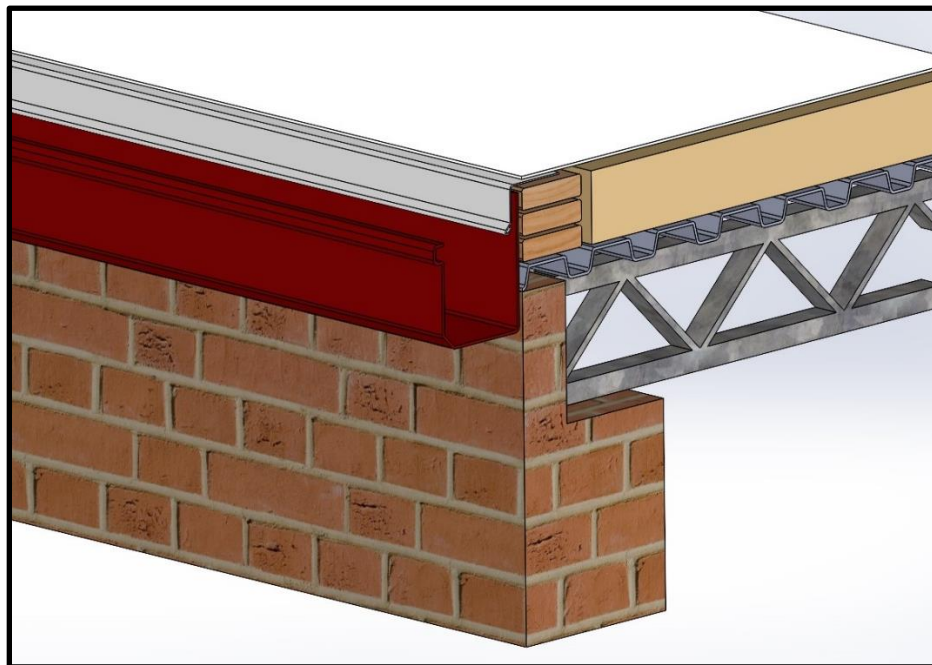
Date: 10/18/2021

10. Parapet Walls:

- Membrane will be secured at the base of the wall with membrane plates and screws every 12" to prevent it from pulling away over time.
- Membrane will be fully adhered to all walls.
- Membrane will be run up each wall, over the top of each wall and 2" down the exterior side to encapsulate and protect the wall.
- Exterior walls will be capped with a drip edge ES-1 rated with concealed joints and a durable Kynar finish. Face dimension to match existing.

11. Roof Eaves:

- Provide and install new 24 Gauge Kynar clad drip edge 2" face above gutters.
- Existing gutters and downs to remain.



12. Provide and install TPO walk pads at HVAC unit access panels and at each roof access point.

13. Provide and install (10) roof vents to allow any residual moisture to escape.

14. Perform a final walk through with a Building Representative and City Building Inspector upon completion.



Proposal

Waynesville Old Armory Rec Center
44 Boundary Street,
Waynesville NC 28786

Description – TPO Proposal

Date: 10/18/2021

Total Investment: \$59,975.00

*** System Includes 20 Year Firestone Material Warranty ***

*** System Includes 2 Year Workmanship Warranty ***

Option: Upgrade to a 20 Year Manufacturer Labor and Material Warranty:

Add: \$2,400.00

- NDL: No Dollar Limit Warranty. The warranty is not capped at the original costs of materials or labor. The roof will be repaired or replaced by Firestone without regard to the costs.
- Non-Prorated: Covers all Firestone materials and associated labor at 100% for 20 years.
- All materials and workmanship will be inspected and verified by a Firestone Inspector.

☐ Accept: _____

☐ Decline: _____

If needed replace existing wet 1.5" insulation

Add: \$4.75 per square foot

If needed replace deteriorated wood decking

Add: \$7.30 per square foot



Proposal

Waynesville Old Armory Rec Center
44 Boundary Street,
Waynesville NC 28786

Description – TPO Proposal**Date: 10/18/2021**

A full site cleanup will be performed upon the completion of each work day.

All skilled labor, material, tools needed, ladders, scaffolding, and safety equipment is included.

Proposal based upon roof onsite inspection.

Exclusions:

- Any and all items not stated in the proposal.
- Quote does not include testing or removal of hazardous materials, such as lead and asbestos.
- Satellite dishes (if present) will be replaced approximately in their original locations, re-alignment not included.
- Electrical & HVAC work: disconnecting and reconnecting lines (if required) not included.
- Carpentry, framing and wood blocking not included.

Prices valid for 21 days.

This proposal is executed _____ day of _____, 2021

Owner/Representative

WNC Roofing, LLC.

NC License #72262

SC License #118658

Carlisle License #263657



Proposal

Waynesville Old Armory Rec Center
44 Boundary Street,
Waynesville NC 28786

Description – TPO Proposal

Date: 10/18/2021

TERMS & CONDITIONS

1. **Scope of Work.** The Scope of Work shall be as detailed in the Proposal provided by Contractor. Contractor agrees to perform the work within a reasonable time after execution of this Agreement, and to complete the work in a good and workmanlike manner.
2. **Price and Payment.** The Price of this Project shall be in the amount shown and scheduled in the Proposal. Invoices shall be paid in full within five (5) days of Owner's receipt of them (Unless otherwise agreed). Any payment that goes unpaid for a month or more carries a 1% monthly service fee on all prior amounts owed, which Contractor may reflect on invoices in its own discretion without waiving.
3. **Owner-Requested Adjustments to Scope.** Owner may request in writing to adjust the Scope of Work. In such event, Contractor may then provide a corresponding increase to the Price of the Project that will result from such adjustment of the Scope of Work. If Owner agrees to the adjustment in price, then both the Price and Scope of Work shall be adjusted as agreed. Contractor is under no obligation to perform adjustments to the Scope of Work that Owner fails to request in writing, and/or for which Owner fails to agree to Contractor's corresponding increase in price.
4. **Stoppages for Non-Payment.** If any payment is not made when due, Contractor may elect, in its sole discretion, to suspend all work on the Project until all outstanding payments are made in full. Allegations by Owner of sub-standard work shall not serve as justification for non-payment or delayed payment of any invoices.
5. **Default and Termination.** If Owner believes Contractor is materially failing to perform the Work, then Owner must send Contractor a written Notice of Default explaining the facts constituting Contractor's material failure to perform. Contractor shall have thirty (30) days from the date of such Notice of Default to then establish, by performing necessary work, that Contractor has substantially corrected any alleged failures of performance. Owner may only terminate this Agreement if Contractor fails to cure the items in the Notice of Default within the allotted time.

Contractor may terminate this Agreement at any time if Contractor in good faith determines that Owner is in material breach of this Agreement, including through non-payment of funds due, or has otherwise repudiated the Agreement. Under no circumstances shall Contractor's election not to enforce or delay in enforcement of this clause constitute a waiver of it.



Proposal

Waynesville Old Armory Rec Center
44 Boundary Street,
Waynesville NC 28786

Description – TPO Proposal

Date: 10/18/2021

6. **Limitation of Damages.** Except for damages related to or resulting from either intentionally or recklessly tortious conduct on the Contractor's part, OWNER HEREBY WAIVES ALL INDIRECT AND CONSEQUENTIAL DAMAGES.
7. **Choice of Law; Forum.** This Agreement is governed under the laws of the State of North Carolina. Any action to enforce this Agreement shall be brought in Henderson County, North Carolina.
8. **Attorney Fees.** If Contractor must bring an action for unpaid invoices and prevails in the action, then Contractor shall be entitled to recover Contractor's attorney fees equal to 15% of the outstanding balance owed at the time of suit. This Agreement, in conjunction with any unpaid invoices, constitutes an evidence of indebtedness for purposes of N.C. Gen. Stat. section 6-21. Additionally, in any action to enforce this Agreement, the prevailing party shall be entitled to the whole of its attorney fees, as provided in N.C. Gen. Stat. section 6-21.6.
9. **Price Escalation Clause For Materials.** Material prices are currently volatile and lead times are long. Should there be an increase in the price of materials that are purchased after execution of contract for use in this construction project that exceed the budgeted cost, the Owner agrees to pay that cost increase to WNC Roofing.

WNC Roofing agrees to use their best efforts to obtain the lowest possible prices from available building material suppliers. Any claim by WNC Roofing for payment of a cost increase, shall require written notice delivered by the WNC Roofing to the Owner stating the increased cost, the building materials in question, and the source of supply, supported by supported by price quotations, invoices or bills of sale.

Description – Metal Roof Proposal

Date: 10/18/2021



□ **Scope of Work: Metal Roof**

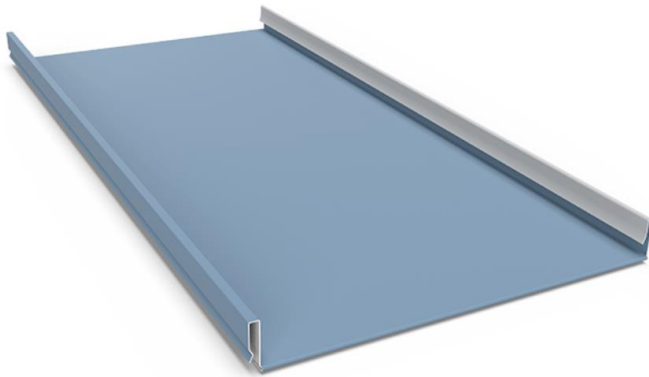
1. Provide all permits, licenses and insurance to complete the project.
2. Perform pre-construction meeting to discuss set up, staging area for equipment, loading of the roof, appropriate work hours, safety and production projections.
3. Set up equipment, materials, and ground loading/dumpster area.
4. Provide all dumpsters and dump fees for the removal of the roofing debris.
5. Remove and dispose of existing metal roofing.
6. Provide and install QUIK-Stick HT a high temperature underlayment with a rubberized asphalt layer which self-seals around roofing nails and other screws.

Description – Metal Roof Proposal

Date: 10/18/2021

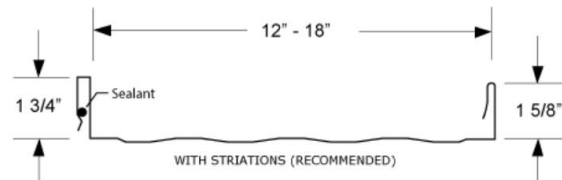
7. Provide and install new 24-gauge SL-25 Mechanically Hemmed Standing Seam roof.

- MRS System 2000
- 16" wide panels with 1.75" tall ribs.



STRUCTURAL SNAP-LOCK PANEL

The System 2000 metal roof panel is a structural 1-3/4" integral snap-lock metal roof system, providing a weathertight joint without the use of a mechanical seamer. This metal roof panel has excellent structural spanning capabilities. The snap-lock design allows for installation efficiency and weathertight protection.



Description – Metal Roof Proposal

Date: 10/18/2021

8. Panel Finish: Kynar paint. This is a PVDF (Teflon) high end finish and comes with a 35-year finish warranty.

Paint System	Polyester	SMP	PVDF
Overall	Good to better	Better	Best
Price Point	Cost effective	Moderate	Higher
Warranty	None to moderate	Long	Longest
Durability	Limited to good	Medium to high Improved weatherability	Highest
Application	Versatile, but typically low-exposure applications such as agricultural and industrial buildings	Wide range of construction applications including residential and commercial	High-end, high-profile architectural and commercial projects
Other Attributes	Wide range of colors and gloss options	Wide range of colors and gloss options	Excellent chalking, fade, and chemical resistance
AAMA Specification	AAMA 2603 AAMA 621	AAMA 2604 AAMA 621	AAMA 2605 AAMA 621

9. Provide and install new trim metal and reglet flashing at roof to masonry wall transitions.



10. This quote is for metal roof panel replacement and does not include new gutters, downspouts or fascia trim.
11. Perform a final walk through with a Building Representative upon completion.



Proposal

Waynesville Rec Center
550 Vance Street
Waynesville, NC 28786

Description – Metal Roof Proposal

Date: 10/18/2021

Total Investment: \$ 123,975.00

□ **Scope of Work: Gutters & Fascia**

1. Remove and dispose of existing metal fascia.
2. Provide and install new fascia trim with cleats and concealed fasteners.
3. Provide and install new heavy duty 24-gauge commercial grade box gutters with support straps 2' O.C.
4. New gutters will be properly installed and sloped toward the downspouts to prevent standing water and freeze thaw cycle damage.
5. Expansion joints will be installed every 50' to prevent failures and leaks at the splices due to expansion and contraction with temperature fluctuations. Gutters can expand and contract 1 inch for every 100 feet of length.
6. Provide and install new 24-gauge 4"x 7" downspouts with support brackets 5' O.C.

Total Investment: \$ 21,275.00

A full site cleanup will be performed upon the completion of each work day.

All skilled labor, material, tools needed, ladders, scaffolding, and safety equipment is included.

Quote does not include testing or removal of hazardous materials, such as lead and asbestos.

Proposal based upon roof onsite inspection.

Exclusions: Any and all items not stated in the proposal.

Prices valid for 21 days

Description – Metal Roof Proposal

Date: 10/18/2021

Choice of standard colors (add 10% for Regal Red)

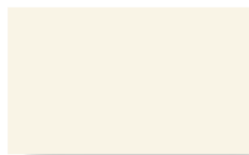
www.metalroofingsystems.biz/color-gallery



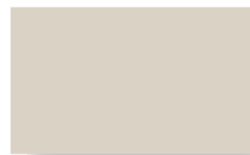
TERRA COTTA



AGED COPPER



BONE WHITE



SANDSTONE



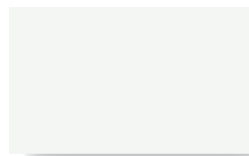
SURREY BEIGE



COLONIAL RED



PATINA GREEN



REGAL WHITE



ASH GRAY



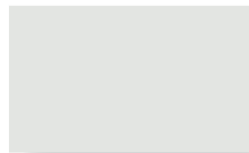
SIERRA TAN



REGAL RED **



HEMLOCK GREEN



STONE WHITE



DOVE GRAY



MEDIUM BRONZE



BURGUNDY



HARTFORD GREEN



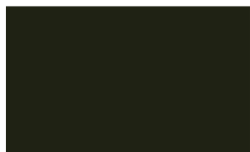
SLATE BLUE



SLATE GRAY



MANSARD BROWN



MATTE BLACK



EVERGREEN



REGAL BLUE



CHARCOAL GRAY



DARK BRONZE



Proposal

Waynesville Rec Center
550 Vance Street
Waynesville, NC 28786

Description – Metal Roof Proposal

Date: 10/18/2021

This proposal is executed _____ day of _____, 2021

Owner/Representative

WNC Roofing, LLC.

NC License #72262

SC License #118658

Carlisle License #263657

TERMS & CONDITIONS

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- 3. Owner-Requested Adjustments to Scope.** Owner may request in writing to adjust the Scope of Work. In such event, Contractor may then provide a corresponding increase to the Price of the Project that will result from such adjustment of the Scope of Work. If Owner agrees to the adjustment in price, then both the Price and Scope of Work shall be adjusted as agreed. Contractor is under no obligation to perform adjustments to the Scope of Work that Owner fails to request in writing, and/or for which Owner fails to agree to Contractor's corresponding increase in price.



Proposal

Waynesville Rec Center
550 Vance Street
Waynesville, NC 28786

Description – Metal Roof Proposal

Date: 10/18/2021

4. **Stoppages for Non-Payment.** If any payment is not made when due, Contractor may elect, in its sole discretion, to suspend all work on the Project until all outstanding payments are made in full. Allegations by Owner of sub-standard work shall not serve as justification for non-payment or delayed payment of any invoices.
5. **Default and Termination.** If Owner believes Contractor is materially failing to perform the Work, then Owner must send Contractor a written Notice of Default explaining the facts constituting Contractor's material failure to perform. Contractor shall have thirty (30) days from the date of such Notice of Default to then establish, by performing necessary work, that Contractor has substantially corrected any alleged failures of performance. Owner may only terminate this Agreement if Contractor fails to cure the items in the Notice of Default within the allotted time.

Contractor may terminate this Agreement at any time if Contractor in good faith determines that Owner is in material breach of this Agreement, including through non-payment of funds due, or has otherwise repudiated the Agreement. Under no circumstances shall Contractor's election not to enforce or delay in enforcement of this clause constitute a waiver of it.

6. **Limitation of Damages.** Except for damages related to or resulting from either intentionally or recklessly tortious conduct on the Contractor's part, OWNER HEREBY WAIVES ALL INDIRECT AND CONSEQUENTIAL DAMAGES.
7. **Choice of Law; Forum.** This Agreement is governed under the laws of the State of North Carolina. Any action to enforce this Agreement shall be brought in Henderson County, North Carolina.
8. **Attorney Fees.** If Contractor must bring an action for unpaid invoices and prevails in the action, then Contractor shall be entitled to recover Contractor's attorney fees equal to 15% of the outstanding balance owed at the time of suit. This Agreement, in conjunction with any unpaid invoices, constitutes an evidence of indebtedness for purposes of N.C. Gen. Stat. section 6-21. Additionally, in any action to enforce this Agreement, the prevailing party shall be entitled to the whole of its attorney fees, as provided in N.C. Gen. Stat. section 6-21.6.
9. **Price Escalation Clause For Materials.** Material prices are currently volatile and lead times are long. Should there be an increase in the price of materials that are purchased after execution of contract for use in this construction project that exceed the budgeted cost, the Owner agrees to pay that cost increase to WNC Roofing.

WNC Roofing agrees to use their best efforts to obtain the lowest possible prices from available building material suppliers. Any claim by WNC Roofing for payment of a cost increase, shall require written notice delivered by the WNC Roofing to the Owner stating the increased cost, the building materials in question, and the source of supply, supported by supported by price quotations, invoices or bills of sale.