

Town of Waynesville, NC

Board of Aldermen Regular Meeting

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

Date: May 10, 2022 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. ADDITIONS OR DELETIONS TO THE AGENDA

D. 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.

1. Adoption of minutes of the April 6, 2022 special meeting (Board Retreat)
2. Adoption of April 26, 2022 regular meeting
3. Tuscola Band Day Special Event Application

Motion: To approve the consent agenda as presented.

E. PRESENTATION

2. Promotion and New Hire Recognition

- Fire Chief Joey Webb

3. Smart Growth

- Scott Cason

F. PUBLIC HEARING

4. Public Hearing to consider the text amendment to Chapter 7 of the Land Development Standards (LDS), Civic Space.

- Olga Grooman, Planner

Motion: To adopt Ordinance O-16-22 as presented.

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

May 10, 2022

- 2 -

5. Continuation of Public Hearing from March 22, 2022 to consider a text amendments to the Land Development Standards (LDS) on revisions to LDS Section 6.10: Transportation Impact Analysis.
- Development Services Director, Elizabeth Teague

Motion: To find the Ordinance is consistent with the Comprehensive Plan and is reasonable and in the public interest.

Motion: To adopt Ordinance O-07-22 as presented.

G. NEW BUSINESS

6. Budget Amendment to the Garage Internal Service Fund
- Misty Hagood, Finance Director

Motion: To approve Resolution R-08-22 amending the Financial Operating Plan for Garage Internal Service Fund

7. Personnel Policy Update
- Jesse Fowler, Assistant Town Manager

Motion: To adopt the amended Personnel Pollicy as Presented

8. Presentation of 2022-23 Budget and scheduling public hearing.
- Rob Hites, Town Manager

H. COMMUNICATION FROM STAFF

18. Manager's Report
- Town Manager, Rob Hites

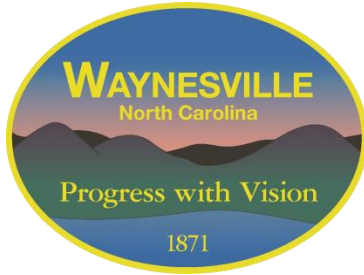
19. Town Attorney Report
- Town Attorney, Martha Bradley

I. COMMUNICATIONS FROM THE MAYOR AND BOARD

J. CLOSED SESSION

Motion: To enter into closed session under NCGS 143.318.11(a) for discussion with Town Attorney regarding potential litigation

J. ADJOURN



TOWN OF WAYNESVILLE

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CALENDAR May 2022

2022	
Sunday May 15	Drug Awareness Walk – Main Street 2:00 pm – 4:00 pm
Monday May 24	Board of Aldermen Meeting – Regular Session
Wednesday May 25	Summer Resource Fair – FUMC Parking Lot 11:00 am – 2:00 pm
Saturday May 28	Spring Block Party – Main Street – 7:00 pm – 10:00 pm
Monday May 30	Town Offices Closed – Memorial Day
Saturday June 11	Main Street Mile – Main Street – 7:30 pm to 8:30 pm
Tuesday June 14	Board of Aldermen Meeting – Regular Session
Friday June 24	Mountain Street Dance – Main Street – 6:00 pm – 9:00 pm
Tuesday June 28	Board of Aldermen Meeting – Regular Session
Monday July 4	Town Offices Closed – Independence Day
Friday July 8	Mountain Street Dance – Main Street – 6:00 pm – 9:00 pm
Tuesday July 12	Board of Aldermen Meeting – Regular Session
Friday July 22	Mountain Street Dance – Main Street – 6:00 pm – 9:00 pm
Tuesday July 26	Board of Aldermen Meeting – Regular Session
Friday August 5	Mountain Street Dance – Main Street – 6:00 pm – 9:00 pm
Tuesday August 9	Board of Aldermen Meeting – Regular Session
Tuesday August 23	Board of Aldermen Meeting – Regular Session
Monday September 5	Town Offices Closed – Labor Day
Saturday September 10	Fall Block Party – Main Street – 7:00 pm – 10:00 pm
Saturday September 10	Tuscola High School Band Day-8:00 am – 6:00 pm – First Presbyterian Church – and County Courthouse lawn
Tuesday September 13	Board of Aldermen Meeting – Regular Session
Tuesday September 27	Board of Aldermen Meeting – Regular Session
Tuesday October 11	Board of Aldermen Meeting – Regular Session
Saturday October 15	Apple Festival
Tuesday October 25	Board of Aldermen Meeting – Regular Session
Monday October 31	Treats on the Street – 5:00 pm – 7:00 pm
Tuesday November 8	Board of Aldermen Meeting – Regular Session
Tuesday November 11	Town Offices Closed – Veterans Day
Friday November 22	Board of Aldermen Meeting – Regular Session
Monday December 5	Waynesville Christmas Parade – Main Street - 6:00 pm
Saturday December 10	Night Before Christmas – Main Street – 6:00 pm – 9:00 pm
Tuesday December 13	Board of Aldermen Meeting – Regular Session
Saturday December 17	Night Before Christmas – 6:00 om – 9:00 pm
December 23, 24 & 27th	Town Closed – Christmas Holidays

Board and Commission Meetings – May 2022

ABC Board	ABC Office – 52 Dayco Drive	May 17 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	May 3 1 st Tuesday 5:30 PM
Downtown Waynesville Advisory Committee	Municipal Building – 16 South Main Street	May 17 3 rd Tuesday
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	May 4 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	May 16 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	May 12 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	May 18 3 rd Wednesday 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	May 10 2 nd Tuesday 3:30 PM

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
SPECIAL MEETING - RETREAT
April 6, 2022**

THE WAYNESVILLE BOARD OF ALDERMEN held its winter retreat on Wednesday April 6, 2022 at 8:30 a.m. at Public Services Training Room located at 129 Legion Drive, Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 8:35 a.m. with the following members present:

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

The following staff members were present:

Town Manager Rob Hites
Assistant Town Manager Jesse Fowler
Town Clerk Eddie Ward
Fire Chief Joey Webb
Police Chief David Adams
Assistant Police Chief Brandon Gilmore
Parks and Recreation Director Rhett Langston
Development Services Director Elizabeth Teague
Public Services Director Jeff Stines
Assistant Public Services Director Ricky Foster
Assistant Finance Director Dean Trader

The following media representatives were present:

Becky Johnson – The Mountaineer – arrived at 8:58 am
Cory Vaillancort – Smoky Mountain News

2. Discussion of ground rules for retreat

Town Manager Rob Hites told everyone that in this meeting the Aldermen have formatted their goals for the future of the Town. They will describe the goals they have, set up action items, and discuss with staff. Mayor Gary Caldwell, Alderwoman Julia Freeman, and Alderman Anthony Sutton had the goal of construction of a new fire station.

Manager Hites asked Mayor Gary Caldwell to begin with his goals as follows:

MAYOR GARY CALDWELL GOALS

GOAL: CONSTRUCTION OF A NEW FIRE STATION

ACTION ITEMS:

- Draft RFP to solicit architectural qualifications.
- Review RFPs and select an architectural firm.
- Determine a project budget for the project.
- Architect will solicit input from fire department and Board of Aldermen through “conceptual design” process.
- Prepare RFP for borrowing the funds to pay for the project.
- Architect will draft building elevations, floor plans and materials list for Board Approval.
- Once approved the Architect will draft construction drawings and submit the project for bid
- Board will choose low bid and Town will issue “authorization to construct.
- Include RFQ funding in within the 2022/2023 budget.

Mayor Caldwell suggested using the Fire Station in Statesville, NC as a model and using their architectural drawings. Fire Chief Joey Webb stated he and Assistant Fire Chief Chris Mehaffey had visited this Fire Station, and talked to the Firefighters there on duty, and got ideas about changes that could be made. Mayor Caldwell stated he would like to see the first phases of the project started in early 2023.

Chief Webb added that he would like to see the extension that was originally planned for Station 1, but then dropped because of expense, added for an additional sleeping area.

GOAL: CONSTRUCT A “MAIN STREET PAVILION” AT THE INTERSECTION OF MILLER STREET AND MAIN STREET

ACTION ITEMS:

- Work with the Downtown Waynesville Advisory Committee to review the current design drawings and receive recommendations the Committee might offer.
- Review the current bids and determine a strategy of moving either moving forward with the current bid, reposting the bid while trying to increase the number of bidders, or waiting a year for the current construction market to change.
- Postpone project while watching construction material prices with the possibility of rebidding the project.

Mayor Caldwell said this project had been put out for bids, and the only bid was for \$152,000.00. He asked for the bids to be sent out again.

Assistant Town Manager Jesse Fowler stated that at the last Board of Aldermen meeting staff was instructed to turn this item over to the Downtown Waynesville Advisory Committee as their project. This committee has not held a regular meeting since being formed, but they will be involved with the plans and construction.

GOAL: CONSTRUCT A PAVILION ADJCENT TO THE VANCE STREET SKATE PARK

ACTION ITEMS:

- Review the current bids and determine a strategy of moving either moving forward with the current bid, reposting the bid while trying to increase the number of bidders, or waiting a year for the current construction market to change.
- Postpone project while watching construction material prices with the possibility of rebidding the project.

This item was identical to the Main Street Pavilion Project – with only one bid at a price of \$102,000.00. Mayor Caldwell suggested that because of the price, and only one bidder, this item be sent out for bids

again. This project will also be turned over to the DWAC.

GOAL: OK PARK RESTROOMS

ACTION ITEMS:

- Continue with the current phase of the project. Upon completion, develop an RFP to bid gather bids for the construction of the restrooms.

Bids for this project have not been sent out, but the site is being prepared for the project. The clearing and grading will be done in-house. Once the site is ready, the design will be created, and bids sent out.

Mayor Caldwell said he felt this is the most important project because of the development in the area, and the restrooms are needed in the park.

GOAL: DESIGN AND CONSTRUCT BUMP-OUTS ALONG MAINSTREET FOR THE PURPOSES OF PROVIDING MORE OPPORTUNITIES FOR OUTDOOR DINING

ACTION ITEMS:

- Work with the Downtown Advisory Committee to determine locations for possible bump-outs and ensure cohesiveness with our current Downtown Central Business District Streetscape plan.
- Develop an RFQ to hire an architectural/engineering firm to design bump-outs in accordance with the themes found in our Downtown Central Business District Streetscape Plan.

Mayor Caldwell mentioned the need for a bump-out at the Truist Bank on Main Street. He expressed his concerns about citizens crossing and not being seen by traffic. Manager Hites suggested this item be placed on the April 26th agenda for discussion.

Mayor Caldwell said that outdoor dining is a big thing in other cities. He would like to work with the DWAC to be able to have bump-outs with tables for the restaurants on Main Street. Alderman Anthony Sutton told everyone this could be tied to the Social Districts and make it easier for alcohol to be served on the street.

ALDERWOMAN JULIA FREEMAN GOALS

GOAL: CONSTRUCTION OF A NEW FIRE STATION

ACTION ITEMS:

- Draft RFP to solicit architectural qualifications.
- Review RFPs and select an architectural firm.
- Determine a project budget for the project.
- Architect will solicit input from fire department and Board of Aldermen through “conceptual design” process.
- Prepare RFP for borrowing the funds to pay for the project.
- Architect will draft building elevations, floor plans and materials list for Board Approval.
- Once approved the Architect will draft construction drawings and submit the project for bid
- Board will choose low bid and Town will issue “authorization to construct

Previously discussed.

GOAL: PURCHASE OF SRT AND RESCUE VEHICLE FOR THE POLICE DEPARTMENT

ACTION ITEMS:

- Determine specifications for an SRT and rescue vehicle for the Police Department and develop a formal bid for the purchase.
- Explore and determine funding sources either through grants or General Fund Balance appropriations.
- Used is approximately \$179K vs a new being approximately \$300K
- Public communication to educate about the wide variety of uses from police operations to EMS, fire, and public service

Alderwoman Julia Freeman stated that this item was of particular interest to her because during the protests in Buncombe County, the Waynesville Police Department was brought in because of their experience and certifications. She said that we need to make sure that our law enforcement has the resources they need.

GOAL: DETERMINE THE LONG-TERM GOALS OF THE DOWNTOWN WAYNESVILLE ADVISORY COMMITTEE

ACTION ITEMS:

- Continue the current process of Committee Member training, asset mappings, and SWOT analysis.
- Hold a community forum in conjunction with the North Carolina Main Street and Rural Planning Center to develop community goals.
- Using the DWACs asset mapping, SWOT analysis, and community goals, develop a new mission statement for the DWAC and a long-term vision.
- Use the new DWAC mission and vision to work with the NC Main Street and Rural Planning Center to develop a long-term plan.

This is such a new component to the Town of Waynesville; Alderwoman Freeman would like to see where we are going to be in the next 15 – 18 months. She wants to make sure that the DWAC regains any accreditations that has been lost because of inactivity and past inaccuracies. Meeting state standards is a top priority for the DWAC.

GOAL: WORK TOWARDS UPDATING THE TOWN OF WAYNESVILLE ROAD SYSTEM

ACTION ITEMS:

- Continue using the Pavement Condition Survey which was conducted in 2020
- Develop a pavement and sidewalk CIP which is prioritized by referencing the Pavement and Condition Survey.
- Analyze cost of bringing all the Town of Waynesville Road surfaces up to a “C” rating or better.
- We will work with DOT to develop strategies to repair and maintain those roads within our system that they are not currently slated to develop or on the STIP
- Public Services will present the Board with their current priority list of town owned streets and build out that list by referring to the 2020 Pavement Condition Survey

Alderwoman Freeman said that the number one complaint she receives is concerning the condition of the roads and potholes. The community wants to know why the roads aren’t being paved and repaired. She would like the Public Services to give the Aldermen a new talking point, or timeline of what needs to be done so she can relay it to the citizens.

Public Services Director Jeff Stines discussed the Pavement Condition Survey and explained that on the high priority streets the sidewalks will be done the year before and resurfacing the streets the following year.

As far as the Pigeon Street project, the construction company is waiting on materials. Estimation of delivery of the materials is the end of May, and 60 days to complete the job, then the paving will begin. NCDOT will hold off on paving Main Street until Pigeon Street is done.

GOAL: CONTINUE WORKING TOWARDS THE COMPLETION OF THE PARKS AND RECREATION MASTER PLAN ACTION ITEMS:

- Determine which elements of the current master plan have already been completed.
- Prioritize the elements of the current Parks and Recreation Master Plan and the Site-Specific Plan.
- Determine funding sources through General Fund appropriations and grant opportunities such as PARTF applications.
- Hold a work session with the Board of Alderman and members of the Parks and Recreation Advisory Committee to better determine a strategy for addressing the Parks and Recreation Master Plan.

Alderwoman Freeman stated that with the exit of the Parks and Recreation Director, she would like to know how the Town will move forward in this area.

Manager Hites said that to have the entire Master Plan carried out, he suggested adding the multi-million-dollar tab to the Fire Station and borrow for more than one item.

ALDERMAN JON FEICHTER GOALS

GOAL: CONVERT MUNICIPAL BUILDINGS TO SOLAR GENERATED HEAT AND HOT WATER.

ACTION ITEMS:

- Select Consultant/Engineer to design and bid installation of Solar systems in Recreation Center, New Fire Station #2, Town Hall, etc.
- Conversion will save the Town money in the long run and mitigate the harmful effects of Climate Change.

Alderman Jon Feichter said he would like to see the Town take a leadership role in the community to help spur development of solar power. Rhino Renewables has generated a case study that would implement solar panels for electric service on the roof of the Recreation Center. This would supply about 28% of the electrical usage for that facility. The cost for this project would be about \$250,000.00.

GOAL: TRANSITION TO SMART ELECTRIC METERING

ACTION ITEMS:

- Request Proposals from “Smart Electric Meter” providers , evaluate them with the help of a metering consultant.
- Determine the cost of conversion to “Smart Meters”.
- Refrain from installing additional radio read meters
- Install only “smart meters” on new developments
- Determine the funding opportunities for Town wide conversion

- Serious issues with fluctuating billing cycles and frequent turnover in staff require that the Town turn to fully electronic electric meter reading.
- Bring report to the Board of Alderman about the requirements for implementing a “Smart Metering” system.

Alderman Feichter said that the Meter Reading seems to be an ongoing challenge. By implementing Smart Meters, the meters could be read from the office and eliminate the fluctuating days between reads. He would like for the Town to start now with the electric meters.

GOAL: PROVIDE OPTION FOR “BUDGET BILLING”.

ACTION ITEMS:

- Develop a “Budget Billing” program ASAP where the Town determines a monthly average bill for customers. The problems with meter reading and billing in the recent past have created unnecessary hardship for some of our customers, particularly those on fixed incomes.
- Contact MUNIS and other Electricities to determine the best way to set up such a program.
- Develop a “budget billing policy” for the Board’s adoption and purchase the necessary software to carry out the program.

Alderman Feichter explained that the customer’s bills would be averaged for a year and divided into monthly equal payments so the amount would be the same for that year. He emphasized this would be very beneficial to customers on a fixed income.

GOAL: PERMIT CUSTOMERS TO RECEIVE THEIR UTILITY BILLS VIA EMAIL

ACTION ITEMS:

- Work with Finance staff to determine the best approach to billing, i.e., Mail or Email, Mail and Email.
- Develop method to permit customers to notify the staff as to which method they should choose. i.e., An Application on the Town’s website, a phone number printed on the bill”, a check off box and place to add email address on bill.
- Explore the capabilities of the MUNIS billing system to integrate with automated or manually generated email billing lists.

Other utilities offer this feature to their clients, and Alderman Feichter would like to see the Town do this as well. He said that for customers that do not have access to the internet, the option of receiving paper bills would still be offered.

GOAL: INCREASE THE NUMBER OF ELECTRIC VEHICLE (EV) CHARGING STATION IN THE TOWN

ACTION ITEMS:

- Conduct research on the most efficient and cost-effective charging station technology
- Determine the cost of the station and installation.
- Apply for grant assistance available from the Dept. of Transportation to aide in paying for the stations.
- Stations should be “Quick Charge” which requires the same power as a home dryer.
- Potential locations are as follows:
 - Miller Street Public Parking Lot
 - Hazelwood Parking Lot

- Frog Level Public Parking Lot
- Downtown off-street parking location.
- Explore the possibility of integrating charging stations into the proposed Main Street Bump outs

Alderman Feichter stated he had spoken with a company called Charge Point and with that company the only thing the Town must do is get the electricity to the site. They will install, monitor, and maintain the stations. The estimated cost of each station is about \$2500.00 per station for five years. He said electric vehicles are the cars of the future. He said he wanted the Town to be a leader in clean energy.

ALDERMAN CHUCK DICKSON GOALS

GOAL: BUILD OUT STRATEGIC GREENWAY SEGMENTS

ACTION ITEMS:

- (N-S) Lake Junaluska Connector to Hazelwood to Hyatt Creek Road.
- Hire an attorney and/or conservation organization to assist with land and easement acquisition.

Alderman Chuck Dickson spoke to the Board about the greenway connector between Lake Junaluska, Hazelwood and Hyatt Creek, and said this will be the pride of Waynesville. This project could save energy also because people could use it for cycling and walking.

GOAL: BE PRO-ACTIVE IN AFFORDABLE HOUSING INITIATIVES

ACTION ITEMS:

- Support the Housing Authority Strategic Plan.
- Initiate a rehab and weatherization program for local homeowners.
- Host a “housing summit” of local organizations, developers, and nonprofits to foster communications and cooperation, and support the pursuit of federal and state funding opportunities (SMHP, Region A).
- Continue the Housing Incentive Grant Program.

GOAL: MAXIMIZE GRANTS TO SUPPORT ABOVE AND OTHER NEEDS

ACTION ITEMS:

- Hire a consultant to assist with grant applications and administration.
- Develop a Consolidated list of major capital needs to evaluate Town investment, loan repayment, and match liability over the next 5 years, and evaluate financial strategies and options (Bond initiative? Other?).
- While searching for consultants to assist in grant writing, work to develop a team of subject matter experts that we can refer to for specialized funding opportunities through different enterprise funds.

Alderman Chuck Dickson told the Board that he feels the Town needs to hire a consultant that can find and apply for grant opportunities for the Town. He mentioned the American Rescue Plan, which includes water infrastructure, stream bank restoration, and the Infrastructure Investment Jobs Act. The IJA is a once in a lifetime opportunity for grants. This includes transportation, water, climate, and environment over the next 5 years. There are also partnership grants available with Haywood County. He said we need to be ready, to know what grants are available, and to apply for these grants – especially for smaller

communities.

GOAL: DEVELOP/UPDATE TOWN WATER AND SEWER POLICY

ACTION ITEMS:

- Revisit criteria for when and how Town extends utilities (Urban Service Boundary, ETJ, and beyond the ETJ)

Alderman Dickson said he wasn't sure that the Town has a water and sewer policy for utilities extending to the ETJ, beyond the ETJ, and the Urban Service Boundary. He asked how big we want the Town of Waynesville to be? The way to control growth is through water and sewer. Alderman Anthony Sutton added that while the Future Land Use Plan was being discussed, the consultants suggested that the service district is not extended beyond a certain point.

Elizabeth Teague, Development Services Director spoke on the Urban Services Boundary and said that it was pulled back in certain areas in the case of steep slopes where the Town could not reasonably service that area. During that process, decisions were made concerning where the lines are already in place. She said that in the case of septic failure, there is an environmental need to allow areas to connect to the sewer system.

Manager Hites explained the process of allowing someone to connect to sewer if the system is condemned by the Health Department, and within one hundred feet of city sewer, the city may honor the Health Department's request and connect without annexation.

GOAL: REVISIT STAGGERED ELECTION TERMS

ACTION ITEMS:

- Research other municipalities and SOG recommendations.

Due to the possibility of having a completely new Board, Alderman Dickson said staggered terms should be considered. All the other towns in Haywood County have staggered terms, and it would be beneficial to Waynesville. He explained the process that would need to be taken for the Town to begin staggered term.

Mayor Caldwell said that changing to staggered terms would be an expense to the Town every two years.

GOAL: ADDRESS STORM WATER AND INFLOW AND INFILTRATION IN THE DOWNTOWN AND FROG LEVEL DISTRICTS

ACTION ITEMS:

- Determine the primary sources of inflow and infiltration through continued mapping of our stormwater and sanitary sewer systems.
- Secure funding through by leveraging state grant opportunities or through General Fund appropriations.

The Town needs to address the stormwater issues in the Downtown and Frog Level areas. Alderman Dickson told everyone that this would save the Town a lot of money.

ANTHONY SUTTON GOALS

GOAL: IMPLEMENT THE APP FOR PUBLIC STATISTICS ON POLICE RECORDS

ACTION ITEMS:

- Conduct research into the types of information that is reported on the app
- Determine the cost of maintaining the app
- Determine the method of transferring the information to the app.
- Report findings to the board for appropriation and authorization.

Alderman Anthony Sutton said that implementing an app for public statistic on Police Records would be transparent, and the public could view them almost immediately.

GOAL: INITIATE PROCESS TO CONSTRUCT FIRE STATION #2 IN HAZELWOOD

ACTION ITEMS:

Draft RFP to solicit architectural qualifications.

- Review RFPs and select an architectural firm.
- Determine a project budget for the project.
- Architect will solicit input from fire department and Board of Aldermen through “conceptual design” process.
- Prepare RFP for borrowing the funds to pay for the project.
- Architect will draft building elevations, floor plans and materials list for Board Approval.
- Once approved the Architect will draft construction drawings and submit the project for bid
- Board will choose low bid and Town will issue “authorization to construct.

Previously discussed

GOAL: DRAFT AND IMPLEMENT A HIRING DIVERSITY PROGRAM. PUBLICIZE THE DIVERSITY THAT CURRENTLY EXISTS IN THE TOWN.

ACTION ITEMS:

- Develop a program for attracting diversity in the town’s workforce and among appointed boards and commissions.
- Present proposed plan to Town Board for comment and adoption
- Implement program through targeted recruiting, advertising, promotion
- Review program twelve months after initiation.

Alderman Sutton told everyone that we are a diverse workplace, and that needs to be publicized. It is becoming harder and harder to hire people, and the ones that can be hired aren’t diverse. It is easier to hire people is they feel welcome.

Town Attorney Martha Bradley stated that there are companies that specifically look for locations based on local attitudes toward diverse work forces. Having a public policy could help with economic development.

Chief Adams indicated that the Police Department has recently developed an “Officer of the Month” program, and the officer’s picture will be placed on Facebook, and that is one way to show diversity.

GOAL: DEVELOP AND IMPLEMENT COMMUNITY WATCH PROGRAMS

ACTION ITEMS:

- Develop a community watch plan and organization that fits our Police Department's resources.
- Solicit interest from different communities.
- Conduct meetings to inform and train volunteers
- Develop a Community Watch Budget to draw funds for program

Alderman Sutton would like to see a Community Watch Program for the Town. Police Chief Adams is working with one group, and it would be nice to develop that town wide. He commended the Police Department for reporting statistics for crime in Waynesville. By being completely transparent, the public will know what is going on.

Break 10:15 pm – 10:34 pm

Recap of each Goal

Manager Hites explained the beginning of the process for the construction of the Fire Station including costs, financing, combining projects for financing, architect, and architectural plans.

Mayor Caldwell asked if there could be police stationed in the new building. Manager Hites said there was a police station built into the plan that Fire Chief Webb has. In addition, the space that the Fire Department currently occupies in the Finance building can be used by the Police Department.

The consensus of the Board was to proceed with the process of construction of the new Fire Station.

About the Main Street and Skate Park Pavilion, Manager Hites stated that the choices are to send the projects out for bids again or wait to see if construction costs lower in the future. He suggested that the projects be budgeted in the next year. Alderman Dickson added that these projects and the bump out proposals be forwarded to the DWAC for their input.

The consensus of the Board is to budget the OK Park bathrooms in the next year's budget.

Assistant Police Chief Brandon Gilmore gave a presentation on an armored vehicle for the Police Department. The main purpose of this vehicle is the safety of policemen when they travel together to a scene. He said that because currently they must travel in different vehicles, and with today's technology, citizens can hear their radio traffic and know where they are going in dangerous situations. The vehicle can also be used in rescues, fire situations and in situations where gas needs to be used, as a ballistic shield. He described the different attachments that are available for the vehicle.

Assistant Chief Gilmore said that brand new the vehicle is around \$300,000.00. The Lenco Bear Cat Company has purchased several used vehicles from the Department of Energy, and they have been refurbished. The cost of the refurbished vehicles is around \$179,000.00.

Assistant Manager Fowler gave an update on the DWAC and the progress they are making. There have been several zoom trainings that have been held. He stated that they would be reporting at a Board meeting in the future.

Manager Hites told the Board he had an up-to-date pavement condition survey, and the Town has a grade "C", which is not bad for a municipality. Most of the complaints received concerning the roads apply to state roads. The state allows a city to fund repairs using their specifications, along with a Memorandum of Understanding, but you cannot use Powell Bill monies to make any repairs to a state road. For the city streets, a significant portion of the Powell Bill money is used, and a portion of the General Fund money is used.

Elizabeth Teague, Development Services Director, reported on timelines for projects set for the Town. The South Main project is indefinitely delayed, Russ Avenue is slated for 2024, and the bridge replacement project on 19-23 near Lake Junaluska is 2024. The North Main project is projected to start in July of this year and the contract is for one year.

There was much discussion about repairing sidewalks on Allens Creek and different areas of Waynesville. Manager Hites said Powell Bill money can be used for sidewalks that are already in place.

Concerning the solar power, the consensus was to place the panels on the new Fire Station. Manager Hites asked about the municipal buildings and asked if the Board would like a proposal for the solar on those buildings. Alderman Feichter stated he would like to see them on the Recreation Facility because of the high-power usage in that building. He reiterated that by having solar power would save the Town a lot of money, and there are grants available for that purpose.

Manager Hites discussed transitioning to smart meters and said the meters would be the cheapest part. The transmission system that will transfer the data to the Finance Department will be the more difficult part. He said he would need to research on what is on the market now to transmit the smart meter to the computer, and how the Munis system could handle it. He said this could be a multi-year project.

The budget billing process is commonly used, and for people who live paycheck to paycheck it is a good thing.

For the electronic billing, we will need to make sure the legislature doesn't require a paper bill. Manager Hites said this would be a great thing to utilize.

The charging stations on Miller Street are failing, and these stations will have to be replaced. Ms. Teague told the Board that the new charging stations are sleek, have higher speed, and don't take up as much room as the older ones. Alderman Dickson asked if incentives could be offered to encourage placing the stations at different places in the Town. Manager Hites said that incentives could certainly be offered to commercial developers once the price of chargers is determined.

Ms. Teague discussed the two phases of the greenway feasibility studies, and the bridge at the Recreation Park should be installed in the summer. She and Alderman Dickson discussed the different segments of the studies to see what grants might be available, right of way acquisition needs, and how to move forward. She said it would be helpful to have someone who could put the projects together and look strategically at the funding sources.

Manager Hites said that the Town is about halfway through replacement of 2200 feet sewer line replacement in the County Club area and estimates that 929,000 gallons of in flow during a storm event and 40,000 on any give day. That is about 23% of inflow and infiltration, and hopefully the Town can move towards 45 to 50%.

For the employees, Manager Hites told the Board that the Town is having a hard time recruiting specialists, in particular, police officers. It is being discussed to adopt the balance of the market plan for regular employees, plus adding a cost of living in the amount of \$475,000.00 in all funds. It is very competitive in recruiting, and Manager Hites suggested that to bring in new officers, that a conditional offer be made to pay them as recruits to go to Basic Law Enforcement Training. They would then contract with the Town, and if they did not finish BLET, the cost would be repaid.

Chief Adams explained that the Police Department is looking to recruit experienced Police Officers with 10 – 12 years' experience and offer them up to a \$2,500 sign on bonus. This is not just for police, but for town-wide employees. For Department heads moving expenses up to \$3,000.00 would be provided. In the future, this will give the Town the ability to negotiate.

A motion was made by Alderman Jon Feichter, seconded by Alderwoman Julia Freeman, to permit, on a case-by-case basis, the hiring of recruit Police Officers under contract, to pay for Basic Law Enforcement Training. The motion passed unanimously.

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton, to allow staff the ability to offer signing bonuses or moving expenses on a case-by-case basis under contract, for experienced employees in positions that have remained vacant for extended periods of time. The motion passed unanimously.

Lunch – 12:26pm – 1:16pm

Assistant Finance Director Dean Trader gave a financial update for the Town including a review of Fiscal Year 2020-2021. He said that FY 21 added \$627,029.81 to the General Fund Balance. Added to the Available Fund Balance is \$8,495,577.00. At the close of the year the Available Fund Balance was 9,361,494.00. In cities of the same size, the average of the group is 42.65 %, and the Town of Waynesville is at 66.72%. He said the Town is very stable financially.

Mr. Trader referred the Board to the FY 2021-2022 General Fund Revenues and said that some areas such as Taxes-Ad Valorem current Year, Taxes-Ad Valorem prior years, Building Permits and Planning Fees, Sales and Services – Fire Protection and Miscellaneous Revenues are above budget. Connect and Late Payment Fees are only at 17% of what has been budgeted because there have not been any disconnect fees, and that is an area of concern. Other concerns are Garbage Fees, Recreation & parks, and other Sales and Services. Mr. Trader told everyone these figures are as of February 28, 2022.

For the Sales Tax Revenue \$3,651,380.00 was budgeted. Through December \$2,074,242.00 has been collected which is an increase over the prior year. He said that if the trend continues with the Sales Tax Revenue, he predicts that there will be a 13% increase over the prior year. Property Tax Collections are at \$6,186,061.00, and 98% collection rate is expected.

In General Fund Expenditures the Town is at 58.51% of budget as of February 28, 2022. The Enterprise Funds (water, sewer, and electric) are self-sustaining funds. Mr. Trader said the Enterprise Funds are doing well considering that the Town does not have expenditures more than revenue coming in. The Pandemic has created loss in the areas of utilities because of not having disconnections.

Mr. Trader explained the process of utility billing and the days involved with each bill. The Non-current due is \$1,433,572.00 which has grown since June 2019. This amount is more collectable than the over

120 days bills. Those bills have grown substantially since June 2019 due to the policies of the Town and the orders of the Governor. He stated that some of the uncollectable monies have been written off as bad debt. Some of the uncollected in the amount of \$734,947.00 over 120 days could be collected when the utility turn offs are continued, and customers will have to address the fact that they owe the Town. In the next few months, the Finance Department will begin the process of turning off utilities.

Manager Hites said that there is a \$475,000.00 budget set aside for salaries, and 60% of that is to bring the employees up to the 100% market level and provide a cost-of-living increase. He said that with all the projects that have been brought up, he and Finance Director Misty Hagood will return to the Board with the totals and fine tune it.

Adjourn

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Dickson to adjourn the meeting at 1:28 pm. The motion passed unanimously.

Gary Caldwell, Mayor

Rob Hites, Town Manager

ATTEST

Eddie Ward, Town Clerk

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
April 26, 2022

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, April 26, 2022, 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 6:04 pm with the following members present:

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

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
Assistant Police Chief Brandon Gilmore
Development Services Director, Elizabeth Teague
Byron Hickox, Land Use Administrator
Olga Grooman, Planner
David Kelley, Chief Building Inspector
Tom Maguire, Building Inspector
Sam Cullen, Code Enforcement
Jeff Stines, Public Services Director
Fire Chief Joey Webb
Assistant Police Chief, Chris Mehaffey
Misty Hagood, Finance Director

The following media representatives was present:

Becky Johnson, Mountaineer
Cory Vaillancourt, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and reminded the Board about the upcoming events:
Thursday May 5th – Day of Prayer – Haywood County Courthouse 12:00 noon
Saturday May 7th – Mother’s Day Resource Fair – First United Methodist Church

B. PUBLIC COMMENT

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to hold comments concerning solar power until that item is discussed later in the meeting. The motion passed unanimously.

John Keith spoke to the Board concerning the replacement/repair/location of the Dumpster on Wall Street.

Peggy Hannah thanked the Police for the job they are doing and added that crime is increasing in the Town. She asked that Mayor Gary Caldwell, Alderman Jon Feichter, Town Manager Rob Hites, Police Chief David Adams, and Public Services Director Jeff Stines to meet with Richard Bates for a discussion that would benefit the Town of Waynesville.

Bob Clark expressed his thanks to the Aldermen for the job that they do. He suggested to the Board that volunteers be recruited to help with the proposed pavilions.

Janet Clark thanked the Aldermen for the job they are doing, and especially Alderman Feichter for working to find solutions for problems that citizens have brought before the Board.

Scott Cason stated there have been mistakes because there is no protection for single family homes. He urged the Board to consider changing the zoning concerning density and large development.

Kris VonKalor addressed the proposed changes to the burning Ordinance.

C. ADDITIONS OR DELETIONS TO THE AGENDA

Mayor Caldwell asked that Item 2 Proclamation "Day of Prayer" and Item 4 - TDA Presentation be deleted from the agenda.

D. 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 April 6, 2022 special Board Retreat meeting
- ii. Adoption of minutes of the April 26, 2022 regular meeting

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton, to approve the Consent Agenda as presented. The motion passed unanimously.

E. PROCLAMATION

2. Administrative Assistant Day
 - Assistant Town Manager Jesse Fowler

Assistant Manager Fowler read the Proclamation for Administrative Assistant Day on April 27, 2022, and said he appreciated the hard work the Administrative Assistants do every day.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to proclaim April 27, 2022 as Administrative Assistant Day. The motion carried unanimously.

F. CALL FOR PUBLIC HEARING

3. Call for Public Hearing to consider a request for Annexation for property at 1184 Camp Branch Road, PIN 8615-34-4314

- Olga Grooman, Planner

Olga Grooman, Planner, stated that the Town had received a Petition for Annexation of contiguous area from Mr. and Mrs. Bill Sorrells. The property is 0.57-acre in the Town's extraterritorial Jurisdiction and is in the Country Club-Low Density(CC-RL) district. Also, the Town received a request for extension of sewer lines outside the corporate limits from the property owners, which is the main reason for the annexation. The septic tank on their property has failed and is leaking raw sewage to run down the driveway. Staff is asking the Board to approve the sewer extension before the annexation so that when the property is annexed Mr. Sorrells can be connected and eliminate the raw sewage in his yard.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to call for a Public Hearing to be held on Tuesday May 24, 2022, beginning 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 an application for annexation for property at 1184 Camp Branch Road, Waynesville PIN 8614-34-4314. The motion passed unanimously.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to approve the request for extension of sewer lines outside the corporate limits of the Town of Waynesville for the described property. The motion passed unanimously.

G. PUBLIC HEARINGS

4. Public Hearing to consider a request for affordable housing incentives for construction of a 60 unit low to moderate income senior housing complex located on Locust Drive.

- Rob Hites, Town Manager

Town Attorney Martha Bradley opened the Public Hearing at 6:33 pm and asked if anyone wished to speak about the project.

Town Manager Rob Hites said that Mills Construction of Carrboro NC plans to apply for a 60- unit residential living development to the NC Housing Finance Agency for the tax credits necessary to make the project feasible.

For the project they propose the follow mix of housing and income thresholds:

11 one-bedroom units at 40% of AMI Rent \$402 per month

- 3 one-bedroom units at 50% of AMI Rent \$520 per month
- 22 one-bedroom units at 60% of AMI Rent \$640 per month
- 4 two-bedroom units at 40% of AMI Rent \$485 per month
- 6 two-bedroom units at 50% of AMI Rent \$625 per month
- 14 two-bedroom units at 60% of AMI Rent \$770 per month

For Mills Construction to submit a marketable application, they need the support of the Town and an offer of incentives. The request for incentives involves the cost of extending water to the site and grants to pay for system development and tap fees. Manager Hites reiterated that incentive grants MUST be paid by the General Fund. They are requesting approximately \$215,000.00 in incentives or \$3,583.00 per unit. The Locust Drive development contains 100% low to moderate income housing with fifteen of the units targeted at renters who earn 40% of the Average Monthly Income (AMI).

Mr. Bobby Funk, Development Director of Mills Construction, spoke to the Board saying that a Conditional District rezoning of this property had been approved by the Board at a prior meeting, and now they are seeking additional funding by applying for tax credits. A portion of the grant would support the sewer improvements and the 700-foot extension of the sewer system from the property to Plott Creek Road. They are also seeking reimbursement for local water, sewer, and capacity fees. Water service is already in place on Locust Drive. Mr. Funk gave an approximate timeline for construction of the project as beginning in summer of 2023 and begin leasing the units in June 2024.

Attorney Bradley closed the Public Hearing at 6:45 pm.

Manager Hites said that since this Resolution was written, the prices have gone up. Materials and Service has changed to \$172,123.00 from \$170,000.00, and the incentive grant for water and sewer changed to \$60,015.00 from \$45,000.00, for a total of \$232,136.00

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson to adopt the revised Resolution #R-04-22 in support and offer incentives for the "Hazelwood Bluff" Senior Living Affordable Housing Development. The motion passed unanimously.

- 5. Public Hearing to consider an application for a Conditional District Map Amendment.
 - Byron Hickox, Land Use Administrator

Attorney Bradley opened the Public Hearing at 6:48 pm and asked if anyone wished to speak during the meeting.

Mr. Byron Hickox reported that on March 2, 2022, Quartz Properties, LLC applied for a Conditional District Map Amendment for four properties – 18 Allison Acres Drive (PIN 8615-88-1632), 97 Allison Acres Drive (PIN 8615-88-3857), and two vacant parcels (PINs 8615-88-1854 & 8615-88-4442). A development consisting of 59 two-family and townhome dwelling units is proposed on the 7.7 acres of these four properties. The properties are in the East Waynesville Urban Residential (EW-UR) and Raccoon Creek Neighborhood Residential (RC-NR) Districts.

The plans for this project were reviewed by the Town's Technical Review Committee and notification of this hearing was scheduled in The Mountaineer Newspaper. At the Planning Board meeting on March 21, 2022 the Board voted that the proposed Conditional District Map Amendment is consistent with the Comprehensive Land Use Plan and to recommend approval of the Conditional District Map amendment to the Board of Aldermen.

Mr. Hickox said that many aspects of the proposed project was considered including Compatibility with surrounding properties, area impacts, adequate facilities, infrastructure, and building and site design.

The developer is requesting the creation of a Conditional District incorporating the following conditions:

➤ Reduction of Lot Dimensions and Setbacks –

Specifically, the following sections of the LDS Section 2.4.1 would not apply:

1. 3(a) - Lot area - Proposed lots will be less than 1/6 acre
2. 3(c) - Lot width - Proposed lots will be less than 50 ft wide
3. 4(a) - Front setback – Two-family and townhome units may be closer than this section allows

➤ Streets and Off-Street Parking

The proposed road network and associated off-street parking are designed to provide adequate and safe access for residents, fire, and EMS, while minimizing pavement width to reduce impervious area and allow for more open space (including a significant trail network). Despite proposed lot widths being well below 50 feet, no alleys are proposed, which minimizes both impervious surfaces and the prominence of the automobile in this project. The road network and parking more closely resemble a cottage-style subdivision, with clustered perpendicular parking in front of the townhouse and duplex units (instead of independent driveways and garages for each residential unit).

Section 5.8.4(A&B) - No garages are proposed. Off-street surface parking will not be accessed via alleys. The initial site design concept Quartz Properties, LLC presented at the TRC meeting adhered to the rear loaded requirement for narrow lots found in this section of the LDS; the result was an extensive road and alley network, a significant quantity of impervious surfaces, and very little open space. Conversely, the current layout, which has off-street parking located in front of the dwelling units (coming directly off the right-of-way), eliminates redundant alleys and maximizes open space.

Section 9.4.2(B)(3) - Townhouse units will have associated parking that does not adhere to the “entering and leaving in a forward motion” requirement. Vehicles will enter parking spaces in a forward motion and leave by reversing.

Section 9.4.2(C) - Parking for townhome units will require vehicles to back into the right-of-way.

The East Waynesville Urban Residential District has a maximum base density of 16 units per acre, while the Raccoon Creek Neighborhood District has a maximum base density of 10 units per acre. The proposed project has a density of 7.6 units per acre, less than the density allowable by right in either district. The plan exceeds the minimum set back requirements (10' side setbacks, 6' rear setbacks, and 6' between buildings). The

closest buildings to an exterior property line are two buildings in the northwest corner of the development, each of which are approximately 14' from the property line. Building height is limited to 3 stories. The project proposes two-story structures. (LDS 2.4.1)

Mr. Hickox explained that the proposed structures meet all the Design Guidelines for two-family dwelling and townhouses. Each of the proposed dwelling units addresses an internal street system connected to Allison Acres Drive and Counsel Place which connect to East Street. Sidewalks are provided along the frontages of all interior streets and connect to the primary entrance of each unit. Water, sewer, and electric is available from the Town and can supply the projected demand for this development.

There are multiple civic space areas located throughout the development all of which are connected by pedestrian pathways. Within the East Waynesville and Racoon Creek Neighborhood District, a minimum of 5% of a development shall be dedicated as civic space. The site plan indicates 2.11 acres of civic space, comprising 27% of the total development.

Because the development is located within the EW-UR and RC-NR Districts and is surrounded by properties within these two districts and the North Main Street Neighborhood Center District, no buffer yard is required between the development and surrounding properties. Since the March 21, 2022 Planning Board meeting, the developer has met with an adjoining property owner to discuss possible erosion issues as well as supplementing the landscaping along her property line.

Parking will be provided in the form of on-street perpendicular spaces throughout the development and requires at least 89 spaces for this development. The project proposes 136 parking spaces. With 136 auto spaces proposed, 7 bicycle spaces are required. Entrances to the development will be located at two existing access points, Allison Acres Drive and Counsel Place, each of which connect to East Street.

Mr. Hickox said Mr. Mark Howell had expressed concerns regarding the access and water line right-of-way that crosses the subject properties. The developer has adjusted the alignment of the parking lot to maintain Mr. Howell's access and is proposing a plan to connect his water line in conjunction with the overall infrastructure plan.

There are no known wetlands or streams on the site and is not located within any special flood hazard area.

The project meets the 2035 Comprehensive Land Use Plan's following goals:

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

- Create walkable and attractive neighborhoods and commercial centers.
- Encourage infill, mixed-use and context-sensitive development.

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

- Encourage new housing inside Waynesville's city limits and ETJ.
- Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households.

Mr. Patrick Bradshaw, Civil Design Concepts, spoke on behalf of Quartz Properties, LLC and stated that this developer has previously been involved with another development in the Town. He described the process of working with the Town, and the developer, and how the developers had not only met the required conditions of the development, but they exceeded them. The primary intent of this project is to maximize open space, and create lots for these townhomes and duplexes.

Charlotte Rogers stated that the by allowing multiple developments the Board is failing the Town's citizens, and they should be an advocate for the people you are serving. She said residents deserve that from the elected leaders, and Town staff. The density that is being approved is too much in a rural neighborhood.

Kris VonKaler said the development has the look and feel of a prefab modular built apartment complex. The Quartz developers have the homes built and shipped here from up north. He said it was clear that these homes would be considered apartments rather than single family homes, and with apartments, there will be a lot of turnover, because they don't have a long-term vested interest in the neighborhood. He asked the Board to deny the request or approve with the condition that the development would only be for home ownership housing.

Glenn Kavanav stated that he had previously lived in East Asheville, and left there because of the traffic and noise. He stated his concerns about how the development is being done around East Street. This street has already had traffic issues, and this will bring more trucks and cars. He is pro development, but stated the Town needs to be smart about it.

Attorney Bradley closed the Public Hearing 7:20 pm.

Alderman Jon Feichter had questions for staff concerning the Planning Board decision of approving the development.

A motion was made by Alderman Jon Feichter, seconded by Alderwoman Julia Freeman, to reopen the Public Hearing to gather more facts from the staff. The motion passed unanimously.

Town Attorney Martha Bradley reopened the Public Hearing at 7:22 pm.

Alderman Feichter asked the Development Services Director about a moratorium being discussed at the April 11, 2022 Planning Board meeting. Ms. Teague stated that moratorium was not on the agenda, but it was brought up at that meeting. She said the Planning Board did not discuss moratorium at the meeting. At the next meeting, staff provided the Planning Board with the State Statute regarding moratoriums, but it was not discussed.

He asked how many members of the public spoke at the meeting in relation to the Allison Acres property. Ms. Teague said two projects were brought in on one meeting, so there was a lot of public comment. She did not know how many had spoken concerning Allison Acres. Another question was if there was anyone who spoke in favor of the development at the Planning Board meeting. Ms. Teague said no.

Alderman Feichter said he was concerned by the fact that there was significant opposition by the public for this project. There were four Planning Board members who voted to approve, and three in opposition. Ms. Teague

referred him to the Planning Board report in the packet that has some comments from the members of the Planning Board. Concerns were related to Mr. Mark Howell and the right-of-way because he wanted to make sure he still had access to his water line. There was also concern about traffic and impacts to neighborhood.

Alderwoman Freeman asked about the current density being 10 units per acre, and this project proposes 7.6 units per acre, and three stories being allowed, but the project proposes 2 stories, and two acres for civic space.

Manager Hites said 2.91 million gallons of additional capacity in the sewer plant.

Alderman Dickson asked about a traffic study on the road. Mr. Bradshaw said that there had been a traffic study done by J. M. Teague and this project is right at the threshold and has been sent back to the Board of Aldermen for discussion at the first meeting in May.

Mr. Bradshaw explained in detail the situation concerning the water line on the property of Mark Howell. He has been offered a water tap and be connected to the water line of the development.

Attorney Bradley closed the Public Hearing at 7:42 pm.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to adopt a Consistency Statement indicating that the proposed Conditional District is reasonable and consistent with the 2035 Comprehensive Land Use Plan by following goals:

- ***Continue to promote smart growth principles in land use planning and zoning.***
- ***Create walkable and attractive neighborhoods and commercial centers***
- ***Encourage infill, mixed-use and context-sensitive development.***

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

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to approve with conditions the Conditional District, and that the Conditional District will

- ***Create a range of housing opportunities and choices.***
- ***Encourage new housing inside Waynesville's city limits and ETJ***
- ***Promote diverse housing stock including market rate, workforce housing and affordable options the appeal to a variety of households.***

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

H. OLD BUSINESS

6. Public Hearing to consider the text amendment to Article IV, Junked and Abandoned Motor Vehicles of the Waynesville Code of Ordinances.

- Olga Grooman, Planner

Attorney Bradley Opened the Public Hearing at 7:45 pm and asked if anyone wished to speak.

Ms. Olga Grooman stated that in 2021 Code Enforcement had 10 cases of junk vehicles in Waynesville. She said that so far in 2022 there are four active cases of junk vehicles. Currently the Town's Ordinance pertaining to junk vehicles does not provide clarity of authority or process to identify and remove junk vehicles. After researching Ordinances in other Towns, staff found several provisions missing from Waynesville's ordinance, including notice prior to removal, post-towing notice, definition of a vehicle that is a public health/safety hazard, an antique vehicle, exceptions to removal, exceptions to notice requirements, reclaiming, and sale of abandoned and junked vehicles. Development Services drafted an Ordinance to address gaps and created a Notice of Violation that will be mailed to the owner, posted on the windshield, and kept for the Town's records.

The proposed text amendments include the following changes:

- Definitions of antique vehicle, authorizing official, and vehicle that is public health/safety hazard
- Exceptions to the ordinance
- Right of the Town to contract with private towing companies
- Pre-towing notice requirements
- Post-towing notice requirements
- Clarification of hearing procedure
- Procedure for reclaiming a vehicle
- Provisions for vehicles abandoned on private property

A draft of the Ordinance was presented to the Aldermen for their input. There was discussion concerning the courts and what the process will be with the Notice of Violation.

Kris VonKalor had questions concerning who the Notice of Violation would be sent to. Chief Building Inspector David Kelley said that the notice would be sent to the owner of the vehicle and the property owner as well.

Attorney Bradley closed the Public Hearing at 8:00 pm.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to approve Ordinance O-13-22 Article IV, Junked and Abandoned Motor Vehicles of the Waynesville Code of Ordinance. The motion passed unanimously.

Mayor Caldwell asked for a 15-minute break at 8:01 pm. The meeting resumed at 8:15 pm.

I. NEW BUSINESS

7. Recommendation for renewable solar power rate riders
 - Rob Hites, Town Manager

Manager Hites said after listening to the adherents of solar renewable energy, staff has drafted a proposal the balances the health of the Electric Fund with the need for solar customers to gain enough savings to repay the cost of their solar system. He recommends a limit of 500 KW for residential, commercial, and governmental accounts. This will permit 70 residential accounts, based on the average residential energy use, up to 20 KW. The commercial limitation will permit 25 customers to install solar energy up to a limit of 150 KW. Solar representatives indicate that a \$.1123 buy back rate will permit the customer to receive a 9.5-year return on

their investment. Manager Hites said staff recommends rounding off the buy-back to \$.10 per KW throughout the ten-year regulatory limit that solar customers are permitted.

It is very important to recognize that the Town will need to renegotiate its wholesale contract in five years. The terms of that contract may require the Town to amend its solar program. The electric fund will provide an incentive for customer that have installation by offering an average of \$1,127.00 per year. The commercial rate will provide and incentive of .043per KW. The governmental rate will also have a \$.043 saving.

The impact on the revenue stream for these three rate riders is as follows:

Residential incentives per annum *	(\$41,269)
Commercial incentives per annum *	(\$30,901)
Governmental incentives per annum*	(\$30,901)
Total incentives per annum	(\$103,072)

*Assumes 500 kW per each rate category

Michael Boss commended Alderman Feichter and Manager Hites on the work they have done with the solar presentation.

Betsy Wall told the Board that she feels that it is imperative for the Town to have solar policies and want the Town to work with residents and experts to step up the process.

William Hite said he is an advocate of the Town working with a committee to work out a few sticking points with the solar policy.

Alderman Jon Feichter commented that he supported the idea of an advisory group. He said he is proud that the Board and community have recognized the need for solar power and is committed to making North Carolina completely reliant on renewable energy by 2050. He said there are opportunities to increase revenue, and he cautioned the Board in getting caught up in the idea that the Town is losing Electric Fund revenue.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton to adopt the Solar Rate Schedule as presented. The motion passed unanimously.

8. Amended Burn Ordinance #0-08-22
 - Joey Webb, Fire Chief

Joey Webb, Fire Chief stated that previously the Board approved Ordinance # 0-08-22; an ordinance amending Chapter 30 adding section 6 of The Town of Waynesville Code of Ordinances. It was discovered that no exception for citizens to be allowed to burn where removal of debris in steep terrain or circumstance that makes it impracticable to carry to curbside. The Ordinance has been amended so that the Fire Marshal can issue a permit prior to burning after inspection and approval is made. Burning will be limited to cut, natural vegetation, and piles shall be no more than five feet by eight feet and up to five feet in dimension. The North Carolina open rules and burning regulations will be followed.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to approve the amended change; the Fire Marshall can issue a permit prior to burning after inspection and approval is made. The motion passed unanimously.

9. Main Street Pavilion Bid

- Jesse Fowler, Assistant Town Manager

Assistant Manager Fowler explained that the bid for the Main Street Pavilion have been received. There was one sole bidder, Providence Construction Company, and the bid was for \$152,580.00. A preliminary engineer estimated the cost of the project was \$81,000.00. As instructed by the Board of Aldermen, staff received input from the Downtown Waynesville Advisory Commission on the design and location of the project. The DWAC's consensus is that the location at Miller Street does not lend itself well to the idea of a pavilion due to the topography of Miller Street. DWAC does not believe that this site is suitable due to access to the site being constrained to a single entrance from the Miller Street Garden, which will hamper the public from gathering and enjoying public performances. The commission recommends to re-think the location of a venue to somewhere more suitable along Main Street.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter to reject the bid for the construction of the Main Street Pavilion. The motion passed unanimously.

10. Skate Park Pavilion Bid

- Jesse Fowler, Assistant Town Manager

Providence Construction Group was the lone bidder for the Skate Park Pavilion with a price of \$104,100.00. A preliminary engineer estimate was \$55,000.00. Assistant Manager Fowler said that currently there are no funds appropriated to fund this project. At the Board of Aldermen's annual budget retreat, staff received direction by consensus to postpone this project until a later date in hopes that the cost of construction will come down in the future, or to put the project out for another round of bids with the hope of attracting more bidders. Assistant Manager Fowler stated he is now seeking the Board's official direction on this matter.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to reject Providence Construction's bid and put the Skate Park Pavilion out for another round of bids. The motion passed unanimously.

11. No Parking Sign on Dolan Road

- Public Services Director, Jeff Stines

Jeff Stines, Public Services Director asked the Board to be able to install "No Parking" signs along Dolan Road to help minimize/eliminate on street parking.

A motion was made by Alderman Anthony Sutton, Seconded by Alderman Chuck Dickson, to install "No Parking" signs on Dolan Road. The motion passed unanimously.

12. Repair and/or relocation of the Wall Street dumpster.

- Sam Cullen, Code Enforcement Officer

Sam Cullen, Code Enforcement Officer explained to the Board the Town has allowed Downtown Businesses and residents to utilize a public dumpster located in the corner of the lower Wall Street parking area. This dumpster pad and screen is in severe need of repair and has created a hazardous situation which is difficult to maintain and keep free of debris. Mr. Cullen said that staff recommends that this dumpster area be removed, and a new dumpster containment be constructed on existing parking spaces of higher quality materials. The benefits are that more dumpsters could be provided, the area would be more accessible to trucks, and the hazardous situation would be removed. Mr. Cullen provided pictures of locations and materials that could be used to update the dumpster.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to choose option 4 – Relocation to proposed location C – move the dumpsters to the other side of the parking lot, eliminating two parking spaces, requiring a new screen and the relocation of a storm drain. The motion passed unanimously.

13. Budget Amendment to accept Parks and Recreation Trust Fund (PARTF) grant of \$232,750.00 into the budget for the development of the Greenway Bridge and Park

- Development Services Director, Elizabeth Teague

Ms. Teague said the Town received a grant for the Parks and Recreation Trust Fund in the amount of \$232,750.00 for assistance with the extension of the Town's greenway system and the development of new park amenities on the property across Richland Creek from the Town's Recreation Center. The Town has begun work on the bridge with the Assistance of Bell Engineering and Owl construction. She said the bridge has been ordered, and she expects it to arrive in Waynesville around June 20th.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to approve Ordinance # O-15-22 in the amount of \$232,750.00 for the Greenway Bridge and Park Development. The motion passed unanimously.

14. Request from Haywood County Soil and Water Conservation District for Conservation Easements in East Street Park.

- Development Services Director, Elizabeth Teague

The Town worked with Haywood Waterways and the Southwestern Soil and Water Conservation District to implement stream bank restoration activities within East Street Park. The projects were funded by the North Carolina Clean Water Management Trust Fund (CWMTF). This project will address erosion and improve the stream through the East Street Park property. CWMTF requires that the footprint of the restoration areas on Town property be placed into a conservation easement with the Soil and Water Conservation District in accordance with their grant requirements. Covenants have been reviewed by Town Attorney Martha Bradley.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to authorize staff to execute the agreement as prepared. The motion passed unanimously.

15. Award Contract for Fire Tanker

- Joey Webb, Fire Chief

Chief Webb said staff is requesting permission to order the Pierce Dryside Fire Tanker on a Freightliner 114SD 2-dr chassis as specified in the quote. He said the Fire Department had been informed the Pierce will not be accepting orders starting on May 1 for a period of 90 days or more for commercial chassis products. Also, the pricing will increase when they start taking orders again. The Tow will not need to pay any money until delivery of the fire tanker which is estimated to be at least 18 months. In May the Town will be closing a loan with JP Morgan Chase that includes the funding to pay for the truck and necessary equipment. A budget amendment is necessary to account for the loan proceeds and to issue the purchase order for the truck.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve Ordinance O-14-22 Amendment #21 in the amount of \$475,000.00 for expenditures associated with Fire Tanker and equipment. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to award the contract to Atlantic Emergency Solutions using H-GAC cooperative purchasing. The motion passed unanimously.

J. COMMUNICATION FROM STAFF

16. Manager's Report
Report on EV Charger Grants

Manager Hites explained to the Board that the State of NC is administering a VW Settlement Act program that offers grants for both high speed and low speed electric charging stations. The State set a limit of two fast charging stations and four low speed stations. Technically Waynesville does not qualify for a high-speed charging station, but our traffic volumes and influx of travelers has awarded the Town "priority corridor" status. Our grants person from the Southeastern Council of Governments believe the State will permit us to have a "primary corridor grant of up to \$ 142,500 per charger station due to the amount of traffic flow that passes through Town on the Smoky Mountain Expressway. Waynesville will also qualify for grants to install "Slow Charger"(Level 2) stations at four locations. The State grant administrators have set a 6.6 KW limit on the slow chargers (Level 2). Their rationale for the low charging rate is that such a rate will "save the life of the battery". This type of charger will give a vehicle 100 miles of charge for every three hours of charging time.

The grants should cover 100% of the cost of the stations so we can install a fast station and four slow stations at very little cost to the Town. The more powerful "fast charging stations of 50 KW can recharge a typical (not Tesla) electric vehicle to an 80% charge in 30 minutes and a Tesla type vehicle in about an hour. Their purchase and installation run approximately \$52,000 per charger. the charging capacity of the vehicle. Manager Hites said staff recommends applying for grants that provide 90%-100% grant funding to limit the impact on the Electric Fund balance. The grant funding covers not only the cost of the charging unit but also the cost of installing the charger and the software to communicate with the credit card industry and the charger maintenance firms.

A motion was made by Alderman Chuck Dickson, seconded by Alderwoman Julia Freeman, to apply for the grants to fund EV Chargers. The motion passed unanimously.

17. Amendment to McGill Associates Design Contract

Staff has been negotiating design changes with the grant/loan division of DENR (DEI) that will result in a five-million-dollar reduction in the bid price of \$28,600,000.00. The regulatory division of DENR (DEQ) objected to some of the design changes that were agreed upon with DEI. They stated in a recent meeting that the SOC specifies that the Town would build the plant “as designed” in the original bid document and any revision to that plan would call for a complete renegotiation of the SOC. DEQ is going to require that to approve the design and the new SOC McGill will have to submit construction drawings showing the redesign with explanation of the impact of the changes on the plant’s performance. The requirement for the redesign is beyond the Town’s original contract with McGill. They have estimated the cost of the modifications to the plan and negotiation of those changes with the regulatory branch of DENR (DEQ) and provide a fee amendment of \$233,100. Given that we have been moved to a “distressed community” status and are eligible for up to \$15 million in grants. The grant application is due on May 2nd. Manager Hites will request that the Town be reimbursed for McGill’s contract.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve Resolution R-07-22 adopting a Capital Improvement Plan for the Wastewater Treatment Plant. The motion carried unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, and additional \$233,100.00 in services to address design and plant performance issues required by the NC Department of Environmental Quality’s Divisions of Environmental Infrastructure and Environmental Quality. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve McGill Associates contract amendment in the amount of \$233,100.00. The motion carried unanimously.

Manager Hites mentioned that he had received notice from Southwestern Commission had granted \$40,000.00 to make improvements to the Police Department Evidence Room.

18. Report on Price of Light Fixtures for Roundabout

Several years ago, the Board authorized 36 decorative lights to be placed on North Main Street near the Fire Station. At that time the cost was \$123,000.00. The Town committed to put the lights in with NCDOT installing the underground and pour the bases for the lights. This pricing three months ago was \$184,182.00. Currently the price is \$233,798.00. Manager Hites said the Town is obligated to install them because of the agreement with NCDOT.

Manager Hites asked the Board to schedule a workshop to preview the budget and discuss any changes Board members might have. The consensus of the Board was to call for a Special Meeting on May 2, 2022 at 5:30 pm.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to hold a Special meeting on Monday May 2, 2022 at 5:30 pm in the training room located at 16 South Main Street. To discuss budgetary issues. The motion carried unanimously.

19. Town Attorney Report

- Town Attorney Marth Bradley

Rules of Procedure for Public Bodies of the Town of Waynesville

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to move the Rules of Procedure for Public Bodies of the Town of Waynesville to be heard at the May 24, 2022 Board of Aldermen meeting. The motion carried unanimously.

K. COMMUNICATIONS FROM THE MAYOR AND BOARD

No one had any comments

L. **ADJOURN**

With no further business, a motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to adjourn the meeting at 9:36 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk



Application for Special Events Permit

I. General Information

EVENT NAME: Tuscola High School Band Day

EVENT DATE(S): Saturday, September 10, 2022
 Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: First Presbyterian Church Waynesville and County Courthouse Lawn

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 7am-8am

EVENT HOURS: 8am- 6pm

DISMANTLE HOURS (START/END): 6pm-7pm

ESTIMATED ATTENDANCE: 350

BASIS ON WHICH THIS ESTIMATE IS MADE: ~90 band students+staff + parents + visitors in the area

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Tuscola Band Boosters

ARE YOU A NON PROFIT CORPORATION? No Yes If yes, are you 501c(3) 501c(6)

Place of Worship

APPLICANT NAME: Ken Aldridge TITLE: President

ADDRESS: 564 Tuscola School Rd CITY : Waynesville STATE: NC ZIP 28786

PHONE: 828-558-1168 FAX#: _____ EMAIL: tuscolabandpresident@gmail.com

ON-SITE CONTACT: Jason Ottie TITLE: Coordinator

ADDRESS: 564 Tuscola School Rd CITY : Waynesville STATE: NC ZIP 28786

PHONE #: _____ CELL PHONE #: 828-400-5517 EMAIL: JasonOttie@gmail.com

III. Brief Description of Event

This is our annual fundraising event. We will have yard sale items, food trucks, games and performances by our high school band students

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.
Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

- 1. North Main Street @ Walnut Street down to Depot Street from 8am-7pm on Sat, Sept 10, 2022
In coordination with Town of Waynesville Block Party Hours

- 2.

- 3.

V. Event Details

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/> Does the event involve the sale or use of alcoholic beverages ? If yes, has the ABC permit been obtained? Yes <input type="checkbox"/> No <input type="checkbox"/> Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)
<input checked="" type="checkbox"/>	<input type="checkbox"/> Does the event involve the sale of food ? <u>Just food trucks, not selling by us</u> If "YES", has the health department been notified? _____ Have you applied for a temporary permit? _____
<input type="checkbox"/>	<input checked="" type="checkbox"/> Does the event involve the sale of non-food items ? If "YES" have you applied for a privilege license? _____
<input checked="" type="checkbox"/>	<input type="checkbox"/> Will there be musical entertainment at your event? IF "YES" provide the following information: Number of Stages: <u>0</u> Number of Band(s): <u>1</u> Amplification? <u>no</u>
<input type="checkbox"/>	Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance. <input checked="" type="checkbox"/> Do you plan to use an existing occupied building ? Address _____
<input type="checkbox"/>	<input checked="" type="checkbox"/> Do you plan to use an existing vacant building ? Address _____
<input type="checkbox"/>	<input checked="" type="checkbox"/> Will there be any tents or canopies in the proposed event site? Please provide the following information: Approx. Number of Tents: <u>0</u> Will any tent exceed 400 sq. feet in area? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <input checked="" type="checkbox"/> Does the event involve the use of pyrotechnics ? Explain _____
<input type="checkbox"/>	<input checked="" type="checkbox"/> Will you provide portable toilets for the general public attending your event? IF SO, how many and where will they be located? _____
<input type="checkbox"/>	<input checked="" type="checkbox"/> Will you require electrical hookup for the event? Generators? _____ <input checked="" type="checkbox"/> Will you require access to water for the event? Explain _____
<input type="checkbox"/>	<input checked="" type="checkbox"/> Will admission fees be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____
<input type="checkbox"/>	<input checked="" type="checkbox"/> Will fees be charged to vendors to participate in this event? If "YES", please provide the amount(s). _____
<input type="checkbox"/>	<input type="checkbox"/> Will signs and/or banners be displayed as part of the event? If "YES" have you applied for a sign permit? _____
<input type="checkbox"/>	<input checked="" type="checkbox"/> Will inflatable parade balloons be used for the event? Provide details if necessary.

VI. Additional Questions

How will **parking** be accommodated for this event?

Public Garage

Notes:

1. Parking and buildings involved may be examined for ADA compliance.

2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event?

Volunteers of the event will clean up

Volunteers: Will you require Civilian Police Volunteers for your event?

No

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:

Jesse Fowler, Assistant Town Manager

Town of Waynesville

16 S. Main Street, P.O. Box 100, Waynesville, NC 28786

Telephone: (828) 452-2491

Fax No. : (828) 456-2000

Email Address: jfowler@waynesvillenc.gov

VIII. Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: May 10,2022**

SUBJECT: Promotion and New Hire Recognition

AGENDA INFORMATION:

Agenda Location: NEW BUSINESS
Item Number:
Department: Fire Department
Contact: Joey Webb, Fire Chief
Presenter: Joey Webb

BRIEF SUMMARY:

With Captain Allen Stewart's retirement, a vacancy opened for the A shift Captain position. A Captain's assessment process was held, and Doug Smith was promoted to the vacant Captain position. With the open Engineer vacancy an engineer assessment was held, and Part time Engineer Hank Baker was hired to the Full-time position.

We would like to congratulate these firefighters for their accomplishments and welcome them to their new role.

MOTION FOR CONSIDERATION:

Recognition only no motion

FUNDING SOURCE/IMPACT:

No impact

ATTACHMENTS:

None

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Request for Presentation to
Town of Waynesville
Mayor & Board of Aldermen

By: Scott Cason

4/26/22

421 Park Drive, Waynesville

828-476-0465

Email: urbanhomecreators@gmail.com

Requested time: 11 minutes

Subject: Neighborhood infrastructure and context in relation to infill development and it's effects on citizen's safety as well as the character of the town itself

Premise: Growth through development in areas where existing infrastructure is insufficient to support that additional growth does not qualify as "Smart Growth" and may jeopardize the safety of citizens. The established context of existing neighborhoods must be considered and protected in order to preserve the character of the town

Materials to be presented: Basic large format diagrams, handout of proposed text amendment changes personally presented to Development Services on 4/21/22 for consideration by the Planning Board

Alderman Jon Feichter recommended I submit this request to the Town Manager's Office and mentioned he be contacted if there are any concerns. Please let me know if and when this presentation may be scheduled

Thank You!

A handwritten signature in black ink, appearing to read 'Scott C. Cason', written in a cursive style.

Scott C. Cason

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: May 10, 2022

SUBJECT: Public Hearing to consider the text amendment to Chapter 7 of the Land Development Standards (LDS), Civic Space.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Olga Grooman
Presenter: Olga Grooman

BRIEF SUMMARY:

This is a Planning Board initiated text amendment to Chapter 7, Civic Space of the LDS, with advisement from a subcommittee of the Planning Board formed to examine Land Development Standards related to subdivisions in light of changes to 160D and the 2035 Comprehensive Plan. The study group found that the current civic space standards could be improved to better meet the Comprehensive Plan goals of promoting smart growth principles and protecting and enhancing natural resources. Additionally, the current standards treat all subdivisions equally no matter how large, minimum civic space size requirements do not make sense in the context of minimum lot sizes, and the ordinance limits the options enumerated for developers. Maintenance and ownership responsibilities for civic spaces are also unclear as written. The proposed ordinance revisions provide more options to create and maintain diverse and attractive communities and to “scale up” the amount of civic space required relative to development size.

MOTIONS FOR CONSIDERATION:

1. Motion to adopt the Ordinance as presented (or as amended).

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

1. Proposed Text Amendment
2. Consistency Statement Worksheet
3. Report from the Planning Board
4. Staff Report

MANAGER’S COMMENTS AND RECOMMENDATIONS:

Board of Aldermen Staff Report

Subject: Text amendments regarding Civic Space Standards
Ordinance Section: Chapter 7 of the Land Development Standards (LDS)
Applicant: Planning Board Subdivision Subcommittee initiated text amendment;
Development Services Department
Meeting Date: May 10, 2022

Background

At the Planning Board meeting on November 15, 2021, the Board took action and created the Planning Board Subdivision Subcommittee to align the Land Development Standards (LDS) with the 2035 Land Use Plan Goals, specifically regarding the subdivision regulations and preservation of Waynesville's natural resources, and in light of the change from Quasi-judicial to administrative review of major subdivisions.

One of the sections that the subcommittee has reviewed is Chapter 7, Civic Space. The group examined the current civic space standards relative to the Comprehensive Plan Goals in the context of Waynesville's rapid growth. Specifically, the group examined the goals to create attractive neighborhoods, encourage context-sensitive development, and protect Waynesville's natural resources (Goals #1 and #3 of the 2035 Plan), and concluded that Chapter 7 could be improved to better implement the 2035 Comprehensive Land Use Plan. Additionally, the group examined how the current goals could better support parks and greenway plans, stormwater management goals and requirements, and promote the preservation of open space.

The subcommittee also researched the ordinances of other municipalities in North Carolina and out of State. The subcommittee has determined that the current Waynesville's civic space standards are too low compared to other municipalities:

- **City of Asheville, NC:** "All residential districts, except URD. Open Space Required: Single-family/duplex subdivisions: 20% of subdivision lot area. Other residential: 500 square feet of open space per unit or 15% of lot area, whichever is greater"

https://library.municode.com/nc/asheville/codes/code_of_ordinances?nodeId=PTIICOOR_CH7DE_ARTXIDEDEST_S7-11-4OPSPST

- **Brevard, NC:** Uses formula and calculates open space per bedroom. Examples from the Code: "A 50-acre subdivision of 100 lots at a density of two units per acre would require 3.44 acres or 7% of dedicated open space. This same tract of land subdivided into 400 lots at a density of eight units per acre would require 15.15 acres or 30% of open space."

https://library.municode.com/nc/brevard/codes/code_of_ordinances?nodeId=UNDEOR_CH7OPSP_7.30PSPDE

- **Hendersonville, NC:** "All planned residential development conditional zoning districts and major subdivisions- either 10% of the project area or 500 square feet per dwelling unit, whichever is more.

https://library.municode.com/nc/hendersonville/codes/code_of_ordinances?nodeId=APXAZOOR_ARTV_IGEP_6-16-2COOPSPREDE

- **Fletcher, NC:** In Planned Residential Developments (townhomes, condos, or apartments), 600 square feet per unit OR 10% of the project area (whichever greater) shall be required for dedication.

<https://www.fletchernc.org/wp-content/uploads/2016/05/7-Recreation-Areas.pdf>

- **Fayetteville, NC:** Required open space dedication ranges from 5-20%, based on the acreage of the site.

<http://online.encodeplus.com/regs/fayetteville-nc/doc-viewer.aspx?ajax=0&tocid=005.030.005.003.003#secid-10473>

- **Durham, NC:** Residential Suburban Districts- 15-18% of open space required.

<https://durham.municipal.codes/UDO/6.3.1>

The two recent developments, Preservation Way and Allison Acres, were able to preserve 43% and 27% of the site. The proposed text amendment will make the civic space requirement range from 5-15%, based on the size of the development.

The subcommittee recommendations were presented to the Planning Board for discussion and feedback and a public hearing was held at a special called meeting of the Planning Board on April 11, 2022.

Staff submits that the proposed text amendments will be beneficial to both residents and developers. The developer will have more options and flexibility to create civic space, and the Town will have more neighborhoods with diverse amenities. For example, the projects will be able to build more dog parks, pavilions, picnic areas, greenways, and a variety of active recreational amenities that will enhance the Town's valued parks and recreation and greenways efforts.

Recommended Text Changes:

The proposed revisions to Chapter 7 will clarify the use and maintenance of civic spaces, expand civic space options for developers, reduce the minimum acreage to promote more green spaces among projects of various sizes, and increase the percent of land allocated to civic space based on the size of the development. The ordinance also includes a few minor corrections to provide correct numbering of sections, adding zoning to the preliminary plat, and a required neighborhood meeting reference.

The proposed changes to the current Land Development Standards are provided **in red**.

Consistency with the 2035 Comprehensive Land Use Plan:

Staff submits that the proposed text amendments to the LDS are reasonable and in the public interest because they are consistent with the first, second, and third goals of the 2035 Comprehensive Plan:

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

- Create walkable and attractive neighborhoods.
- Encourage in-fill, mixed use, and context-sensitive development.
- Promote conservation design to preserve important natural resources.
- 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.

Goal 3: Protect and enhance Waynesville's natural resources.

- Encourage park and greenway development to protect watersheds and improve access to open space.
- Protect rural lands, iconic views, and mountain vistas.
- Protect and enhance water quality and forests.

Attachments

1. Proposed Text Amendment
2. Consistency Statement Worksheet
3. Report from the Planning Board

Recommended Motions

1. Motion to find the recommended changes to the Land Development Standards as attached as being consistent with the 2035 Land Use Plan and are reasonable and in the public interest.
2. Motion to approve the text amendment changes to the Land Development Standards as provided.



To: Town of Waynesville Board of Aldermen
From: Olga Grooman, Planner
Date: May 10, 2022
Subject: Planning Board Report and Statement of Consistency
Description: Text Amendment to Civic Space, Chapter 7 of the Land Development Standards (LDS)
Applicant Address: Planning Board Initiated Text Amendment

The Planning Board hereby adopts and recommends to the Governing Board the following statement(s):

The Planning Board recommends to the Board of Aldermen that the zoning amendment **is consistent with the Town's Comprehensive Land Use Plan and is reasonable and in the public interest** because:

- Goal 1: It continues to promote smart growth principles in land use planning and zoning.
- Goal 2: It creates a range of housing opportunities and choices.
- Goal 3: It protects and enhance Waynesville's natural resources.

Additionally, the Planning Board recommends that the Board of Aldermen adopt the zoning amendment to Civic Space, Chapter 7 of the LDS.

A motion was made by Board Member Don McGowan and seconded by Board Member Tommy Thomas. The motion was carried unanimously to adopt the text amendment with three revisions: addition of sally-port entrance in the dog park, non-motorized transportation on greenways, and the required percentage of civic space is clarified as the percentage of the total acreage of the site.

Ginger Hain, Planning Board Vice Chair, Date

Esther Coulter, Administrative Assistant, Date



To: Town of Waynesville Board of Aldermen
 From: Olga Grooman, Planner
 Date: May 10, 2022
 Subject: Text Amendment Statement of Consistency
 Description: Text amendment related to Civic Space, Chapter 7 of the Land Development Standards
 Address: Town of Waynesville Development Services Department

The Board of Aldermen hereby finds that:

The zoning amendment is **approved and is consistent with the Town’s comprehensive land use plan** because: _____

The zoning amendment and **is reasonable and in the public interest** because:

The zoning amendment is **rejected because it is inconsistent with the Town’s comprehensive land plan and is not reasonable and in the public interest** because _____

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town’s comprehensive land use plan**. The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____

ORDINANCE NO. O-16-22

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

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 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 text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- The Town of Waynesville will continue to “promote smart growth in land use planning and zoning;” (Goal #1);
- The amendment will “create a range of housing opportunities and choices,” (Goal #2);
- The Town will “protect and enhance Waynesville’s natural resources,” (Goal #3);

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Board of Aldermen; and

WHEREAS, the Board of Aldermen find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on April 11, 2022 at the special called meeting of the Waynesville Planning Board, and on May 10, 2022 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 MAY 10, 2022 AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows (in red):

1. Amend Section 2.4.1 (2c) Table of Dimensional Standards by Residential District as follows:

2.4.1 Table of Dimensional Standards by Residential District.

(Table continues above)

Standard	Residential-Low Density (RL)	Residential- Med. Density (RM)	Neighborhood Residential (NR)	Urban Residential (UR)
c. Civic Space (min) per CH 7	10%—Open space only Refer to Section 7.3	10% Refer to Section 7.3	5% Refer to Section 7.3	5% Refer to Section 7.3

(Table continues below)

2. Amend Section 2.4.2 (2b) Table of Dimensional Standards by Mixed-Use/Non-Residential District as follows:

2.4.2 Table of Dimensional Standards by Mixed-Use/Non-Residential District.

(Table continues above)

Standard	Neighborhood Center (NC)	Business District (BD)	Regional Center (RC)	Commercial Industrial (CI)
b. Green/Open Space (min) per CH 7 (tentative) Civic Space (min) per CH 7	2% for residential units only Refer to Section 7.3. Applies to residential units only.	Exempt	2% for residential units only Refer to Section 7.3. Applies to residential units only.	None Exempt

(Table continues below)

3. Amend Section 7.1 Purpose and Intent as follows:


(...) Civic spaces, as defined by this Section, are distinct from those areas that are environmentally significant and must be otherwise protected from human transgression as noted in Section 12. Civic space adds to the visual character and uniqueness of each development and is intended for recreational and aesthetic enjoyment by the residents of the development unless it is designated as a public space.



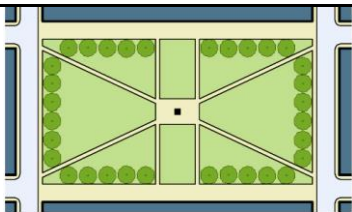
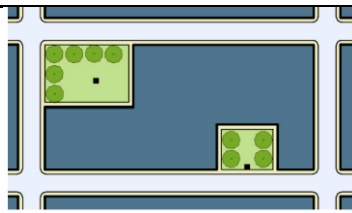
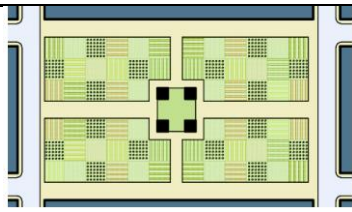

4. Amend Section 7.2. Civic Space Standards as follows:


All land dedicated to required civic spaces shall meet the criteria below in this section. Stormwater facilities cannot be counted towards civic space. Delineated wetlands and required stream buffers can be counted towards civic space only when adjacent to, or a part of, a greenway or designated preserve.

7.2.1 Required Civic Space Types.

Civic space, as required (...).

A.	Park: A natural preserve available for unstructured recreation. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be linear, following the trajectories of natural corridors as part of a greenway. The minimum size shall be 4 acres	
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	The minimum size shall be .16 acre (except with Greenways where there is no minimum).	
B.	Green: An open space available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be .16 acre ½ acre and the maximum shall be 4 acres.	
C.	Preserve: Natural preserves include any area of existing or restored open lands such as riparian corridors and wetlands, unique geological formations, important habitats, or substantial groupings of important plant types. The goal is to protect and maximize intact and undisturbed spaces that provide valuable ecosystem services for the community, support preservation goals, and enhance the aesthetics and amenities of the area. Active recreation, such as trails and paths, can be a part of these areas. The minimum size is 1 acre of contiguous preserved area.	
C. D.	Square: An open space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets. The minimum size shall be .16 acre ¼ acre and the maximum shall be 2 acres.	
D. E.	Playground: An open space designed and equipped for the recreation of children. A playground shall be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a block. Playgrounds may be included within parks and greens other civic spaces. There shall be no minimum or maximum size.	
E. F.	Community Garden: A grouping of garden plots available for small-scale cultivation, generally to residents of apartments and other dwelling types without private gardens. Community gardens should accommodate individual storage sheds. There shall be no minimum or maximum size.	
G.	Greenway: A linear parcel of land set aside to contain a trail for non-motorized transportation and/or recreation, usually connecting to a planned corridor. There shall be no minimum or maximum size.	

<p>H.</p>	<p>Dog Park: An off-leash dog area. A dog park shall be enclosed with a galvanized or coated chain link fence or metal fence measuring four (4) to six (6) feet in height and include a double gate entry system (like a sally port). The dog park shall also have a designated waste disposal facility, signage with applicable rules, a shade area (with either a structure or mature shade trees). The area may also include a plumbed drinking water station. There shall be no minimum or maximum size.</p>	
<p>I.</p>	<p>Community Area: Designated indoor or outdoor facilities to support social and recreational activities of the residents. Examples include a pavilion, fire pit, picnic area, grill area, gym, pool, community building, club house, basketball court, tennis court, golf course, or similar amenities determined to be appropriate by an Administrator. There shall be no minimum or maximum size.</p>	

5. Amend Section 7.2.5 Minimum Amenities as follows:

7.2.5 Minimum Amenities.

- A.** Required civic space shall be planned, improved, and usable by persons/entities which own it living nearby. Improved shall mean cleared of underbrush (...).

A. Minimum Amenities (All Civic Spaces):

- ~~1. Public Seating: Provide seating areas appropriate to the intended use of the space (e.g., park benches and moveable chairs in formal/active spaces and garden wall seats in informal/passive spaces). A minimum of 2.5 linear feet of seating shall be provided for every 10,000 square feet of open space (up to 4 acres) with a minimum of 10 linear feet of seating. Seating should be more than 12 inches and less than 30 inches in height and not less than 16 inches in depth. Seating more than 28 inches in depth and accessible from two sides will count double. Moveable chairs are encouraged and each count as 2½ linear feet of suggested seating.~~
- ~~2. Supplement Tree Planting/Significant Species Preservation: A minimum of 1 tree (3 inch caliper minimum measured 6" above the ground at installation) to be planted in at least 350 square feet of soil or 1 preserved existing canopy tree a minimum of 12" caliper for every 2,500 square feet of required civic space.~~
- ~~3. Trash Receptacle: One garbage receptacle and one recycling receptacle for each 5,000 square feet of each physically separated civic space.~~

~~{B. — Reserved.}~~

B. Minimum Amenities: All civic spaces shall include park furnishings, such as benches, trash receptacles, landscaping, grills, and picnic areas, as appropriate to the size and type of the civic space.

C. Minimum Amenities (Parks): At least (...).

(...).

6. Amend Section 7.2.8 Ownership as follows:

7.2.8 Ownership and Maintenance.

Ownership: Dedicated civic space land shall be separately deeded to either a homeowner’s association, a non-profit land trust (...).

Maintenance: The owner or lessee of the property designated for civic space is responsible for its maintenance. Landscaped areas shall be maintained in good condition and the entire area shall be kept clear of debris. All civic space shall require documentation recorded with the final plat that outlines the ongoing maintenance plans. Documents such as covenants for a homeowners’ association, bylaws, charter for a non-profit entity, or similar agreements and guarantees shall be filed with the final plat.

Dedication to the Town or other public entity is subject to acceptance by and at the sole discretion of the Town or other public entity. If the civic space land is dedicated to the Town and accepted for public use, this land will be maintained by the Town.

7. Amend Section 7.3 Civic Space Dedication as follows and merge cells in the last column as follows:

District Category	Applicable Districts	Required Civic Space*
Residential Districts:		
Residential—Low Density (RL)	CC-RL, EN-RL, FC-RL, HT-RL	10% 0-14 units/lots- 5%
Residential—Medium Density (RM)	CP-RM, D-RM, HM-RM, SW-RM	10% 15-30 units/lots- 10%
Neighborhood Residential (NR)	AC-NR, LL-NR, MS-NR, N-NR, PS-NR, PC-NR, RC-NR, SS-NR, WS-NR	5% 31-60 units/lots- 13%
Urban Residential (UR)	EW-UR, H-UR, HM-UR	5% 61 + lots/units- 15%
Mixed-Use/Non-Residential Districts:		
Neighborhood Center (NC)	PS-NC, NM-NC, RC-NC	2% 0-14 units/lots- 5%
Business District (BD)	CBD, H-BD, SM-BD	Exempt 15-30 units/lots- 10%
Regional Center (RC)	DJ-RC, NC-RC, RA-RC	2% 31-60 units/lots- 13%
Commercial Industrial (CI)	CI	None 61 + lots/units- 15%
		Business District (BD) and Commercial Industrial (CI) are exempt from civic space requirements.

* % of the total acreage of the site

8. Amend Section 15.4.4 Construction Documents/Preliminary Plat as follows:

(...)

Preliminary Plat: The preliminary plat for a subdivision that shall be prepared by a registered surveyor or engineer and shall show the following:

(...)

- 14. Sketch vicinity map showing relationship between subdivision and surrounding area.
- 15. Current zoning designation of the development property in the Town of Waynesville.

9. Amend section 15.8.2 Site Plan/Design Review (Major) as follows:

G. **Neighborhood Meeting (15.3.7):** ~~Optional~~ See section 15.3.7.

10. Re-number section 15.9.2 Major Subdivisions as follows:

~~C. [D.]~~ **D. Preliminary Plat Approval:** The Planning Board (...).

~~D. [E.]~~ **E. Final Plat:** Once all infrastructure (...).

11. Amend section 15 9.3 Preliminary Plats for Major Subdivision as follows:

F. **Neighborhood Meeting (15.3.7):** ~~Optional~~ See section 15.3.7.

12. Amend section 15.10.2 Review Process as follows:

B. **Neighborhood Meeting (15.3.7):** ~~Optional~~ See section 15.3.7.

12. Re-number section 15.16.6 Relevant provisions as follows:

~~15.16.5 Reserved.~~

~~15.16.6 Relevant provisions.~~

15.16.5 Relevant Provisions:

(...)

ADOPTED this _____ Day of _____, 2022.

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: March 22, 2022**

SUBJECT: Continuation of Public Hearing from March 22, 2022 to consider a text amendments to the Land Development Standards (LDS) on revisions to LDS Section 6.10: Transportation Impact Analysis.

AGENDA INFORMATION:

Agenda Location: Old Business
Item Number:
Department: Development Services
Contact: Elizabeth Teague, Development Services Director
Presenter: Elizabeth Teague and Mark Teague

BRIEF SUMMARY:

With the assistance of traffic engineer Mark Teague, principle of JMTeague Engineering, the staff and planning board recommend a decrease in traffic threshold for traffic analysis associated with new development. At their February 21 Meeting, the Planning Board unanimously recommended that the attached ordinance is consistent with the Comprehensive Land Use Plan, is reasonable and in the public interest. At the March 22, 2022 hearing at the Board of Aldermen Meeting, Aldermen asked that the ordinance be adjusted to have more understandable criteria for when a TIA could result in requirements for a developer to perform mitigation measures and to be more context oriented. The attached revisions reflect changes to the draft from March 22 of the LDS related to Traffic Impact Analysis, Section 6.19.

MOTIONS FOR CONSIDERATION:

1. Motion to find the attached ordinance is consistent with the Comprehensive Plan and is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

Report from the Planning Board
Consistency Statement Worksheet
Draft Ordinance Revised

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Board of Aldermen Staff Report

Subject: Land Development Standards (LDS) text amendment
Ordinance Section: Section 6.10 Transportation Impact analysis
Applicant: Staff initiated text amendment; Development Services Department
Meeting Date: May 10, 2022 (Continuation March 22, 2022 public hearing)

Background

This text amendment regarding Transportation Impact Analysis, or “TIA,” has been developed with assistance from traffic engineer Mark Teague, P.E., principle of JM Teague Engineering. The Planning Board held a public hearing at their February 21, 2022 regularly scheduled meeting and recommend that the Board adopt the text amendment ordinance. The Board of Aldermen opened the public hearing on March 22, 2022 and continued it until the May 10th Meeting to consider some suggested revisions.

The proposed text amendments are based on lowering the TIA threshold from the current requirement of 3,000 cars per day. The proposed ordinance would trigger a TIA when:

- a development is anticipated to generate 500 trips per day,
- there is a school of greater than 250 students within 1 mile, or
- traffic safety concerns are triggered by a substandard road network accessing the development. proposed or when there may be a school nearby.

The ordinance also requires a pre-submittal meeting to develop a scope for the area and focus of study which relates directly to the context and road system relevant to the property in question.

JM Teague also revised the ordinance to move the specifics of the TIA submission document to a guidance document instead of as part of the ordinance, and amended the mitigation thresholds based on comments from the hearing.

Consistency with the 2035 Comprehensive Land Use Plan

Staff submits that the proposed text amendments to the LDS are consistent with the first goal of the 2035 Comprehensive Plan:

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

- Encourage in-fill, mixed use, and context-sensitive development.

Goal 6: Create an attractive, safe and multi-modal transportation system.

- Provide and interconnected transportation network of roadways, greenways, freight mobility, bicycle routes, and sidewalks that improves safety and strategic access for all users.
- Coordinate with NCDOT on roadway improvement projects, particularly those along South Main, North Main, Russ Avenue, Pigeon Road, and Dellwood Road.

Attachments

1. Draft Ordinance, version 2
2. Report from the Planning Board
3. Consistency Statement Work sheet

Recommended Motions

1. Motion to find the Text amendment is Consistent with the Town's Comprehensive Land Use Plan, and that it is reasonable and in the public interest.
2. Motion to adopt the Text Amendment Ordinance as presented (or as amended)

TIA study area and mitigations by other NC municipalities.

Hendersonville

Study Area determined during Presubmittal Conference: Presubmittal Conference. An applicant for development authorization for any project expected to meet or exceed one or both of the TIA thresholds specified in Section 6-19-1, above, shall schedule a presubmittal conference with the City. The engineering firm selected to prepare the TIA shall attend this meeting the purpose of which is to establish the study area, the trip distribution, the traffic counts to be utilized, approved developments in the area, pass-by and internal capture percentages, additional hours of analysis, if required (other than a.m. or p.m. peak), and resolve any other questions specific to the site.

Mitigation: Improvements Required. In those cases where the City or the North Carolina Department of Transportation requires improvements to be constructed in order to accommodate additional traffic generated by the proposed development, the improvements shall be funded and/or constructed by the project developer in accordance with the standards and direction provided by the City or by the North Carolina Department of Transportation. The improvements shall be in place or under construction prior to issuance of any certificate of occupancy or certificate of completion required for any phase or portion of the project.

Asheville

Study Area: Study area (includes the project area and extends to any intersection where the volume of peak hour traffic on any approach leg will be increased by ten percent or more as a result of the additional traffic generated by the proposed use).1.Area of influence - provide map.2.Area of significant traffic impact - provide map. (signalized/unsignalized intersections and driveways)

Mitigation: Improvements required. In those cases where the City of Asheville or the North Carolina Department of Transportation requires certain improvements to be constructed in order to accommodate additional traffic generated by the proposed developments, the improvements shall be funded and/or constructed by the project developer in accordance with the standards and direction provided by the City of Asheville or by the North Carolina Department of Transportation. The improvements shall be in place or under construction prior to issuance of any certificate of occupancy or certificate of completion required for any phase or portion of the project.

Boone

Study Area: undefined

Mitigation: If a traffic impact analysis is performed and that analysis concludes that improvements are required to the transportation system; the applicant may be required to complete those improvements in connection with the project as a condition of the development approval. Unless an agreement is executed by the Town in which the time for the improvement is specified the improvement shall be completed prior to issuance of a certificate of occupancy. The fact that the obligation to construct lies with the applicant does not preclude the Town from entering into an agreement to participate if that will be in the interest of the Town.

Huntersville

Study Area: The impact study area designates the intersections for a TIA study where potential increases in traffic from the development may cause degradation of levels of service. Where traffic from the proposed development is anticipated to increase a signalized or major unsignalized intersection single approach by 40 vehicles in a peak hour or increase the total of all approaches by 70 vehicles in a peak hour, the intersection shall be studied in the TIA. Should an intersection be considered at its ultimate buildout laneage or configuration or within the delivery portion of the current NCDOT State Transportation Investment Program (STIP) prior to final action taken by the Town Board, the Town Engineer may waive the requirement to include the intersection for study in the TIA.

Mitigation: Infrastructure shall be considered sufficient if the ICU percentage is at or below those established in Section 14.4.1 or when, as a result of proposed development, an increase in the ICU percentage is three (3) percent or less.

Where an ICU percentage is above those established in Section 14.4.1 or, as a result of proposed development, becomes greater than the adopted standard and has increased by more than 3 percent; a development application may be approved if the applicant proposes measures that fully mitigate the transportation impacts of the proposed development.

Proposed mitigation shall fully reduce the ICU percentage of the impacted intersection to either the adopted standard in Section 14.4.1 or to within 3 percent of the no-build ICU percentage.

Proposed mitigation measures to meet the ICU percentage standards of Article 14.4.1 may be modified, subject to Town Board approval, in order to substantially achieve the intent of this ordinance with input provided by the Town Engineer.

A modification to the proposed mitigation, which may be considered by the Town Board as meeting the intent of the ordinance, is where proposed mitigation at an impacted intersection provides measurable and beneficial surplus capacity (above and beyond the minimum ICU percentage standards) such that the surplus capacity may be counted toward credit in the mitigation of other impacted intersections. The method of measurement considered in determining the acceptability of such modifications will be the net effect on the cumulative ICU percentage totals.

Proposed mitigation may also include the provision of funding for transportation improvements on planned or funded Town or NCDOT projects previously adopted such that the improvements can be advanced to mitigate the impacts of the proposed development. This funding mitigation may be accepted by the Town Board only where it is shown that such mitigation is a reasonable substitute for actual construction based on the ICU percentage totals and anticipated construction schedules of the projects. Proposed mitigation shall be included as a condition of approval.

Transportation improvements provided through mitigation, pursuant to this Article, shall be completed and available within three (3) years of the approval of the development proposal, unless expressly provided otherwise by the Town Board or other applicable Town permitting authority. Any improvements not completed prior to the issuance of a Certificate of Occupancy, shall be secured by a performance guarantee at 115 percent of the cost to complete the remaining improvement(s), as reviewed and approved by the Town Engineer. All necessary right-of-way for the transportation

improvements shall be acquired prior to the issuance of a Certificate of Occupancy, whenever practicable.

Mitigation measures shall be consistent with the Standards found within the Town of Huntersville TIA Process and Procedures Manual and the Town Engineering Standards and Procedures Manual.

ORDINANCE NO. O-07-22

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

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 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 text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- The Town of Waynesville will continue to “promote smart growth in land use planning and zoning;” (Goal #1);
- The Town will maintain adequate legal authority through the most up-to-date ordinance.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Board of Aldermen; and

WHEREAS, the Board of Aldermen find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on ____, 2022 at the regularly scheduled meeting of the Waynesville Planning Board, and on ____, 2022 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 (*amendments provided in red text*):

1. Amend Land Development Standards Section 6.10 – 6.10.3 Transportation Impact Analysis as follows:

I. 6.10 Transportation Impact Analysis.

A Transportation Impact Analysis (TIA) is a specialized study that evaluates the effects and impacts of a development’s traffic on the surrounding transportation infrastructure. It is an essential part of the development review process to assist developers and governmental agencies in making land use decisions involving annexations, subdivisions, rezonings, special land uses, and other development reviews. The TIA helps identify where developments may have a significant impact on safety, traffic, ~~roadway transportation~~ operations, and provides a means for the developer and governmental agencies to mitigate these impacts. *The TIA should address issues such as transportation network safety, operation, access management, and bicycle/pedestrian facilities.* Ultimately the TIA can be used to evaluate whether the scale of development is appropriate for a particular site and what improvements may be necessary ~~on and off the site~~, to provide safe and efficient access and traffic flow. *The TIA may show improvements being necessary on the development site or off site on the surrounding transportation network.*

6.10.1 When Required.

The Town of Waynesville requires a Traffic Impact Analysis using its own thresholds, parameters, and mitigation requirements. The Town's requirements may not reflect the same requirements as NCDOT. According to the NCDOT TIA Guidelines, municipal TIA requirements take precedence over NCDOT TIA requirements, if more restrictive.

A TIA shall be required for a rezoning, subdivision plan, site plan, special use permit, certificate of zoning compliance, or preliminary plat for developments **under the following conditions:**

A. Trip Generation Threshold: A TIA is required when a development is anticipated to generate 500 trips per day or 50 trips in the peak hour. (Trips do NOT equal cars. One car leaving and then returning equals 2 trips). Examples of common land uses that approximate this threshold include:

- 50 single-family homes
- 70 apartments / townhomes
- 100 room hotel
- 30,000 square foot office building
- 20,000 square foot shopping center

B. Other Thresholds: A TIA is also required at 70% of the Trip Generation threshold (350 daily trips or 35 peak hour trips) when one or more of the following conditions are met:

1. Site is within 1 mile of a school greater than 250 students with a school access directly or indirectly (1 turn away) on the same road of at least one of the site access points.
2. If the Town determines that an impacted street is substandard due to safety or operation.

6.10.2 Pre-submittal Meeting

An applicant for development authorization for any project expected to meet or exceed the TIA thresholds specified in Section 6.10.1 above, shall schedule a pre-submittal meeting with the Development Services Director. The engineering firm expected to prepare the TIA shall attend this meeting which will establish the study area, the TIA scoping assumptions and to discuss any existing conditions, geometric concerns and other considerations related to the project's location, context, and nearby land uses. The outcome of the meeting should include an agreement between the Town and the applicant on the TIA assumptions and focus areas.

6.10.3 TIA Contents and Requirements.

The details of a traffic impact analysis report shall be determined based on the pre-submittal meeting and should follow the "Guidelines for TIA Submissions" document available through the development Services Department. The report shall include existing conditions, background conditions, buildout conditions, and horizon conditions, as well as any focus concerns within the study area identified in the pre-submittal meeting.

The study area is initially defined as encompassing the site access point or points to a point where the background volume of peak hour traffic on any approach will be increased by 10% due to traffic generated from the development. The study area can include stretches of roadway if deemed applicable by the Town in the pre-submittal meeting. Any changes to the study area should be discussed during the pre-submittal meeting before the study is commenced or prior to the TIA report being submitted.

A TIA will vary in range and complexity depending on the type and size of the proposed development and based on the scope determined during the pre-submittal meeting. Reports shall be sealed by a qualified North Carolina licensed engineer to provide such analysis and recommendations. The submission shall include all pertinent traffic data and computations affecting the design proposal and study area.

2. Replace Section 6.10.4 – 6.10.5 to remove Volume/Capacity Table and revise mitigation thresholds:

6.10.4 Improvements May Be Required.

Based on the findings of the analysis, mitigation measures may be required to improve adjacent roadways such as the creation of turn lanes, bridge replacement, crosswalks, road widening, or other physical improvements. The TIA could also involve strategies other than roadway construction or other physical improvements such as changes to traffic signal timing or phasing, and transportation demand management strategies.

Delete table:

Existing V/C REMOVED TABLE	Allowable Increase in V/C By Development
0.00—0.60	0.10
0.61—0.70	0.07
0.71—0.80	0.05
0.81—0.90	0.03
0.91—1.00+	0.02

6.10.5 Thresholds for Mitigation.

The Town requires consideration of roadway and/or operational improvements when the proposed development causes changes to the roadway Level of Service (LOS), causes increased queuing, or **creates an atmosphere for increased roadway crashes.**

Mitigation Thresholds:

1. No mitigation will be necessary if the approach Level of Service (LOS) remains an “A” or “B” between Background and Horizon conditions AND if safety and operational concerns do not exist based on sight distance, blocking, queuing, or crash history.
2. If the approach LOS at Background is a “C,” “D,” “E,” or “F” and the delay increases more than 15% at Horizon conditions, mitigation is required to reduce the increased delay to less than 15%.
3. If the individual movement LOS is a “C,” “D,” “E,” or “F” and the delay increases more than 25% at Horizon conditions, mitigation is required to reduce the increased delay to less than 25%.
4. If the site-generated traffic causes an increased queue from Background to Horizon Conditions of 25% or more on any individual movement, mitigation is required to reduce the queue increase to less than 25%.
5. If the crash history shows greater than 3 similar crashes within a 12-month period “preventable” mitigation to reduce the chances of similar crashes involving site-generated traffic may be required.
6. Mitigation should include references to the available right-of-way, potential constraints, project phasing, and innovative techniques to achieve the required mitigation goals.

3. Add Section 6.10.6 Alternative Analysis:

6.10.6 Alternative to a Traffic Impact Analysis

If a TIA is not required according to the Town’s thresholds, the Town may still require an alternate traffic study to validate the safety and operation of the street system at or near the proposed site or to address a substandard street issue within the predetermined study area. Alternate studies may include:

1. Left of Right Turn Lane warrant analysis at the site access points. This analysis should be conducted using NCDOT methodology found in the current edition of the NCDOT Driveway manual.
2. Sealed Technical Memorandum addressing only the site access point including operation, safety, and trip impact to the adjacent roadway.
3. Sealed Safety Study along a stretch of street impacted by the site to address construction traffic, roadway width adequacy, pavement adequacy, etc.

The Town will use the submitted TIA as a tool to determine mitigation or improvements on the street network. The Town reserves the right to require less than or more than what is recommended in the TIA based on the right of way availability, safety, community concerns, or other factors.

~~6.10.5~~ **6.10.6 Payments-in-Lieu of Improvements.**

The Board of Alderman may, at its discretion, accept either mitigation measures to be completed by the developer or a fee paid to the Town in lieu of mitigation. The fee shall be equal to the costs of the required mitigation measures, as determined by the Administrator. A combination of mitigation measures and payments-in-lieu of dedication may be permitted. Payments-in-lieu of dedication shall be approved as part of the Development Plan.

~~6.10.6 TIA Requirements and Parameters.~~

4. Delete Section 6.10.6 TIA Requirements and provide current guidance as part of the technical guidance document to be maintained by the development Services Department

5. Add the Following Definitions to 17.4 Definitions, General

Transportation Impact Analysis or TIA. A specialized study that evaluates the effects of a development's traffic on the surrounding transportation infrastructure.

TIA AADT. Average Annual Daily Traffic gathered through a small sample size and projected to an annual rate.

TIA ADT. Average Daily Traffic gathered through a 365-day data collection process.

TIA Background Conditions. No Build. Conditions at the time of proposed project completion but not including any site generated trips. The background condition contains additional trips based on natural growth rates or other planned and scheduled projects in the study area.

TIA Build Out Conditions. Conditions at the time of project completion including site generated trips, natural growth, or other planned and scheduled projects in the study area.

TIA Existing Conditions. Current conditions not including any growth or new development

TIA Growth Rate. The natural traffic growth rate of the study area roadway area. The growth rate generally takes into account an additional or reduced number of homes, small commercial establishments, and the number of local drivers. Significant changes in these areas should be addressed specifically.

TIA Horizon Conditions. Conditions 2 years beyond Build Out Conditions including another 2 years of natural growth and other planned and scheduled projects in the study area.

TIA Level of Service (LOS). The relationship of travel demand compared to the roadway capacity determines the level of service (LOS) of a roadway. Six levels of service identify the range of possible conditions. Designations range from LOS A, which represents the best operating conditions, to LOS F, which represents the worst operating conditions.

TIA VPD. Vehicles per day either gathered for a 24-hour period or expanded from a smaller sample.

ADOPTED this _____ Day of _____, 2022.

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: May 10, 2022

SUBJECT: Budget Amendment to the Garage Internal Service Fund

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Garage
Contact: Misty Hagood, Finance Director
Presenter: Misty Hagood, Finance Director

BRIEF SUMMARY:

The increase in prices for gas, diesel, oil, and other supplies has caused a need to amend the Garage budget. I am requesting that we increase the Garage budget by \$50,000 to cover expenses for the remainder of the fiscal year. All of the departments have enough to cover their increased portion of the budget, so we do not need to amend the departmental budgets.

MOTION FOR CONSIDERATION:

1. Approval of the attached budget amendment.

FUNDING SOURCE/IMPACT:

There will be no impact to the General, Water, Sewer, or Electric Funds because they all have enough to cover their portion of the Garage increase. I will move funds within each department to cover the gas and vehicle repair expenses.


Misty Hagood, Finance Director

4/29/2022

Date

ATTACHMENTS:

1. Budget Resolution

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Recommendation is to approve budget amendment for the Garage Internal Service Fund.

RESOLUTION NO. R-08-22

Resolution Amending the Financial Operating Plan for Garage Internal Service Fund

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the financial operating plan for the Garage Internal Service Fund.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville to amend the financial operating plan for the 2021-22 year for the Garage Internal Service Fund due to increases in the cost of gas, oil, and supplies as follows:

Garage Operations:	
Estimated Revenues:	
Charges to User Departments	\$ 50,000
Appropriations:	
Operations	\$ 50,000

Adopted this 10th day of May 2022.

TOWN OF WAYNESVILLE

J. Gary Caldwell
Mayor

ATTEST:

Eddie Ward
Town Clerk

APPROVED AS TO FORM:

Martha Sharpe Bradley
Town Attorney

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 5/10/22**

SUBJECT Personnel Policy Update

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: **Jesse Fowler, Assistant Town Manager**

BRIEF SUMMARY:

The Board of Alderman has recently approved several changes to the Town of Waynesville's Pay and Classification Table. As a formality, we are requesting that the Board of Alderman adopt an amended Personnel Policy with updated language that specifically identifies the Pay and Classification Table as the document used when placing individuals within their respective pay grades and assigning salaries to new hires. This new language within the Personnel Policy is located on Page 11 – Employment Relationship – Employee Pay and Classification.

MOTION FOR CONSIDERATION:

Motion to adopt the amended personnel policy as presented.

FUNDING SOURCE/IMPACT:

ATTACHMENTS:

- Amended Personnel Policy
- Town of Waynesville Pay and Classification Table

MANAGER'S COMMENTS AND RECOMMENDATIONS :

Town of Waynesville
PERSONNEL POLICY MANUAL
Employee Handbook



**Revisions, additions and/or deletions to Policy Manual are approved
and adopted by the Mayor and Board of Aldermen**

Last updated: August 2020

Welcome

Welcome to the Town of Waynesville! We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further the Town of Waynesville's goals.

You are joining an organization that has a reputation for outstanding leadership, innovation, and expertise. Our employees use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services/products in the industry. With your active involvement, creativity, and support, the Town of Waynesville will continue to achieve its goals. We sincerely hope you will take pride in being an important part of the Town of Waynesville's success.

The purpose of this policy manual is to provide officials and employees of the Town of Waynesville (hereinafter referred to as the Town) with a concise document which contains the general personnel policies governing Town personnel. This policy manual replaces and supersedes all previously issued manuals, policies, memorandums and directives.

The issuance of this personnel policy manual does not constitute a contractual relationship with employees and is adopted by Resolution by the Mayor and Board of Aldermen. The Town has the right to change or suspend any provisions of this manual at any time at the Town's discretion. No term of this personnel policy manual will be binding on the Town.

Reference is made throughout this manual to the personal pronouns "his," "him," and "he." The use of these terms is not intended to imply gender and consequently such reference means both male and female.

Please take time to review the personnel policies contained in this manual. If you have questions, feel free to ask your supervisor or to contact the Human Resources Department.

BE IT RESOLVED, by the Board of Aldermen of the Town of Waynesville, that the following policies apply to the appointment, classification, benefits, salary, promotion, demotion, dismissal, and conditions of employment of the employees of the Town of Waynesville.

Adopted this ____ day of _____, 20_____.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

TABLE OF CONTENTS

Personnel Policy (In General)	7
Employment at Will	7
Responsibility of the Town Manager	7
Responsibility of the Board of Aldermen	8
Responsibility of Human Resources	8
Departmental Rules and Regulations	8
Equal Opportunity and Commitment to Diversity	8
Equal Opportunity	8
Posting of Vacancies	9
Applications for Employment	9
Background Checks	9
Testing	10
Medical Examination/Fitness for Duty	10
Identification	10
Selective Service Compliance	10
Americans with Disabilities Act (ADA) and Reasonable Accommodation	11
Employment Relationship	11
Employment Classification	11
Minimum Age Requirement	12
Authorization of New Positions	12
Employment of Relatives (Nepotism)	12
Probationary Period of Employment	14
Probationary Period – Water/Wastewater Operations	15
Probationary Period – Law Enforcement	15
Time Records	15
Overtime	15
Call Back and Stand-by Pay	16
Longevity Pay	16
Work (General Terms)	17
Work Week	17
Unauthorized Work	17
Hours Worked	17
Use of Town Property	17
Use of Personal Car for Business	18
Political Activity	18
Gifts and Favors	18
Meal and Rest Breaks	19

Pay Information	19
Personnel Files	19
Personnel Files as a Public Record	19
Confidential Personnel File Information	20
Records of Former Employees	21
Remedies of Employees Objecting to Material in File	21
Penalties for Permitting Access to Confidential Information	21
Examining and/or Copying Confidential Material without Authorization	21
Destruction of Records Regulated	21
Separation from Employment	21
Types of Separation	22
Resignation	22
Reduction in Force	22
Reinstatement	22
Disability	23
Retirement	23
Death	23
Eligibility for Rehire	23
Workplace Safety	24
Drug-Free and Alcohol-Free Workplace	24
Substance Abuse Policy	25
Tobacco-Free Workplace	25
Commitment to Safety	25
Workplace Violence Prevention	25
Adverse Weather/Emergency Closings	26
General Workplace Guidelines	27
Attendance	27
Job Performance	27
Dress and Grooming	27
Dress Code/Personal Appearance	27
Outside Employment	29
Social Media	29
On duty use of Social Media	29
Off duty use of Social Media	29
Social Media – Expectations	30
Solicitation	30

Computers, Internet, Email, and Other Resources	31
Disciplinary Procedures	32
Disciplinary Actions for Failure in Performance of Duties	32
Disciplinary Actions for Failure in Personal Conduct	32
Progressive Steps of Discipline	33
Dismissal of Employee	33
Right of Appeal	34
Time Off and Leaves of Absence	34
Holidays	34
Holiday Pay	34
Religious Observances	35
Vacation Leave	35
Vacation Leave – Accumulation	35
Vacation Leave – Use and Reporting	36
Transfer of Vacation Leave to Another Employee	36
Vacation Leave – Payment Upon Termination of Employment	36
Vacation Leave – Payment Upon Death	37
Sick Leave	37
Sick Leave – Accumulation	37
Sick Leave – Use and Reporting	38
Sick Leave – Physician’s Certification	38
Sick Leave – Payment Upon Separation	38
Transfer of Sick Leave to Another Employee	38
Family and Medical Leave	39
Military Leave	42
Bereavement Leave	42
Jury Duty/Court Appearance	42
Time Off for Voting	43
Employee Benefits	44
Group Health Insurance for Active Employees	44
Group Health Insurance for Retirees	44
Eligible Retiree Dependents	45
Group Dental Insurance for Active Employees	45
Group Dental Insurance for Retirees	45
Group Life Insurance for Active Employees	45
Retirement Plan	45
401(k) Plan	46
Law Enforcement Officers Separation Allowance	46
Training and Educational Incentives	46
Workers’ Compensation	47

Travel	47
Prior Approval for Travel	48
Eligible Transportation Expenses	48
Eligible Travel Expenses	48
Reporting Expenses for Reimbursement	49
Travel Advance	49
Grievances	50
Grievance Procedure	50
Exempt Employee (Supervisor) Appeal Process	51
Grievance Procedure for Discrimination	51
Harassment	51
Harassment Complaint Procedure	53
Commitment to Diversity	53
Conflicts of Interest and Confidentiality	54
Conflicts of Interest	54
Confidential Information	55
Social Function Policy	55
Glossary of Terms	57
Employee Handbook Acknowledgment and Receipt	59

Personnel Policy (in general) – Approved via Resolution of the Board of Aldermen on November 13, 2018

The purpose of this policy is to establish a personnel system which will recruit, select, develop and maintain an effective and responsible work force for the Town. The policy is established under the authority of Chapter 160A-164 of the General Statutes of the State of North Carolina.

This policy will cover all regular, temporary, seasonal, part-time, and probationary employees except as specifically exempted. Members of the Board of Aldermen and any other task force, advisory board or commission are exempted from these policies unless specifically stated.

Employment at Will

Employment at Town of Waynesville is on an at-will basis unless otherwise stated in a written individual employment agreement signed by the Mayor on behalf of the Board of Aldermen.

This means that either the employee or the Town may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this employee handbook is intended to or creates an employment agreement, express or implied. Nothing contained in this or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time. In addition, no Town representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship.

Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended and do not create an employment contract for any specific period of time.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the National Labor Relations Act (NLRA). Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. Town of Waynesville employees have the right to engage in or refrain from such activities.

Responsibility of Town Manager

The Town Manager will be responsible to the Board of Aldermen for the administration and direction of the personnel program. The Town Manager will make appointments, dismissals and suspensions in accordance with the policies and procedures spelled out in later sections of this policy. Appointment, dismissal, and suspension policies will apply to all employees. The Town Manager will be responsible for interpreting policies when necessary and recommending to the Board of Aldermen policy changes and new policies. The Town Manager will also be responsible for determining conditions of employment.

Responsibility of Board of Aldermen

The Board of Aldermen will establish and amend personnel policies, position classifications and pay plans, and related rules and will make and confirm appointments when so specified by law.

Responsibility of Human Resource Department

The Human Resource Department is responsible for maintaining all official personnel files which include, but are not limited to the following: employment applications, conditions of employment, reference checks, performance evaluation forms, attendance records, disciplinary actions taken, commendations received, and documentation of all other personnel actions as deemed pertinent by the Town Manager.

Departmental Rules and Regulations

Due to the particular personnel and operational requirements of the various departments of the Town, each department is authorized to establish supplemental written rules and regulations applicable only to the personnel and operating procedures of that department. All such rules and regulations will be subject to the approval of the Town Manager and will not in any way conflict with the provisions of this policy but will be considered as a supplement to this policy.

Equal Opportunity and Commitment to Diversity

Equal Opportunity

It is the policy of the Town of Waynesville to foster, maintain and promote equal employment opportunities. The Town of Waynesville provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

Town of Waynesville expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is absolutely not tolerated.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Human Resources Department or Town Manager. The Town will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels he or she has been subjected to any such retaliation, he or she should bring it to the attention of the Human Resources Department or Town Manager.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below.

“Adverse conduct” includes but is not limited to:

- (1) shunning and avoiding an individual who reports harassment, discrimination or retaliation;
- (2) express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or
- (3) denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Complaints of discrimination should be filed according to the procedures described in the Harassment and Complaint Procedure found under Grievance Procedure on page .
Notices with regard to equal employment matters will be posted in conspicuous places on the premises in places where notices are customarily posted.

Posting of Vacancies

When job vacancies occur within the Town, the Human Resources office will be responsible for informing each department manager and placement in conspicuous places where notices of Town activities are customarily posted such as the Town of Waynesville website. Postings for vacant positions may be posted internally and externally at the same time. Internal job postings will be listed in house for at least five (5) working days. Current employees must file a written internal application with the Human Resources office to be considered for the vacant position. The Human Resources office is responsible for such distribution of vacancy notices that will provide a reasonable opportunity for all employees to be aware of vacancies.

Applications for Employment

All persons applying for employment with the Town will be required to complete an official Town employment application, which will be made available to all applicants for all position listings.

Applications will be accepted at any time a job vacancy exists. Applications may be submitted through NC Works (formerly NC Office of Employment Security) or the Human Resources office. All information provided on the application must be true and correct with the provision of false information being grounds for elimination from consideration and/or dismissal from Town employment. Additional disciplinary procedures can be instituted as provided in G.S. 14-3 and G.S. 14-122.1. (Adopted by the Mayor and Board of Aldermen, 10/7/98)

Applications will be kept in an inactive reserve file for a period of one year, in accordance with Equal Employment Opportunity Commission and North Carolina Municipal Records Retention and Disposition schedule guidelines.

Background Checks

All employees who go through the Town’s hiring process will complete a background check. Such background checks may also apply to internal candidates who are being considered for a promotion or transfer. A background check form is part of the onboarding paperwork and will be provided to those who are offered a position with the Town of Waynesville.

Background screening will not be used as a way to disqualify someone or reduce the number of applicants for a position. Background checks are meant to reinforce a hiring decision and ensure candidates who have been selected for a job are suitable.

Testing

Applicants for certain positions may be required to take various job-related tests which measure ability, aptitude, agility or skill. The Town may also require a polygraph examination for law enforcement applicants. Law enforcement personnel will be required to have been administered a psychological screening examination by a clinical psychologist or psychiatrist licensed to practice in North Carolina in accordance with 12 NCAC 9B.0101. Law enforcement personnel who carry firearms may be subject to periodic evaluation for mental and physical fitness for duty. All tests given to applicants will be administered and evaluated by qualified individuals chosen by the Town and at the Town's expense. All tests administered will conform to all applicable legal regulations.

Medical Examination/Fitness for Duty

All applicants will be required to undergo a drug screening and physical examination by a licensed physician after receiving a conditional offer of employment. Such examinations will be at the expense of the Town.

Identification

All personnel employed by the Town must present a valid North Carolina driver's license or other acceptable form of identification at the time of employment.

All new appointments to the Town will present proof of identification and employment eligibility before they are placed on the Town payroll. New appointments are required to present acceptable documentation in accordance with the Immigration Reform and Control Act of 1986. The Human Resource office will be responsible for obtaining adequate identification for satisfying the requirements of the Act. Documentation will be maintained on file in accordance with the Act.

Selective Service Compliance

All new appointments to the Town, who are U.S. male citizens, 18 to 26 years of age, must certify they have registered for Selective Service. This applies to all positions, whether full-time, part-time or seasonal.

Applicants not in compliance are ineligible for employment. After notification of ineligibility, the applicant has thirty (30) days to provide the Town with information that he is now in compliance with the federal law.

The Town Manager may then give the applicant a hearing and if the applicant proves that the failure to register "was not a knowing and willful failure," he may be hired by the Town. This procedural requirement only applies to applicants hired by the Town after October 1, 1989 (G.S. 143B-421.1).

Americans with Disabilities Act (ADA) and Reasonable Accommodation

To ensure equal employment opportunities to qualified individuals with a disability, Town of Waynesville will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. Employees who may require a reasonable accommodation should contact the Human Resources Department.

The Town has designated a coordinator to handle issues related to the Americans with Disabilities Act of 1990 (ADA). All requests for reasonable accommodation, auxiliary communication aids and services, alternative accessible formats for notices, policies and other information, as well as complaints regarding the Town's ADA program should be directed to the ADA Coordinator:

Human Resource Department
Town of Waynesville
16 S. Main Street/PO Box 100
Waynesville, NC 28786
Telephone # (828) 456-2028
Fax # (828) 456-2000

Any complaint or grievance relating to disability must be filed in writing directly with the ADA Coordinator, and can be appealed, if necessary, to the Town Manager.

Employment Relationship

Employee Pay and Classification

Each employee shall be compensated according to their position on the Town of Waynesville Pay and Classification Table. The Town of Waynesville Pay and Classification Table is located as "Appendix A" of the personnel policy. Placement of an employee within the pay range of their respective position will depend upon their prior job experience in similar positions.

Employment Classification

In order to determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, Town of Waynesville classifies its employees as shown below. Town of Waynesville may review or change employee classifications at any time.

Exemptions – General (Amended Board of Aldermen 07-01-2016)

The exempt or non-exempt status of any particular employee must be determined on the basis of the nature of work performed, the duties, responsibilities assigned, and the terms or conditions of employment and in accordance with the Fair Labor Standards Act (FLSA) testing.

Definitions:

Exempt. Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay.

Nonexempt. Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

Full-Time. Employees who are not in a temporary status and work a minimum of 30 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

Part-Time. Employees who are not in a temporary status and who are regularly scheduled to work fewer than 30 hours weekly, but at least 20 hours weekly, and who maintain continuous employment status. Part-time employees are eligible for some of the benefits offered by the Town and are subject to the terms, conditions, and limitations of each benefits program.

Temporary or Seasonal, Part-Time. Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work fewer than 30 hours weekly for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Volunteers. Excluded from the definition of “employee” and thus from coverage of the FLSA, individuals who volunteer services to the Town, such as volunteer fire fighters and who volunteer services without compensation, but are paid expenses, reasonable benefits, or a nominal fee.

Minimum Age Requirement (Amended Board of Aldermen 07-01-2016)

The minimum age for employment with the Town is eighteen (18) for all full-time positions. Exceptions to the minimum age are provided for under the law if the applicant procures an employment certificate from the Haywood County Health and Human Services Department and is hired in a part-time or seasonal capacity. For example: Lifeguards. No individual under the age of 16 will be employed by the Town of Waynesville in any capacity.

Authorization of New Positions

New positions will be established upon recommendation of the Town Manager and approval of the Town Board of Aldermen during the budget process. New positions will be recommended to the Board of Aldermen with a recommended class title, salary, job description and rationale for the addition of a position. Only the Board of Aldermen can approve additional positions.

Employment of Relatives (Nepotism) (Amended Board of Aldermen 03-13-2018)

It is the policy of the Town that persons considered for employment or promotion shall be evaluated on the basis of individual merit, including qualifications, experience and training, without reference to considerations of race, gender, color, religion, disability, age, sexual orientation, national origin, or any other factors not involving personal professional qualifications and performance. Notwithstanding this policy, the Town retains the right to refuse to appoint a person to any position wherein his/her relationship to another employee has the potential for creating adverse impact on supervision, safety, security or morale or involves a potential conflict of interest. The purpose of this Nepotism Policy is to prevent improper favoritism in employment based upon family or personal relationships within the Town.

Objectives:

- To promote fairness in employment, supervision, discipline, transfer, promotion, salary administration and other human resource management considerations.

- To prevent improper favoritism, real or perceived conflicts of interest, or undue influence based upon family or personal relationship.
- To enhance the overall internal control system and reduce the probability of placing public assets in jeopardy.

A relative may not occupy a position which has influence over another related family member's employment, transfer or promotion, salary administration, or other human resource management consideration, including any position having responsibility for the direct supervision of the other related person.

If relatives are considered for employment, transfer, or promotion by the Town, it is necessary for Human Resources Manager to certify that such action will not result in one family member supervising another member of the family, or in any other violation of this section.

Relatives of current employees (permanent or temporary) may not be employed within the same department, except as provided by exception below. A person related to an incumbent employee may not be employed if the professional qualifications of other candidates for the available position are demonstrably superior to those of the related person.

“Family member” is defined as one of the following: relationships by blood or legal adoption—parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece and first cousin; and relationships by marriage—husband, wife (as defined by state law), step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece, spouse/partner of any of the above, and co-habiting couples or significant others.

In addition, the Town also prohibits the employment of a person into any position who is a relative of individuals holding the following positions: Mayor, Mayor Pro Tem, Alderman, Town Manager, Assistant Town Manager, Town Attorney, Finance Director or Human Resources; with the exception noted below related to a limited duty assignment.

Existing Employees

If an existing employee of the Town becomes subject to this policy as a result of the election of a relative, the Town Manager will assess whether or not there would be any conflict of interest prior to requesting the resignation of an existing employee. Changes in marital, domestic partner/cohabitant or relationship status will result in one of the related persons resigning his/her position within 180 days. Every effort will be made to accommodate the displaced employee with a transfer to another position within the Town for which he/she is qualified, if such a position becomes available during the 180-day period. If the change in relationship status also results in a direct supervisory relationship between two relatives, the Town Manager shall arrange for an alternate supervisory relationship for the duration of the 180-day period, after consultation with the employees' Department Director or Human Resources.

It shall be each employee's affirmative duty to immediately disclose any circumstances which may constitute a violation of this policy. Failure to do so will result in disciplinary action.

Any employees who may be related to any elected official prior to the approval of this revised policy would be considered grandfathered in and not subject to Town Manager assessment related to conflicts for as long as such employee is employed by the Town.

Exception: Unpaid volunteers and individuals hired for temporary positions, with duration of 100 days or less within any one-year period, e.g. student internships or limited professional consulting relationships, are exempt from this section. Also exempt are part-time public safety employees in fire and police, who generally are full-time employees of other agencies, and who occasionally and voluntarily provide supplemental staffing in the form of off-duty or overtime routine staffing or special event coverage or response to emergency calls for service. Any other exceptions to this policy shall be made only with the expressed and documented approval of the Town Manager.

Probationary Period of Employment

An employee appointed to a regular position will serve a probationary period of six (6) months. The probationary period may be extended up to an additional six months if performance is deemed unsatisfactory after the initial probationary period. Disciplinary action, including demotion or dismissal, may be taken at any time during the probationary period of a new hire without following the steps outlined in the policy for disciplinary action. Promoted employees retain all other rights and benefits such as the right of use of the grievance procedures.

An employee serving a probationary period will receive all benefits provided in accordance with these policies except employees serving a probationary period following initial appointment will not be permitted to take vacation leave during the probationary period.

If a probationary employee is terminated during the probationary period, the employee will not be paid for accumulated vacation leave.

During a performance evaluation prior to completion of the probationary period, the employee's immediate supervisor will indicate in writing the following:

1. That the employees progress (accomplishments, strengths, and weaknesses) have been discussed with the new employee;
2. Whether the new employee is performing satisfactory work;
3. Whether the employee should be retained in the present position or should be released and whether the probationary period should be extended for up to an additional six (6) months. If an employee's probation is extended, a work plan for achieving satisfactory performance should be included with the evaluation, including specific requirements and/or parameters, such as expected time to complete certain tasks.

Following successful completion of the 6-month probationary period, an employee's pay will be adjusted to allow for an increase of (5%) in accordance with the Town's pay plan. Likewise, the employee becomes eligible to take accumulated vacation leave.

Probationary Period - Water/Wastewater Operations

An employee appointed to a regular apprenticeship position in Wastewater or Water Operations ultimately requiring State certification of a minimum grade C license or a class I certification will serve an extended probationary period to allow time for testing and written notification from the State, that the employee has successfully passed the certification process. This extended probationary period may last up to one (1) year but may not exceed one (1) year. Failure to pass the certification process within one (1) year will result in the apprentice being dismissed. Initial testing will occur approximately six (6) months following training. Upon receiving written certification from the State, pay will be adjusted in steps to achieve a pay increase of (5 %). Apprenticeship trainees will be hired at 10% below the regular starting rate. Following state certification, the apprentice will be promoted to an Operator I and advanced to the minimum grade and step in accordance with the pay plan. Upon satisfactory completion of a 6-month period following promotion to an operator, the employee will be advanced by the pay steps necessary to allow for an increase of five (5%) of the current grade.

Probationary Period - Law Enforcement

Sworn law enforcement personnel are required to serve a 12-month probationary period (1 2 NCAC 9C.0302).

Time Records

All employees are required to complete accurate bi-weekly time reports showing all time actually worked. These records are required by governmental regulations and are used to calculate regular and overtime pay. At the end of each pay period, the employee and his or her supervisor must sign the time record attesting to its correctness before forwarding it to the Finance Department for payroll activity.

Records of hours worked, and wages paid are required to be kept for each employee subject to this policy. Records must be preserved for at least three years. Such records will be kept by the Human Resource office.

Overtime

When required due to the needs of the Town, you may be asked to work overtime. Overtime is actual hours worked in excess of 40 in a single workweek. Nonexempt employees will be paid overtime compensation at the rate of one and one half their regular rate of pay for all hours over 40 actually worked in a single workweek. *Fire fighters' overtime will be paid when hours exceed 212 hours in a 28-day consecutive period. Law enforcement personnel overtime will be paid when hours exceed 171 in a 28-day consecutive period.

Paid leave, such as holiday, vacation, sick, bereavement, and jury duty does not apply toward work time. All overtime work must be approved in advance by a department manager.

Call-back and Stand-by Pay (Amended Board of Aldermen 07/01/2016)

The Town provides a continuous twenty-four hour a day, seven day a week service to its customers. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the Town is acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee will be subject to disciplinary actions up to and including dismissal.

Call back - Non-exempt employees will be guaranteed a minimum of two hours of wages for being called back outside of normal working hours when not on stand-by. "Call back" provisions do not apply to previously scheduled overtime work (scheduled one or more days in advance). On-call duty will not be assigned to employees who are on approved vacation leave, sick leave, civil leave, or military leave without authorization from the Town Manager.

Stand-by - Hours actually worked while on stand-by are calculated beginning when the employee reports to the work site and are added to the regular total of hours worked for the week. In addition, employees on stand-by will be paid an established flat stand-by rate. Stand-by time is defined as that time when an employee must remain near an established telephone or otherwise substantially restrict personal activities in order to be ready to respond when called.

Time spent by an employee who is required to remain on-call/stand-by on the Town's premises or so close thereto that he cannot use the time for his own purposes is considered working time. However, if he is required only to leave word where he may be reached, or has the use of the Town's cell phone, the hours spent on call-or on stand-by are not regarded as working time.

Stand-by duty will not be assigned to employees who are on approved vacation leave, sick leave, civil leave, or military leave without authorization from the Town Manager.

Longevity Pay (Added 07/01/2001 and Amended 07/01/2020)

Effective 7/1/01, employees will receive longevity pay in the last week of October, for each year that reflects the years of service as of July 1, of that fiscal year. Any employee that retires from service with the Town between July 1, and the date when that last payroll of October is issued, will receive the longevity check at their time of retirement. An employee will only be entitled to receive one longevity check in any fiscal year.

Employees will receive longevity pay in the last week in October (unless it is a payroll week; in which case it would be the first week in November) that reflects years of service as of July 1, of each year according to the following schedule:

Hired on or after July 1, 2020

No longevity pay between 0 – 5 years

Hired before July 1, 2020	Base of \$25 and add \$10 per year (\$75 max)
6 to 10 years	Base of \$100 and add \$25 per year (\$200 max)
11 to 15 years	Base of \$250 and add \$25 per year (\$350 max)
16 to 20 years	\$500 per year (same amount each year)
21 to 25 years	\$750 per year (same amount each year)
26 years and beyond	\$1,000 per year (same amount each year)

Work (general terms)

Work Week

A work week is a regular recurring period of 168 consecutive hours. The work week need not coincide with the calendar week. It may begin any day of the week and any hour of the day, but it must in each case be established in advance. The work week may be changed, but only if the change is intended to be permanent and is not made to evade the policy. The Town will operate under a one work week period. All employees will have an established work week of Thursday through Wednesday for the purpose of computing overtime compensation. The work week will run from midnight to midnight. Exception: Law enforcement personnel and fire fighters will work a 28-day work cycle.

Unauthorized Work

Hours worked by an employee without his supervisor's permission or contrary to his instructions may or may not be considered as hours worked. Unrecorded hours worked during a workweek by an employee at the job site or at his home must be counted as hours worked if the supervisor knows or has reason to know of such practice. The Town must enforce the no-work rule and may not unjustly benefit from work performed without prior knowledge.

Hours Worked

"Hours worked" is defined as the time during which an employee is required, suffered or permitted to be on duty on the Town's premises or at a prescribed workplace. Ordinarily, an employee's working hours will include all hours from the beginning of the workday to the end with the exception of periods when the employee is relieved of all duties for the purpose of eating meals.

Use of Town Property

Use of Town-owned property is intended for official Town business only. Town-owned property including supplies, tools, materials, equipment and vehicles are not for personal use and should not be removed from Town property except in the conduct of official Town business. Vehicles owned by the Town will be cared for in a responsible way. Such vehicles are to be used exclusively for Town business, except, in special circumstances the Town Manager may authorize an employee to take a vehicle home if it is in the best interest of the Town. Use of Town vehicles for commuting to and from work usually will be limited to an employee who is

subject to emergency call-back work. Employees who drive Town owned vehicles back and forth to work will be subject to all provisions of the Internal Revenue Service regarding private use of Town vehicles and will provide information on their driving record prior to being hired.

Use of Personal Car for Business

When it is necessary to use a personal car for Town business, with prior approval of the Town Manager, the Town will pay the prevailing Internal Revenue Service rate for business mileage for use of the private vehicle. A travel expense form must be completed by the individual and submitted to the department head for approval.

Political Activity

The Town encourages an employee to exercise his civic responsibility in supporting good government by voting for the issues and candidates of his choice. Employee may join or affiliate with political organizations, may attend political meetings and may advocate and support political principles and policies in accordance with the Constitution and laws of the State of North Carolina and of the United States of America. However, while on duty an employee will not:

- (1) Engage in any political or partisan activity;
- (2) Be required to contribute funds or support for political or partisan purpose as a condition of employment, duty, pay raise, or promotion;
- (3) Coerce or compel contributions for political or partisan purposes by another Town employee;
- (4) Use Town supplies, equipment or funds for political or partisan purposes;
- (5) Be a candidate for or hold a federal or state publicly elected office; be a candidate for or hold a position on the Haywood Board of Commissioners or any governing board of a municipality within Haywood County. Any employee holding or being a candidate for an office not prohibited herein, will observe the other Conditions of Employment stated in this Article. Current non-conflicting offices to this policy are Haywood County School Board, Maggie Valley Sanitary District, Junaluska Sanitary District and Haywood County Soil & Water Conservation District.
- (6) Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.

Any violation of this policy may subject the employee to disciplinary action up to and including dismissal.

Gifts and Favors

An employee will not accept any gift or gratuity, whether in the form of service, loan, thing of value, or promise from any person, business concern, or organization who is interested directly or indirectly in business dealings with the Town. These limitations are not intended to prohibit the acceptance of articles of nominal value which are distributed generally, nor to prohibit employees from obtaining personal loans from regular lending institutions.

An employee will not grant, in the discharge of his official duties, any improper favor, service, or thing of value.

Meal and Rest Breaks

Employees are entitled to a 30-minute unpaid meal break each day. If a nonexempt employee is required to work through a meal break, he or she will be paid for the 30-minute period.

Employees are also entitled to two 15-minute rest periods each day. Meal and rest breaks will be scheduled by the department manager.

Pay Information

The Town of Waynesville's pay period for all employees is bi-weekly on Thursday. If pay day falls on a federal holiday, employees will receive their paycheck on the preceding workday, when possible. Pay is directly deposited into the employee's checking or savings account as set up during the onboarding process. The only exception is the first check following employment may be in the form of a check to allow for proper direct deposit routing to be confirmed by the Finance Department.

Personnel Files

Employee files are maintained by the Human Resources department and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis. Personnel file access by current employees and former employees upon request will generally be permitted within 3 days of the request unless otherwise required under state law. Personnel files are to be reviewed in the Human Resources department. Employee files may not be taken outside the department. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information. Employees requiring photocopies of their personnel file must make such a request in writing and pay the Town's established printing costs. The Human Resources office will comply to appropriate requests within seven (7) working days from receipt of the request.

Personnel Files as a Public Record

As required by North Carolina General Statute 160A-168, Privacy of Employee Personnel Records, any person may have access to the information listed in the above section for the purpose of inspection, examination, and copying, during the regular business hours.

The following information with respect to each Town employee is a matter of public record:

1. Name.
2. Age.
3. Date of original employment or appointment to the service.
4. The terms of any contract by which the employee is employed whether written or oral,

past and current, to the extent that the city has the written contract or a record of the oral contract in its possession.

5. Current position.
6. Title.
7. Current salary.
8. Date and amount of each increase or decrease in salary with that municipality.
9. Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that municipality.
10. Date and general description of the reasons for each promotion with that municipality.
11. Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal.
12. The office to which the employee is currently assigned.

Confidential Personnel File Information

All information contained in a Town employee's personnel file, other than the information listed above will be maintained as confidential in accordance with the requirement of G.S. 160A-168 and will be open to public inspection only in the following instances:

The employee or his duly authorized agent may examine all portions of his personnel file except:

- (a) Letters of reference solicited prior to employment, and information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient. A licensed physician designated in writing by the employee may examine the employee's medical record.
- (b) A Town employee having supervisory authority over the employee may access employee's personnel file for information listed above, if job related; excludes medical and psychological records which are maintained under strict confidentiality separate from the personnel records.
- (c) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file.
- (d) An official of any agency of the state or federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such information is deemed by the Town Manager to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information will be divulged for the purpose of assisting in a criminal prosecution of the employee or for the purpose of assisting in an investigation of the employees tax liability.
- (e) An employee may request a written release, to be placed with his personnel file that permits the person with custody of the file to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.
- (f) The Town Manager may inform any person of the employment, or non-employment, promotion, demotion, suspension, or other disciplinary action, reinstatement, transfer, or termination of a Town employee and the reasons for that personnel action. Before releasing the information, the Town Manager will determine in writing that the release is

essential to maintaining public confidence in the administration of Town services or to maintain the level and quality of Town services. This written determination will be retained in the Human Resources Department and is a record available for public inspection and will become part of the employee's personnel file.

- (g) Each individual requesting access to confidential information will be required to submit satisfactory proof of identity.
- (h) A record will be made of each disclosure and placed in the employee's file (except disclosures to the employee and the supervisor).

Records of Former Employees

The provisions for access to records apply to former employees as they apply to present employees.

Remedies of Employees Objecting to Material in File

An employee who objects to material in his file may place in his file a statement relating to the material he considers to be inaccurate or misleading. The employee may seek the removal of such material in accordance with established grievance procedures.

Penalties for Permitting Access to Confidential Records

Section 160A - 168 of the General Statutes of the State of North Carolina provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee personnel file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction will be fined in an amount consistent with the General Statutes of the State of North Carolina.

Examining and/or Copying Confidential Material without Authorization

Section 160A - 168 of the General Statutes of the State of North Carolina provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who will knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file will be guilty of a misdemeanor and upon conviction will be fined consistent with the General Statutes of the State of North Carolina.

Destruction of Records Regulated

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with N.C.G.S. 121-(5), without the consent of the North Carolina Department of Cultural Resources.

Separation from Employment

In all cases of voluntary resignation (one initiated by the employee), employees are asked to provide a written notice to their supervisor at least 10 working days (two weeks) in advance of the last day of work. Holidays and/or vacation will not be counted toward the 10-day notice. Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire. For Department Directors or

Supervisors, a minimum of 30 days is requested as a notice of resignation to allow for proper succession transitioning.

Types of Separation

All separations of employees from positions in the service of the Town will be designated as one of the following types and will be accomplished in the manner indicated: resignation, reduction in force, disability, retirement, dismissal or death.

Resignation

An employee who desires to terminate his employment with the Town should give written notice to his department head two weeks prior to his last intended day of employment. Resigning department heads will give one month's notice. An employee who does not provide the required notification will have recorded on his service record that he resigned without giving proper notice. An employee who is absent from work three consecutive days without reporting to his supervisor the reason for his absence will be considered to have terminated his employment without notice, and notation to this effect will be recorded on the employee's service record.

Reduction in Force

Should it become necessary because of economic conditions to reduce the number of employees or work hours, this will be done at the discretion of the Town. The Town Manager with the approval of the Board of Aldermen has the authority to call for a reduction in force. In the event a reduction in force becomes necessary, consideration will be given to the quality of each employee's performance, as documented by current performance appraisals, organizational needs, the need for the employee's service, and seniority in determining those employees to be retained. Employees who are laid off because of reduction in force will be given at least two weeks' notice of the anticipated lay-off and will be given first opportunity to return to work should an opening become available commensurate with his skills. No regular employee will be separated while there are temporary employees serving in the same class in the department unless the regular employee is not willing to transfer to the position held by the temporary employee. Under the provisions of reduction in force, the Town Manager has the option to make changes in work time and/or workload to accomplish the reduction.

Reinstatement (Amended Board of Aldermen 11-10-2015; August 25, 2020)

An employee who resigns while in good standing or who is separated because of a reduction in force, may be reinstated within six months of the date of separation. An employee, who is reinstated, within six months, will be credited with previous service and previously accrued sick leave and will receive all benefits provided in accordance with this policy. The salary paid a reinstated employee will be as close as reasonably possible, given the circumstances of each employee's case, to the salary previously attained by the employee, plus any across-the-board pay increases.

Disability

An employee may be separated when the employee cannot perform the essential functions of his/her job with or without accommodations because of physical or mental impairment which substantially limits the employee's ability to perform the essential job functions.

Action may be initiated by the employee or the Town, but in all cases consideration for disability separation will be supported by medical evidence or psychological evidence as certified by a competent physician or psychologist.

Before an employee is separated for disability, a reasonable effort will be made to locate vacant positions within Town service for which the employee may be suited. The Town will comply with the Americans with Disabilities Act of 1990 (ADA) in this matter.

In most cases, Human Resources and/or the Department Director will conduct an exit meeting on or before the last day of employment to collect all Town property, and to discuss final pay. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

Retirement

Town employees participate in and are eligible to retire under the North Carolina Local Governmental Employees Retirement System (LGERS). Any employee who is planning to retire should work with the Human Resource office three months prior to the planned effective retirement date to complete necessary paperwork for LGERS. Those employees retiring from Town service will be paid up to 240 hours of vacation time not used. Employees may apply unused sick leave toward their retirement credit.

Any necessary paperwork for retirement should be completed with Human Resources at least ninety (90) days in advance to allow for proper processing by LGERS.

Death

All compensation due to an employee who dies while employed by the Town will be paid to the estate of the deceased employee. The date of death will be recorded as the separation date for computing compensation due to the estate.

Eligibility for Rehire (Amended Board of Aldermen – 11-10-2015)

Individuals who are dismissed from the Town of Waynesville for cause are ineligible for rehire with the Town of Waynesville in any capacity (permanent full-time, part-time or seasonal).

Workplace Safety

Safety

Safety is the responsibility of both the Town and all employees. It is the policy of the Town to establish a safe work environment for employees. The Town will establish a safety program including policies and procedures regarding safety practices and precautions and training in safety methods. Occupational Safety and Health Administration (OSHA) training is provided with onboarding and annually as required.

Each Town employee is responsible for following:

- (1) Developing and maintaining safe work habits.
- (2) Reporting all accidents and injuries promptly.
- (3) Pointing out dangerous practices and working conditions.
- (4) Assisting with investigations of accidents.
- (5) Taking proper care of equipment.
- (6) Wearing proper clothing, and avoiding loose sleeves, cuff, rings, bracelets and long hair around moving machinery.
- (7) Knowing the location and use of fire extinguishers, the location of fire exits and the best method for reporting a fire.

Drug-Free and Alcohol-Free Workplace

It is the policy of Town of Waynesville to maintain a drug- and alcohol-free work environment that is safe and productive for employees and others having business with the Town.

The unlawful use, possession, purchase, sale, distribution, or being under the influence of any illegal drug and/or the misuse of legal drugs while on Town or client premises or while performing services for the Town is strictly prohibited. Town of Waynesville also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, the Town of Waynesville prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the Town's reputation in the community.

To ensure compliance with this policy, substance abuse screening may be conducted in the following situations:

Pre-employment: As required by the Town for all prospective employees who receive a conditional offer of employment

For Cause: Upon reasonable suspicion that the employee is under the influence of alcohol or drugs that could affect or has adversely affected the employee's job performance.

Random: As authorized or required by federal or state law – the most common requirement is for those individuals holding a Commercial Driver's License (CDL).

Post-Accident: Following an accident involving any Town vehicle or an on-the-job injury requiring more than just first aid care. A supervisor will accompany the employee to the requisite facility for testing.

Compliance with this policy is a condition of employment. Employees who test positive or who refuse to submit to substance screening will be subject to termination. Notwithstanding any provision herein, this policy will be enforced at all times in accordance with applicable state and local law.

Any employee violating this policy is subject to discipline, up to and including termination, for the first offense.

Substance Abuse Policy

The Town has established policies and procedures related to employee substance abuse in order to ensure the safety and well-being of citizens and employees and to comply with any federal, state or other laws and regulations. The Town has resources available to assist employees with treatment options. Employees should contact Human Resources for a list of these options.

Tobacco-Free Workplace

Smoking and use of tobacco products is not allowed in Town buildings, vehicles or work areas at any time. Tobacco products include chewing tobacco, electronic smoking devices, and e-cigarettes. See Town of Waynesville Tobacco Ordinance for definitions and specific public areas where tobacco products are prohibited.

Commitment to Safety

Protecting the safety of our employees and visitors is the most important aspect of running our business.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

Workplace Violence Prevention

The Town of Waynesville is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy

covers any violent or potentially violent behavior that occurs in the workplace or at Town-sponsored functions.

All Town of Waynesville employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, manager, or the Human Resources Department. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline. Any individual engaging in violence against the Town, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

The Town of Waynesville prohibits the possession of weapons on its property at all times, including our parking lots or Town vehicles. Additionally, while on duty, employees may not carry a weapon of any type; excluding sworn law enforcement officers. Weapons include, but are not limited to, handguns, rifles, automatic weapons, and knives that can be used as weapons (excluding pocketknives, utility knives, and other instruments that are used to open packages, cut string, and for other miscellaneous tasks), martial arts paraphernalia (throwing stars, nun chucks), stun guns, and tear gas. Any employee violating this policy is subject to discipline up to and including dismissal for any offense.

The Town reserves the right to inspect all belongings of employees on its premises, including packages, briefcases, purses and handbags, gym bags, and personal vehicles on Town property. In addition, Town of Waynesville may inspect the contents of lockers, storage areas, file cabinets, desks, and workstations at any time and may remove all Town property and other items that are in violation of Town rules and policies.

In the event of an emergency, notify the appropriate emergency personnel by dialing 9 for an outside line, then dial 911 to activate the medical emergency services.

The Town of Waynesville's Safety Policy in its entirety is available in Human Resources.

Adverse Weather/Emergency Closings

Town of Waynesville will always make every attempt to be open for business in order to serve our citizens. In situations in which some employees are concerned about their safety, management may advise supervisors to notify their departments that the office is not officially closed, but anyone may choose to leave the office if he or she feels uncomfortable.

Following severe weather conditions occurring during the night, it is the responsibility of each employee to report to work as soon as possible after the normal workday begins. The employee must charge time away from work during adverse weather to vacation leave unless other specific arrangements are made with the Town Manager. The Town Manager has the authority to alter the regular business day in the event of severe weather conditions.

If the Town offices are officially closed during the course of the day to permit employees to leave early, nonexempt employees who are working on-site as of the time of the closing will be paid for a full day. If employees leave earlier than the official closing time, they will be paid only for actual hours worked, or they can take vacation time. Exempt employees will be paid for a normal full day but are expected to complete their work at another time.

General Workplace Guidelines

Attendance

All employees are expected to arrive on time, ready to work, every day they are scheduled to work.

If unable to arrive at work on time, or if an employee will be absent for an entire day, the employee must contact the supervisor as soon as possible. Voice mail and e-mail messages are not acceptable except in certain emergency circumstances. Excessive absenteeism or tardiness will result in discipline up to and including termination. Failure to show up or call in for a scheduled work shift without prior approval may result in termination. If an employee fails to report to work or call in to inform the supervisor of the absence for 3 consecutive days or more, the employee will be considered to have voluntarily resigned employment.

Job Performance

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed. Generally, formal performance reviews are conducted annually. These reviews include a written performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year. However, performance discussion may occur at any time.

Dress and Grooming

Town of Waynesville provides a casual yet professional work environment for its employees. Even though the dress code is casual, it is important to project a professional image to our customers, visitors, and coworkers. All employees are expected to dress in a manner consistent with good hygiene, safety, and good taste. Please use common sense.

Dress Code/Personal Appearance (portions Amended Board of Aldermen 05-18-03)

Much of the public image of the Town of Waynesville and its employees is based upon the impression citizens make as a result of their contact with Town employees. Appearance, as well as conduct, is a part of that initial impression.

Employees are expected to dress at all times in an acceptable and professional manner which is consistent with good business practices and the provisions of the safety policy. Employees who are issued Town uniforms by their respective departments are expected to wear uniforms at all

times, while on duty. Additionally, employees working on private property or out in the community are readily identified by wearing a Town uniform and/or ID Badge; both forms of identification allow citizens to identify employees when service is needed. Uniforms are not to be worn off-duty. All other employees are expected to dress appropriately, wearing clothes that are neat, clean and well-arranged in appearance.

While not all inclusive, unacceptable or inappropriate work attire would be: short shorts; low rise jeans, hip hugger jeans; T-shirts bearing writing and/or logos (other than the Town of Waynesville logo) and short wasted T-shirts; halter, tank, tube and spaghetti strap tops worn without a sweater or jacket and; any low cut clothing that expose or reveal personal body parts, i.e. midriff area.

(1) Hygiene: All employees shall be aware that appropriate hygiene and undergarments (underwear and bras) are required at all times. Hair should be clean and appropriately kept. Beards and mustaches should be kept clean and neatly trimmed. Clothing and shoes should be clean and neatly worn (absent of holes). Grooming accessories including perfumes, colognes or sprays should be applied as to not affect other employees who may have allergies or sensitivities to scent.

(2) Jewelry and body art: Visible tattoos may be required to be covered at director or department manager discretion, if the tattoos is offensive in its general nature or presentation. No tongue rings, brow rings, facial piercings, or visible belly-button rings will be allowed. Individuals in safety sensitive areas with ear piercings should wear a clear stud or no earring while on duty. Conventional dress generally allows for pierced ears; however, earrings should be conservative and in good taste.

(3) Religious accommodations may be made for some form of body jewelry or piercings but will be discussed with department management and human resources should a religious accommodation be requested by the employee.

Department heads will be responsible for assuring that dress code guidelines set forth in this policy are followed, as well as they may further define dress codes for administrative and office personnel, should the need arise. Employees that are deemed to be in violation of this policy will be subject to appropriate disciplinary measures, as well as being sent home without pay to change into appropriate professional attire.

Uniforms are issued to employees in certain departments with the understanding that upon receipt, they are the property of the Town. If uniforms are damaged as a result of neglect or abuse, individuals will be required to replace them at their own expense. The Town will replace uniforms damaged as a result of job requirements or performance. Damaged uniforms should be reported immediately to employee's supervisor. Employees leaving Town employment must turn in all uniforms and/or any Town property acquired. Items not returned will be deducted from employee's final paycheck.

Outside Employment

Employees are permitted to work a second job as long as it does not interfere with their job performance with Town of Waynesville. Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours.

A Dual Employment Form should be completed and filed in the employee's personnel file to ensure that there is no conflict of interest or access to information for other employees that may be considered confidential.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action, up to and including termination.

Social Media

The Town of Waynesville encourages employees to share information with co-workers and with those outside the Town for the purposes of gathering information, generating new ideas, and learning from the work of others. Social media provide inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, the Town has established the following guidelines for employee participation in social media.

Note: As used in this policy, "social media" refers to blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Instagram, and Snap Chat, among others.

On-duty use of social media

Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify or reference Town clients, customers, or vendors without express permission. The Town monitors employee use of Town computers and the Internet, including employee blogging and social networking activity. There are four approved social media accounts for on-duty use – one for Administration, Fire Department, Police Department and Recreation Department. Individuals appearing on these approved sites may have identifying Town of Waynesville uniforms, logos or other identifiers in images posted here.

Off-duty use of social media

Employees may maintain personal websites or weblogs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the Town considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas; however, no individual shall be appearing on social media in any identifying uniform, badge or other item identifying them as a Town of Waynesville employee.

Social Media Expectations

Respect. Demonstrate respect for the dignity of the Town, its owners, its customers, its vendors, and its employees. A social media site is a public place, and employees should avoid inappropriate comments. For example, employees should not divulge Town of Waynesville confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites. Similarly, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

Post disclaimers. If an employee identifies himself or herself as a Town employee or discusses matters related to the Town on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of the Town and that the employee is expressing only his or her personal views. For example: “The views expressed on this website/Weblog are mine alone and do not necessarily reflect the views of my employer.” Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to the Town or the Town’s business. Employees must keep in mind that if they post information on a social media site that is in violation of Town policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

Competition. Employees should not use a social media to criticize the Town’s competition and should not use it to compete with the Town.

Confidentiality. Do not identify or reference Town clients, customers, or vendors without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy. When in doubt, ask before publishing.

Violations of this policy may result in discipline up to and including immediate termination of employment.

Note: Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits.

Solicitation

Employees should be able to work in an environment that is free from unnecessary annoyances and interference with their work. In order to protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on “working time.” “Working time” is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after his or her shift. Employees are also prohibited from distributing written materials, handbills, or any other type of literature on working time and, at all times, in “working areas,” which includes all office areas. “Working areas” do not include break rooms, parking lots, or common areas shared by employees during nonworking time.

Nonemployees may not trespass or solicit or distribute materials anywhere on Town property at any time.

Computers, Internet, Email, and Other Resources

The Town provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, or any other Town-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Employees should not have any expectation of privacy in their use of Town computer, phone, or other communication tools. All communications made using Town-provided equipment or services including email and internet activity, are subject to inspection by the Town. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on the Town's systems.

Employee use of Town-provided communication systems, including personal e-mail and internet use, that are not job-related have the potential to drain, rather than enhance, productivity and system performance. You should also be aware that information transmitted through e-mail and the internet is not completely secure or may contain viruses or malware, and information you transmit and receive could damage the Town's systems as well as the reputation and/or competitiveness of the Town. To protect against possible problems, delete any e-mail messages prior to opening that are received from unknown senders and advertisers. It also is against Town policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on Town computers. Violations of this policy may result in termination for a first offense.

The Town encourages employees to use e-mail only to communicate with fellow employees, suppliers, customers, or potential customers regarding Town business. Internal and external e-mails are considered business records and may be subject to federal and state recordkeeping requirements as well as to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the Town.

All use of Town-provided communications systems, including e-mail and internet use, should conform to our Town guidelines/policies, including but not limited to the Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest. So, for example, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Similarly, employees should not divulge confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites.

Because e-mail, telephone and voice mail, and internet communication equipment are provided for Town business purposes and are critical to the Town's success, your communications may be accessed without further notice by Information Technology department administrators and Town management to ensure compliance with this guideline.

The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means.

Office telephones are for business purposes. While the Town recognizes that some personal calls are necessary, these should be kept as brief as possible and to a minimum. Personal use of the Town's cell phones, long-distance account, or toll-free numbers is strictly prohibited. Abuse of these privileges is subject to corrective action up to and including termination.

The Town reserves the right to monitor customer calls to ensure employees abide by Town quality guidelines and provide appropriate levels of customer service. Employees working in sales and customer service will be subject to telephone monitoring and e-mail. [move to above] Should the subject matter of any telephone conversation become personal while monitoring is taking place, monitoring of the call will immediately be discontinued.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment as protected under the National Labor Relations Act. Employees have the right to engage in or refrain from such activities.

Disciplinary Procedures

The Town expects employees to comply with the Town's standards of behavior and performance and to correct any noncompliance with these standards.

Disciplinary Actions for Failure in Performance of Duties

An employee whose work is unsatisfactory over a period of time will be notified in writing by the employee's immediate supervisor in what way the employee's work is deficient and what must be done if the work is to become satisfactory. Unsatisfactory work performance includes aspects of the employee's job which do not meet the standards set by the supervisor.

Disciplinary Actions for Failure in Personal Conduct

An employee may be suspended or dismissed without prior notice by the Department Head or Town Manager for causes relating to personal conduct detrimental to service with the Town in order to avoid undue disruption of work, to protect the safety of person or property, or for other serious reasons.

Inappropriate personal conduct such as insubordination, reporting to work under the influence of alcohol or illegal drugs, or conduct that threatens the health and safety of persons or property or any other disruptive behavior the Department Head, or Town Manager deems unbecoming the Town are examples, but are not an inclusive list of reasons for immediate suspension or dismissal.

Progressive Steps of Discipline

Under normal circumstances, the Town endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees-at-will or in any way restrict the Town's right to bypass the disciplinary procedures suggested.

The following steps are suggested in the discipline procedure. All steps should be documented in the employee's personnel file.

Step 1: Informal Discussion. When a performance problem is first identified, the nature of the problem and the action necessary to correct it should be thoroughly discussed with the employee.

Step 2: Counseling. If a private informal discussion with the employee has not resulted in corrective action, following a thorough investigation, the supervisor should meet with the employee and (a) review the problem, (b) permit the employee to present his or her views on the problem, (c) advise the employee that the problem must be corrected, (d) inform the employee that failure to correct the problem will result in further disciplinary action which may include discharge, and (e) issue a written counseling notice to the employee.

Step 3: Reprimand. If satisfactory performance and corrective action are not achieved under Steps 1 and 2, the supervisor and his or her superior should meet with the employee in private and proceed via (a) through (d) above and issue a written reprimand notice to the employee.

Step 4: Suspension. Supervisors have the authority to temporarily remove employees from the workplace, with or without pay, if approved in advance by the department director and/or Town Manager. An exempt employee generally may not be suspended without pay for less than a full day, and the suspension must be related to written workplace conduct rules applicable to all employees, e.g., such as a written policy prohibiting sexual harassment or workplace violence.

Step 5: Failure to improve. Failure to improve performance or behavior after the written warning or suspension will result in termination.

In cases involving serious misconduct, or any time the supervisor determines it is necessary, such as a major breach of policy or violation of law, the procedures contained above may be disregarded. Typically, the supervisor should suspend the employee immediately (with or without pay) and an investigation of the incidents leading up to the suspension should be conducted to determine if any further action, such as termination, should be taken.

Dismissal of Employee

If all efforts have failed to improve the performance of the employee, the following steps should be taken to dismiss an employee:

1. A written summary of the case will be prepared by the Department Head along with a decision for the action to be taken;

2. A pre-dismissal conference will be held between the Department Head and the employee for the purpose of presenting the employee with the specific reason(s) for the dismissal. The employee will have the right to respond at the pre-dismissal conference.
3. The Department Head will notify the employee of the action taken and will provide the employee with a written copy of the decision. Such written notice will include an indication of the employee's right to an appeal. A copy of the action will be placed in the employee's file.

Right of Appeal

An employee may appeal disciplinary action taken against him through the Town's grievance procedure as described on page 50 of this manual.

Time Off and Leaves of Absence

Holidays

The Town observes and allows time off with pay for the following holidays:

- New Year's Day
- Martin Luther King Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Workday directly before or after Christmas (depending on day of the week for Christmas)
- Christmas

The Town follows the North Carolina State Holiday schedule.

If one of these holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, the Town will select either the following Monday or the preceding Friday as a substitute holiday. The Town reserves the right to pay eligible employees in lieu of time off if the holiday falls on Saturday.

Holiday Pay

Full-time regular employees are eligible for holiday pay. Part-time and temporary employees, including summer employees, are not eligible for holiday pay.

Holiday pay shall be at the employee's regular straight-time rate, inclusive of shift premiums, times his regularly scheduled hours (not to exceed 8 hours).

A holiday shall be considered as 8 hours worked for the purpose of computing overtime; with the exception of police and fire employees whose holiday pay is based on their shift hours.

To receive holiday pay, an employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid sick leave. If an employee is absent on one or both of these days because of an illness or injury, the Town may require verification of the reason for the absence before approving holiday pay.

Religious Observances

Employees who need time off to observe religious practices or holidays not already scheduled by the Town should speak with their supervisor. Depending upon the Town's needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. Employees may also be able to switch a scheduled day with another employee, or take vacation time, or take off unpaid days. The Town will seek to reasonably accommodate individuals' religious observances.

Vacation Leave

Town of Waynesville recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The Town provides paid vacation time to full-time employees for this purpose and employees are encouraged to take vacation during the year.

Vacation Leave - Accumulation (Amended Board of Aldermen 08-01-2016)

Full-time employees will accrue paid vacation according to the following schedule (annual totals should be rounded to the nearest whole day):

Length of Service	Hours Earned Each Month	Days earned each month	Days Earned Each Year
0-5 years	6.67	.83	10
5-10 years	8.00	1.00	12
10- 15 years	10.00	1.25	15
15-20 years	11.33	1.41	17
20+ years	13.33	1.67	20

Vacation leave may accumulate to a maximum of thirty (30) days. When the maximum has been accumulated, all additional leave over thirty (30) days must be taken by December 31st. On January 1st the accumulated leave balance will be reduced back to the thirty (30) day maximum.

Vacation days reduced in excess of 30 days on January 1, will be transferred to the employee's accrued sick leave benefits. Time taken off by employees using approved leave with pay, or receiving workers compensation benefits, will be counted as time worked for the purpose of earning vacation leave.

Probationary employees will accrue vacation leave but are not entitled to take such leave until completion of the probationary period.

Newly hired employees will receive credit for years of service in calculating annual leave for total years served in any unit of government which participates in NCLGERS. For example: if an individual has served for 10 years with another unit and transfers to Waynesville, they would accrue annual leave based on their 10 years of service, rather than that of an employee with no NCLGERS service (i.e. 10 hours per month rather than 6.67). An individual who has a break in service longer than six (6) months is ineligible to accrue at a rate different from a newly hired employee.

An employee that has at least one (1) year of service may request for an advancement in vacation leave to a maximum of 40 hours with the approval of the Town Manager. Approval or denial is at the Town Manager's discretion.

Vacation Leave - Use and Reporting

Vacation leave may be taken as earned by the employee, subject to the approval of the department head, except in the case of a probationary employee. Probationary employees may earn but may not take vacation leave during their six-month probationary period.

All requests for vacation leave must be approved, in writing, in advance, by the department head. Minimum vacation leave that can be taken is in one-half day increments or four (4) hours.

An employee will not be permitted to work for the Town at the same time he is on vacation leave. Under no circumstances will an employee be paid for accumulated or unused vacation leave while still in the employment of the Town.

Transfer of Vacation Leave to Another Employee

Vacation time can be transferred to fellow employees under certain conditions on a voluntary basis, when a deserving employee is threatened with loss of income due to extended illness or a family crisis. Transfer of time will require approval by the employee's supervisor and must be reviewed by the Town Manager and Human Resource office.

No employee may transfer more than one-half of their time to a deserving employee. Time transferred/donated will be converted from the donating employee's dollar value to the receiving employee's dollar value in hours. This is a voluntary program in which no employee will coerce any employee to donate vacation time. Confidentiality between donor and recipient will be maintained.

Vacation Leave - Payment of Leave Upon Termination of Employment

Upon termination of employment with the Town for whatever reason, an employee must have worked through the last day of the month of termination to earn vacation leave for that month.

At the time of an employee's separation, any advanced vacation leave owed the Town will be deducted from the employee's final compensation.

Upon submission of a resignation, an employee will be eligible to be paid for vacation leave accumulated to the date of separation, not to exceed the maximum thirty (30) days or 240 hours.

Vacation Leave - Payment of Vacation Leave Upon Death

The estate of an employee who dies while employed by the Town will be entitled to payment of all of the accumulated vacation leave credited to the employee's account, not to exceed thirty (30) days or 240 hours.

Sick Leave

Sick days are not intended to be used as a substitute for vacation days, but sick days may be used if an employee needs to provide care for a family member who is ill. Sick days may also be used if an employee needs time off for scheduled medical procedures.

Sick leave with pay is a privilege granted by the Town for the benefit of an employee when sick or when tending to an immediate family member who is sick. "Immediate family member" will be defined as a spouse, parent, child, stepparent, brother, sister, grand parent, grandchild, daughter-in-law, son-in-law, mother-in-law, or father-in-law of the employee or legal guardian. As well as various combinations of half-brothers/sisters and legally adopted relationships that can be derived from the family members named herein. Sick leave is also available when an employee has been exposed to a contagious disease when continuing to work could jeopardize the health of others.

Temporary/part-time employees are not entitled to earn sick leave. Temporary employees must take leave without pay for days missed due to sickness.

Sick Leave – Accumulation (Amended Board of Aldermen 06-23-2015)

Each regular and probationary employee will earn sick leave at the rate of eight (8) hours per month. Employees hired on or before the 15th of the month earn one-half day sick leave for that month and those hired after the 15th of the month begin earning sick leave on the first of the following month. Permanent part-time employees will accrue sick leave benefits on a pro-rated schedule, based on hours worked.

Time taken off by employees using approved leave, or time off under workers compensation, will be counted as time worked for the purpose of sick leave accumulation.

There is no maximum accumulation for sick leave. Unused sick leave may be applied toward retirement credit, at the rate of one month of credit for every twenty (20) days of unused sick leave, under the rules of the North Carolina Local Governmental Employees Retirement System (NCLGERS).

Newly hired employees who are transferring from another unit of local or state government may transfer Unused Sick Leave if their former unit participated in the NCLGERS and proper documentation is provided from the previous employer.

Sick Leave - Use and Reporting

Sick leave must be charged as used. All employees will be eligible to use sick leave as soon as it is earned. Minimum sick leave that can be taken is one-half day or four (4) hours. Employees are required to notify their supervisors as soon as possible, but no later than two hours after the beginning of their regular workday, if they are unable to report to work due to illness.

Sick Leave - Physician's Certification

For all absences due to illness extending beyond three (3) days, a physician's certificate providing proof the employee was unable to work due to illness or injury is required before returning to work. A physician's certification regarding an employee's ability to return to work after an illness or injury may also be required. The Human Resources office and/or department head has the authority to request the certification. The Town Manager, at his discretion, may require a doctor's statement for any sick leave taken.

Failure of an employee to provide requested proof will constitute a reason for nonpayment of the days taken. Such action may also be construed as grounds for further disciplinary action.

Sick- Leave - Payment upon Separation

All sick leave accumulated by an employee will end and terminate without compensation when the employee resigns or is separated from the Town, except as stated for employees retiring or terminated due to reduction in force.

Transfer of Accrued Sick Leave to Another Employee

Sick leave benefits may be transferred to fellow employees under certain conditions on a voluntary basis, when a deserving employee is threatened with loss of income due to extended illness or family crisis. Transfer of time will require approval by the employee's supervisor and must be reviewed by the Town Manager and Human Resource office. No employee may transfer more than one-half of their time to a deserving employee.

Time transferred/donated will be converted from the donating employee's dollar value to the receiving employee's value in hours. This is a voluntary program in which no employee will coerce any employee to donate sick leave time. Confidentiality between donor and recipient will be maintained.

Family and Medical Leave

Town of Waynesville complies with the federal Family and Medical Leave Act (FMLA), which requires employers to grant unpaid leaves of absence to qualified workers for certain medical and family-related reasons. The Town also abides by any state and local leave laws. The more generous of the laws will apply to the employee if the employee is eligible under both federal and state laws.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Contact the Human Resources department to discuss options for leave.

The FMLA requires private employers with 50 or more employees and all public agencies, including state, local, and federal employers, and local education agencies (schools), to provide eligible employees up to 12 weeks of unpaid, job-protected leave in any 12-month period for certain family and medical reasons. The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave, except for leaves to care for a covered servicemember with a serious illness or injury. For those leaves, the leave entitlement is 26 weeks in a single 12-month period, measured forward from the date an employee first takes that type of leave.

Basic Leave Entitlement. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons: (1) for incapacity due to pregnancy, prenatal medical care, or child birth; (2) to care for the employee's child after birth or placement for adoption or foster care; (3) to care for the employee's spouse, son or daughter, or parent who has a serious health condition; or (4) for a serious health condition that makes the employee unable to work.

Military Family Leave Entitlements. Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include addressing issues that arise from (1) short notice of deployment (limited to up to seven days of leave); (2) attending certain military events and related activity; (3) arranging childcare and school activities; (4) addressing certain financial and legal arrangements; (5) attending certain counseling sessions; (6) spending time with covered military family members on short-term temporary rest and recuperation leave (limited to up to five days of leave); (7) attending post-deployment reintegration briefings; (8) arranging care for or providing care to a parent who is incapable of self-care; and (9) any additional activities agreed upon by the employer and employee that arise out of the military member's active duty or call to active duty.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties and

for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections During FMLA Leave. During FMLA leave, the Town will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. However, an employee on FMLA leave does not have any greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Certain highly compensated key employees also may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the Town's operations. A "key" employee is an eligible salaried employee who is among the highest paid ten percent of the Town's employees within 75 miles of the worksite. Employees will be notified of their status as a key employee, when applicable, after they request FMLA leave.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employee Eligibility. The FMLA defines eligible employees as employees who: (1) have worked for the Town for at least 12 months; (2) have worked for the Town for at least 1,250 hours in the previous 12 months; and (3) work at or report to a worksite which has 50 or more employees or is within 75 miles of Town worksites that taken together have a total of 50 or more employees.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school, work, or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies also may be taken on an intermittent or reduced work schedule basis.

Substitution of Paid Leave for Unpaid Leave. Employees may choose or employers may require the use of accrued paid leave while taking FMLA leave. Accordingly, the Town requires employees to use any accrued paid vacation, personal, and sick days during an unpaid FMLA

leave taken because of the employee's own serious health condition or the serious health condition of a family member or to care for a seriously ill or injured family member in the military. In addition, the employee must use any accrued paid vacation or personal days (but not sick days) during FMLA leave taken to care for a newborn or newly placed child or for a qualifying exigency arising out of a family member's active duty or call to active duty status in support of a contingency operation. In order to use paid leave for FMLA leave, employees must comply with the Town's normal paid leave procedures found in its Vacation and Sick Leave policies.

Employee Responsibilities. Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Town's normal call-in procedures. The Town may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave, absent unusual circumstances preventing the notice.

Employees must provide sufficient information for the Town to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Town if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also are required to provide a certification and periodic recertification supporting the need for leave. The Town also may require a second, and if necessary, a third opinion (at the Town's expense) and, when the leave is a result of the employee's own serious health condition, a fitness for duty report to return to work. The Town also may delay or deny approval of leave for lack of proper medical certification.

Town Responsibilities. The Town will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If employees are not eligible, the Town will provide a reason for the ineligibility.

The Town will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's FMLA leave entitlement. If the Town determines that the leave is not FMLA-protected, the Town will notify the employee.

Other Provisions. Under an exception to the Fair Labor Standards Act (FLSA) in the FMLA regulations, hourly amounts may be deducted for unpaid leave from the salary of executive, administrative, and professional employees; outside sales representatives; certain highly-skilled computer professionals; and certain highly compensated employees who are exempt from the minimum wage and overtime requirements of the FLSA, without affecting the employee's exempt status. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of FMLA leave.

Employees may not perform work for self-employment or for any other employer during an approved leave of absence, except when the leave is for military or public service or when the

Town has approved the employment under its Outside Employment policy and the employee's reason for FMLA leave does not preclude the outside employment.

Unlawful Acts by Employers. The FMLA makes it unlawful for any employer (1) to interfere with, restrain, or deny the exercise of any right provided under the FMLA; or (2) to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

Military Leave

Town of Waynesville supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. Any employee who needs time off for uniformed service should immediately notify the Human Resources department and his or her supervisor, who will provide details regarding the leave. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible.

Upon return from military leave, employees will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

All employees who enter military service may accumulate a total absence of 5 years and still retain employment rights.

Bereavement Leave

Employees with more than 3 months' service may take up to 3 days of paid bereavement leave upon the death of a member of their immediate family. "Immediate family members" are defined as an employee's spouse, domestic partner, parents, stepparents, siblings, children, stepchildren, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild. All regular, full-time employees may take up to one (1) day off with pay to attend the funeral of an extended family member (aunts, uncles, and cousins).

The Town may require verification of the need for the leave. The employee's supervisor and Human Resources will consider this time off on a case-by-case basis.

Payment for bereavement leave is computed at the regular hourly rate to a maximum of 8 hours for 1 day. Time off granted in accordance with this policy shall not be credited as time worked for the purpose of computing overtime.

Jury Duty/Court Appearance

The Town supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

Nonexempt employees will be paid for up to 2 weeks of jury duty service at their regular rate of pay minus any compensation received from the court for the period of service. Exempt employees are subject to the same 2-week limitation except that they will also receive pay for any days they serve as a juror or witness in a workweek in which they actually perform work. All employees may use any accrued time off if required to serve more than 2 weeks on a jury. If an employee is released from jury duty after 4 hours or less of service, he or she must report to work for the remainder of that workday.

Time for appearance in court for personal business will be the individual employee's responsibility. Vacation hours will be used for this purpose.

Time Off for Voting

Town of Waynesville recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason you think this won't be the case, contact your supervisor to discuss scheduling accommodations.

Employee Benefits

Town of Waynesville recognizes the value of benefits to employees and their families. The Town supports employees by offering a comprehensive and competitive benefits program. For more information regarding benefit programs, please refer to the Town Summary Plan Descriptions (SPD), or contact the Human Resources department. To the extent of the information provided here conflicts with the SPD or full plan document, the full plan document will control.

The Employee Benefits Program Guide is updated each year and employees are provided a copy at the time of onboarding or open enrollment. Copies may be obtained at any time from Human Resources. The Town reserves the right to re-evaluate healthcare benefits and to make changes in coverage and rates at its discretion without prior notice to employees.

Group Health Insurance for Active Employees (Amended by Board of Aldermen 02-10-2015)

Medical coverage will be made available to all regular full-time employees and their eligible dependents. Medical coverage is generally provided at no cost for the employee, although employees may be charged a premium for coverage of certain lifestyle risks, or voluntary participation in certain health-related programs and activities.

Dependent coverage is provided at a cost to employees. Employees with working spouses whose employers offer group health coverage must elect medical coverage through their employer and are therefore ineligible to participate in the Town's health plan. Non-working spouses can be covered as eligible dependents and are subject to the Town's fee structure plan for dependents.

Medical coverage will be effective on the first day of the month, following thirty (30) days of consecutive employment.

The Town will comply with all federal, state or other regulations including but not limited to the Health Insurance Portability and Accountability Act of 1996, (HIPAA) regarding protected health information and other requirements and the Affordable Care Act (ACA) of 2014.

Group Health Insurance for Retirees (Amended by Board of Aldermen 02-10-2015)

Retirees must meet the NC Local Governmental Employees Retirement System or the NC Law Enforcement Officers Retirement System's eligibility guidelines for retirement.

- 1) A Retiree who has achieved at least ten (10) or more consecutive years of service with the Town, not including any accumulated sick or vacation time, and has reached 55 years of age, will receive health insurance coverage, at no cost to the retiree, until the retiree reaches Medicare eligibility through age or disability.
- 2) A Retiree of any age, who has achieved thirty (30) or more years of creditable service under the N. C. Local Governmental Employees Retirement System or the N.C. Law Enforcement Officers Retirement system, with at least half of that time (15 or more years) having been in active service with the Town of Waynesville, will receive health insurance

coverage, at no cost to the retiree, from the date of separation from the Town of Waynesville, regardless of age at the time of separation, until the retiree becomes Medicare eligible through age or disability.

The Town reserves the right to change benefits at its discretion without prior notice to retirees.

Eligible Retiree Dependents (Amended by the Board of Aldermen on 10-07-98)

Retirees may obtain coverage for eligible dependents from the Town by paying the full premium for dependents as established by the insurance carrier. Employees who retire under conditions set forth in Subsection 1 or 2 above, may purchase coverage for their spouse, at their own expense, until the retiree's coverage terminates, then spouse would be eligible for medical coverage based on COBRA guidelines.

The coverage option in place on the day immediately prior to retirement is the coverage that is available to continue unless there is a qualifying event, or a change is made during the annual open enrollment period.

When the retiree reaches the age of 65 and the Town's regular health insurance coverage terminates. The spouse/dependents would be eligible for medical coverage based on COBRA guidelines.

Group Dental Insurance for Active Employees

Dental coverage will be made available to all regular full-time and permanent part-time employees and their eligible dependents. Dental coverage for all employees will become effective on the first day of the month following 30 (thirty) days of continuous employment. Coverage for eligible employees is paid by the Town, dependent coverage is provided at the group rate.

Group Dental Insurance for Retirees

Dental benefits are not available to retirees as a paid benefit; however, dental benefits may be purchased by retirees at a rate determined by the Human Resource and Finance offices. Dependents may retain dental continue coverage as outlined for group health coverage for retirees above and will be billed via a third party.

Group Life Insurance for Active Employees (Amended by the Board of Aldermen 06-23-2015)

The Town will provide fully paid life insurance for full-time regular employees. Coverage amounts will be equal to one (1) times the annual salary of the employee with a minimum of \$25,000 and a maximum of \$100,000. Coverage will be effective on the first day of the month following 30 (thirty) days of continuous employment. Dependent coverage is optional at the employee's cost.

Retirement Plan (Amended by Board of Aldermen 06-23-2015)

All regular, full-time positions that are budgeted as permanent positions for a minimum of 1,000 hours per year are required to enroll in the North Carolina Local Governmental Employees Retirement System. The Town contributes to this tax-sheltered plan in addition to the six (6%)

percent payroll deduction from employees. The Town will pay the employer's portion and deduct the employee's portion from his paycheck each pay period.

Specific information on the retirement plan is available during employee onboarding. Additional information may also be obtained from the Human Resource office.

The North Carolina Local Governmental Employees Retirement System has online resources available by visiting the North Carolina Local Governmental Employees Retirement System - <https://orbit.myncretirement.com/> or other information available to all Town employees from the Human Resources office.

401(k) Plan

Town of Waynesville recognizes the importance of saving for retirement and offers eligible employees a 401(k) plan. Employer will contribute 5% of gross earnings into the Town-sponsored 401(k) account effective from first day of employment. Employees may also contribute to the 401(k) account from date of hire.

Eligibility, vesting, and all other matters relating to these plans are explained in the SPD that can be obtained from Human Resources.

Law Enforcement Officers Separation Allowance (LEOSA): Supplemental Retirement Income Plan

The Town will provide a special separation allowance to qualified officers who retire early and meet all of the following qualifications:

- 1) The officer must have completed 30 years or more of creditable service or have attained 55 years of age and have completed 5 or more years of creditable service;
- 2) The officer must not yet be age 62; and
- 3) The officer must have completed at least 5 years of continuous service as a law enforcement officer immediately before service retirement.

Payment of the separation allowance will cease if the officer 1) reaches age 62; 2) dies; or 3) is re-employed in any capacity by the State of North Carolina or any of its political sub-divisions. All law enforcement officers automatically become members of the State Supplemental Retirement Income Plan on the date of hire.

Training and Educational Incentives

The Town recognizes the need to encourage its employees to acquire job-related training and to further their education through accredited programs and institutions. Therefore, with the prior approval of the department head and authorization from the Town Manager, the Town will provide reimbursement for expenses incurred in completing job-related training sessions, seminars, or workshops which relate directly to the employee's duties and responsibilities with the Town.

Reimbursement for expenses will include registration fees, books, meals, transportation costs, reimbursement for use of private vehicle at the prevailing IRS rate and lodging expenses, which must be documented by receipts. Claims for reimbursement of expenses must be approved by the department head before submission to the finance officer for approval. All claims for reimbursement are subject to budget appropriation and should receive approval in advance of taking the training. The total annual reimbursement cannot exceed \$2,000 without written approval by the Town Manager.

Career Track Progression also includes training and educational components specific to individual positions and job classifications and would be considered for reimbursement providing the individual can prove the relationship to the career track.

Workers' Compensation

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment. Town of Waynesville pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

The Town abides by all applicable state workers' compensation laws and regulations. If an employee sustains a job-related injury or illness, it is important to notify the supervisor and Human Resources immediately. The supervisor will complete an injury report with input from the employee and return the form to the Human Resources department. Human Resources will file the claim with the insurance Town. In cases of true medical emergencies, report to the nearest emergency room.

Workers' compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not be paid vacation or sick leave for approved absences covered by the Town's workers' compensation program, except to supplement the workers' compensation benefits such as when the plan only covers a portion of the employee's salary as allowed by state law.

Travel

It is the policy of the Town to reimburse its employees for out-of-town travel and transportation expenses directly related to official business of the Town. All travel costs will be paid directly to the individual incurring the expense.

This policy is intended to address out-of-pocket expenses for employees and Aldermen on official Town business. It is not intended to replace travel allowances given to employees as a condition of employment who are required to provide a vehicle in their work. The Town Manager is responsible for determining if additional reimbursement of travel expenses is appropriate.

Prior Approval for Travel

The Town recognizes the need for flexibility in obtaining approval for travel. It is the Town Manager's responsibility to determine if travel is necessary and reasonable and to set standards for approval. All travel out-of-state and travel requiring an overnight stay will be approved in advance by the Town Manager. It is always the responsibility of the department head to ensure that a sufficient unexpended appropriation remains to cover all travel expenses.

Eligible Transportation Expenses

Transportation expenses that are ordinary and necessary while conducting official business for the Town are eligible. Eligible transportation expenses include the cost of travel by air, rail, bus, taxi, and personal auto. All transportation by commercial carrier must be less than first class unless such rates are not available and no other travel options are available.

Whenever possible Town vehicles should be used for auto travel. In the event a Town vehicle is not available, personal auto may be used with prior approval from the Town Manager.

Reimbursement for use of an employee's personal auto is allowable at the prevailing rate allowed by the Internal Revenue Service for business mileage. Generally, reimbursement for the use of an employee's private auto is limited to travel incurred in the general area or within the state.

Occasionally, either for personal preference or for the benefit of the Town, an employee may take his personal auto for out-of-town travel when transportation by other means would be more economical. In those cases, reimbursement will be limited to the governmental mileage rate or an equivalent air fare, whichever is less.

Other transportation expenses that are allowable are:

- Taxi fares or other costs of transportation between the airport or station and employee's hotel or from one place of business to another. Taxi fares are also allowable between the hotel and temporary work assignment.
- Baggage charges.
- Reasonable tips that are incidental to any of the above transportation expenses.

Eligible Travel Expenses

Expenses for lodging and other expenses incurred while traveling away from home and related to official duties, are eligible for reimbursement if reasonable and supported by receipts. Travel items eligible for reimbursement are as follows:

- Meals served as part of a convention or conference will be reimbursed at actual cost. Required night meetings and dinner meetings will also be reimbursed if supported by receipts.

- Actual cost of lodging at the single room rate if supported by receipts. Employees are encouraged to obtain governmental rates whenever possible.
- Telephone expenses that are related to official business.
- Tips associated with the costs listed above.

Expenses incurred for personal entertainment and alcoholic beverages *are not* allowable. Employee will be reimbursed for meals if reasonable and supported by receipts.

Reporting Expenses for Reimbursement

All employees authorized to travel should keep all receipts and memoranda of actual expenditures, with the exception of normal subsistence costs, from which they can prepare an official travel voucher. Receipts for lodging, transportation other than auto, tolls, parking fees, registration fees, etc. must accompany the travel voucher.

Claims for mileage reimbursement should indicate the point of departure and destination and will be computed in a manner that is most reasonable and favorable to the Town. The business purpose of each trip for which reimbursement is claimed must be clearly stated. Travel vouchers which have been approved by the department head are to be submitted sufficiently in advance for reimbursement. Reimbursement expenses are for out-of-town, official Town business only.

Travel Advance

If a travel advance is necessary to conduct official Town business, the request for such advance must be submitted to the finance officer by no later than five (5) working days prior to the time travel is anticipated. Travel advances may not exceed the estimated cost of travel and must be accounted for on the travel voucher.

Travel expenses to and from work is not eligible for reimbursement.

Grievances

A grievance is a claim or complaint by an employee based upon: (a) an event or term or condition which affects the circumstances under which an employee works, including employment practices, policies or programs or benefits; (b) involuntary termination of employment; or (c) any allegedly illegal discrimination by the Town.

The Town desires to resolve employee complaints and grievances in a fair and equitable manner. Employees whose grievances result from work situations deserve and have the right to submit grievances for orderly resolution in accordance with these procedures, with or without a representative, from interference, penalty, discrimination, coercion, recrimination, restraint, reprisal or retaliation. Employees utilizing the grievance procedures will not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this policy. The resolution of grievances promotes more effective employer-employee relationships and is in the best mutual interests of all affected parties.

Employees will be allowed such time off from their regular duties, as may be necessary and reasonable as determined by the department head or Town Manager to prepare and present a grievance.

Objective of the Town's grievance procedure is to:

- a. Assure employees of a way in which they can get their problems and complaints considered rapidly, orderly, fairly and without fear of retaliation.
- b. Encourage the employee to express himself about how conditions of work affect him as an employee.
- c. Foster better employee understanding of policies, practices and procedures.
- d. Provide employees with assurance that actions are taken in accordance with policies.
- e. Provide a check on how policies are carried out.

The provisions of this procedure will apply to all the Town's employees. The Town Manager has the authority to hire, supervise, discipline and dismiss employees.

Grievance Procedure

All grievances will be administered in the specified manner and processed within the stated time limits unless a time extension is mutually agreed upon. Failure by the employee to process a complaint within the stated time limits or agreed upon extension will constitute termination of the complaint. At each step of the grievance process where written documentation is required, the Human Resource office will receive a copy to put in the employee's permanent file. The employee filing a grievance will have the right to have a representative present at each step of the process.

Step One - Department Head

An employee with a grievance will present the matter orally or in writing to his department head within fifteen (15) working days of its occurrence with the objective of resolving the matter

informally. The department head will consult with the employee within ten (10) working days of receipt of the grievance. If the matter cannot be resolved informally, the department head will give the employee a written decision of the grievance within ten (10) working days after the meeting.

Step Two - Appeal to the Town Manager

If the response from step one is not acceptable to the employee, within ten (10) working days of the Department Head's written decision, the grievant may file a written grievance with the Town Manager. The written grievance will state concisely the basis for the complaint and if based on alleged discrimination, indicate whether the basis for the alleged discrimination was based on race, color, religion, sex, national origin, age, or disability. The Town Manager will promptly notify the employee and the department head of a date and time for a meeting which will be no later than fifteen (15) working days following receipt of the grievance by the Town Manager. Within fifteen (15) working days from the date of the meeting, the Town Manager will render a decision on the grievance. The decision of the Town Manager is final. No grievance will be accepted after separation from employment with the Town.

Exempt Employee (Supervisor) Appeal Process

In the event the immediate supervisor is the Town Manager, the appeal process is filed with the Board within fifteen (15) working days of the occurrence. The Board will consult with the employee within ten (10) working days of receipt of the grievance. Within fifteen (15) working days following the meeting between the Board and the employee, the Board will render a decision on the grievance. The decision of the Board is final.

Grievance Procedure for Discrimination

When an employee, former employee, or applicant, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, national origin, religion or disability), he or she has the right to appeal such action using the grievance procedure outlined in this Article. While such persons are encouraged to use the grievance procedure, they will also have the right to appeal directly to the Human Resource office or Town Manager. Employment actions subject to appeal because of discrimination include hiring, promotion, training, classification, pay, disciplinary action, transfer, lay off, or termination of employment.

Harassment

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, as well as many state laws. Harassment based on a characteristic protected by law, such as race, color, ancestry, national origin, gender, sex, sexual orientation, gender identity, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law, is prohibited.

It is Town of Waynesville's policy to provide a work environment free of sexual and other harassment. To that end, harassment of Town of Waynesville's employees by management, supervisors, coworkers, or nonemployees who are in the workplace is absolutely prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a

harassment complaint is similarly unlawful and will not be tolerated. Town of Waynesville will take all steps necessary to prevent and eliminate unlawful harassment.

“Unlawful harassment” is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual’s work performance; or otherwise adversely affects an individual’s employment opportunities because of the individual’s membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law. While all forms of harassment are prohibited, special attention should be paid to sexual harassment.

“Sexual harassment” is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual’s employment or as a basis for employment decisions; *or*
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life, comments about an individual’s body, comments about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one’s sexual experiences; *and*
- Discussion of one’s sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated at Town of Waynesville.

Harassment Complaint Procedure

Any employee who believes he or she has been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested and encouraged to make a complaint. You may complain directly to your immediate supervisor or department manager, the HR director, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

All complaints will be investigated promptly and, to the extent possible, with regard for confidentiality.

If the investigation confirms conduct contrary to this policy has occurred, Town of Waynesville will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

Commitment to Diversity

Town of Waynesville is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the organization and are valued for their skills, experience, and unique perspectives. This commitment is embodied in Town policy and the way we do business at Town of Waynesville and is an important principle of sound management.

Conflicts of Interest and Confidentiality

Conflicts of Interest

Town of Waynesville expects all employees to conduct themselves and Town business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal question. Town of Waynesville recognizes and respects the individual employee's right to engage in activities outside of employment which are private in nature and do not in any way conflict with or reflect poorly on the Town.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises where there is a potential conflict of interest, the employee should discuss this with a manager for advice and guidance on how to proceed. The list below suggests some of the types of activity that indicate improper behavior, unacceptable personal integrity, or unacceptable ethics:

1. Simultaneous employment by another firm that is a competitor of or supplier to Town of Waynesville.
2. Carrying on Town business with a firm in which the employee, or a close relative of the employee, has a substantial ownership or interest.
3. Holding a substantial interest in, or participating in the management of, a firm to which the Town makes sales or from which it makes purchases.
4. Borrowing money from customers or firms, other than recognized loan institutions, from which our Town buys services, materials, equipment, or supplies.
5. Accepting substantial gifts or excessive entertainment from an outside organization or agency.
6. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the Town.
7. Participating in civic or professional organization activities in a manner that divulges confidential Town information.
8. Misusing privileged information or revealing confidential data to outsiders.
9. Using one's position in the Town or knowledge of its affairs for personal gains.
10. Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of Town business.

Confidential Information

The protection of confidential business information and trade secrets is vital to the interests and success of Town of Waynesville. Confidential information is any and all information disclosed to or known by you because of employment with the Town that is not generally known to people outside the Town about its business.

An employee who improperly uses or discloses trade secrets or confidential business information will be subject to disciplinary action up to and including termination of employment and legal action, even if he or she does not actually benefit from the disclosed information. All inquiries from the media should be referred to the Town Manager.

Social Function Policy

The Town of Waynesville recognizes that employees may wish to arrange social functions on Town premises during regular business hours to celebrate special events and other special occasions. This policy sets out parameters and procedures for such events. Nothing in this policy should be read to limit the rights of employees under federal, state or local labor and employment laws. Further, the Town of Waynesville reserves its right to maintain and enforce valid no-solicitation and no-distribution rules consistent with federal labor laws.

1. Social events held on Town premises and during regular business hours are to be limited to special occasions only. For the purposes of this policy, special occasions are birthdays, baby showers, retirement receptions, recognition events for profession designated weeks (i.e. XYZ Week), and up to two (2) luncheons for department staff annually.
2. Departmental birthday events should be held within the departmental area or off Town premises during regular morning break or lunch break times. Such organized birthday events should be limited to the normal time allowed for breaks or lunch and should not utilize any Town of Waynesville funds.
3. No event should result in a reduction or disruption in customer service in any department or function.
4. Town of Waynesville funds will not be available for use for functions with the exception of the Town of Waynesville Annual Holiday Party and up to two (2) annual meals per department.
5. Invitations to other departments are not required for all events; however, department directors are encouraged to include the elected officials as part of their celebrations, when appropriate.
6. Any event utilizing Town of Waynesville funds will be open to any Town employee without exception if consumables (food/snacks) are available.
7. Functions that last greater than the normal lunch break time (one hour) require advance approval from the Town Manager.

8. The department director and/or staff for the area holding any event that is discovered to be in direct contradiction of this policy will be subject to paying the Town of Waynesville back for those event costs paid with Town funds.
9. Town of Waynesville funds may be utilized related to official duties, if they are found to be eligible for reimbursement in accordance with the Travel and Training policies, if reasonable and supported by receipts. This does not include meals between co-workers unless attending a travel and training event.
10. The Finance Director and/or Town Manager have the right to request additional documentation related to any receipt where Town of Waynesville funds have been expended.

GLOSSARY OF TERMS

Affordable Care Act - The Patient Protection and Affordable Care Act (PPACA) – also known as the Affordable Care Act or ACA, is the landmark health reform legislation passed by the 111th Congress and signed into law in March 2010. It is intended to extend coverage to millions of uninsured Americans, to implement measures that will lower health care costs and improve system efficiency, and to eliminate industry practices that include rescission and denial of coverage due to pre-existing conditions.

Americans with Disabilities Act (ADA) – gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications.

COBRA – (Consolidated Omnibus Reconciliation Act) A health insurance plan which allows an employee who leaves a company to continue to be covered under the company's health plan, for a certain time period and under certain conditions. The system is designed to prevent employees who are between jobs from experiencing a lapse in coverage.

Designee - An employee who has been designated to make decisions or conduct business on behalf of another employee.

Eligible Dependent - An eligible person, other than the member (generally a spouse or child), who has health care benefits under the member's policy.

Exempt Employee - An employee who is not subject to the provisions of the Fair Labor Standards Act.

Fair Labor Standards Act (FLSA) - is a federal labor law of general and nationwide application, including Overtime, Minimum Wages, Child Labor Protections, and the Equal Pay Act.

Family Medical Leave Act (FMLA) – is a federal program that entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. (see FMLA pages 53-55)

Full-Time employee - An employee who is regularly scheduled to work the standard number of work hours per week, who has successfully completed the probationary period, and is budgeted for at least 12 months.

Grievance - A claim or complaint by an employee based upon: (a) an event or term or condition which affects the circumstances under which an employee works, including employment practices, policies or programs or benefits; (b) involuntary termination of employment; or (c) any allegedly illegal discrimination by the Town.

HIPAA – Health Insurance Portability and Accountability Act of 1996

Law Enforcement Officers Retirement System (LEORS) – provides retirement benefits to law enforcement personnel through a program established by North Carolina.

Local Governmental Employees' Retirement System (LGERS) - provides retirement benefits to employees of cities, towns, counties, boards, commissions, and other entities of local government in North Carolina.

Permanent Position- A position authorized for the budget year for a full twelve months and budgeted for twenty or more hours per week. All positions are subject to budget review and approval each year by the Board of Aldermen. All employees' work and conduct must meet Town standards, therefore, reference to "permanent" positions or employment should not be construed as a contract or right to perpetual funding or employment.

Probationary Period - A working test period of six months, extendable for an additional six months, for all new employees except law enforcement which are subject to a 12-month probationary period. Wastewater and Water Operations apprenticeship employees may be subjected to a probationary period of 12 months, but not to exceed 12 months contingent upon operator licensure by the state.

Retiree - an individual who leaves the Town of Waynesville's employ at the conclusion of a minimum of ten (10) years of benefits-eligible service and for whom benefits are available until Medicare eligible at age 65 or through disability at an earlier age.

Spouse – a legally valid, existing marriage between persons of the opposite sex; or a person of the same sex with whom you have entered into a marriage that has been recognized under applicable state law.

Temporary/Seasonal Employee - An employee regularly scheduled to work the standard number of hours per week but for a limited period. Temporary/seasonal employees are not entitled to employee benefits or any type of leave, unless specifically indicated.

Trainee - An employee's status when the applicant hired (or employee promoted) does not meet all of the requirements for the position. During the duration of the trainee appointment, the employee is on probationary status.

**PERSONNEL POLICY MANUAL/
EMPLOYEE HANDBOOK
ACKNOWLEDGMENT AND RECEIPT**

I hereby acknowledge receipt of the Personnel Policy Manual/Employee Handbook of Town of Waynesville. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the personnel policy manual and all other written and oral materials provided to me are intended for informational purposes only. Neither it, Town practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, removal and change by the Board of Aldermen any time without notice.

I further understand that I am an at-will employee and that neither this document nor any other communication shall bind the Town to employ me now or hereafter and that my employment may be terminated by me or the Town without reason at any time. I understand that no representative of the Town has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only the Town Manager may make a commitment for employment. I also understand that if such an agreement is made, it must be in writing and signed by the Town Manager.

Employee's Name in Print

Signature of Employee

Date Signed by Employee

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE

Town of Waynesville Personnel Policy

'Exhibit A'

Pay and classification Table

Pay/Classification Table 2021-2022 (Amended 4/12/22)

Grade	Class Title	FLSA Status	Class Min	Class Mkt	Class Max
51	LIFEGUARD MAINTENANCE TECHNICIAN	Non-Exempt Non-Exempt	\$27,577.67	\$35,850.98	\$44,124.28
52	CUSTOMER SERVICE REP.	Non-Exempt	\$28,542.89	\$37,105.76	\$45,668.62
53	HEAD LIFEGUARD METER READER SENIOR CUSTOMER SERVICE REP. SENIOR MAINTENANCE TECHNICIAN CUSTODIAN	Non-Exempt Non- Exempt Non- Exempt Non- Exempt Non- Exempt	\$29,541.89	\$38,404.46	\$47,267.03
54	ADMINISTRATIVE ASSISTANT LAB ANALYST	Non-Exempt Non- Exempt	\$30,575.86	\$39,748.61	\$48,921.37
55	TREATMENT PLANT OPERATOR UTILITY MAINTENANCE SPECIALIST	Non- Exempt Non- Exempt	\$31,646.01	\$41,139.82	\$50,633.62
56	ACCOUNTING SPECIALIST EQUIPMENT OPERATOR FLEET TECHNICIAN PARKS & RECREATION CREW LEADER STOCKKEEPER UTILITY LOCATOR CEMETERY SERVICES SPECIALIST	Non-Exempt Non- Exempt Non- Exempt Non- Exempt Non- Exempt Non- Exempt Non- Exempt	\$32,753.62	\$42,579.71	\$52,405.80
57	ELECTRIC LINE TECH SENIOR EQUIPMENT OPERATOR PROGRAM SPECIALIST HORTICULTURE SPECIALIST UTILITY BILLING SPECIALIST	Non-Exempt Non-Exempt Non-Exempt Non-exempt Non-exempt	\$33,900.00	\$44,070.00	\$54,240.00
58	CEMETERY CREW LEADER CODE ENFORCEMENT OFFICER FIRE FIGHTER OUTSIDE FACILITIES CREW LEADER	Non- Exempt Non- Exempt Non- Exempt Non- Exempt	\$35,086.50	\$45,612.45	\$56,138.40
59	FIRE ENGINEER STREETS & SANITATION CREW LEADER ADVANCED TREATMENT PLANT OPERATOR	Non- Exempt Non- Exempt Non- Exempt	\$36,314.53	\$47,208.89	\$58,103.25

Pay/Classification Table 2021-2022 (Amended 4/12/22)

Grade	Class Title	FLSA Status	Class Min	Class Mkt	Class Max
60	Buyer	Non-Exempt	\$37,585.54	\$48,861.20	\$60,136.86
61	EQUIPMENT MECHANIC PUBLIC FACILITIES MAINT. TECHNICIAN SENIOR ADMINISTRATIVE ASSISTANT	Non-Exempt Non-Exempt Non-Exempt	\$38,901.03	\$50,571.34	\$62,241.65
62	WATERSHED ATTENDANT SENIOR PLANT OPERATOR	Non-Exempt Non-Exempt	\$40,262.57	\$52,341.34	\$64,420.11
63	ELECTRIC LINE TECH 2 PARKS & RECREATION FACILITIES MANAGER PUMP MAINTENANCE MECHANIC SENIOR CODE ENFORCEMENT OFFICER TAX ANALYST TOWN CLERK WATER MAINTENANCE CREW LEADER	Non-Exempt Non-Exempt Non-Exempt Non-Exempt Non-Exempt Exempt Non-Exempt	\$41,671.76	\$54,173.29	\$66,674.82
64	PARKS & RECREATION PROGAMS SUPERVISOR	Exempt	\$43,130.27	\$56,069.35	\$69,008.43
65	PURCHASING SUPERVISOR	Exempt	\$44,639.83	\$58,031.78	\$71,423.73
66	AQUATICS RECREATION SUPERVISOR FIRE CAPTAIN FITNESS SUPERVISOR PUBLIC FACILITIES MANAGER SENIOR PUMP MECHANIC ELECTRIC LINE TECH. 3	Exempt Exempt Exempt Exempt Non-Exempt Non-Exempt	\$46,202.22	\$60,062.89	\$73,923.55
67	CHIEF TREATMENT PLANT OPERATOR FIRE MARSHALL PLANNER	Exempt Exempt Exempt	\$47,819.30	\$62,165.09	\$76,510.88
68	ADMINISTRATIVE SUPERVISOR LAB SUPERVISOR	Exempt Exempt	\$49,492.98	\$64,340.88	\$79,188.77

Pay/Classification Table 2021-2022 (Amended 4/12/22)

Grade	Class Title	FLSA Status	Class Min	Class Mkt	Class Max
69	ATHLETIC PROGRAMS SUPERVISOR CODES ADMINISTRATOR LEAD MECHANIC ELECTRIC LINE TECH. 4	Exempt Exempt Exempt Non-Exempt	\$51,225.23	\$66,592.80	\$81,960.37
70	ASSET SERVICES MANAGER ASSISTANT FIRE CHIEF HUMAN RESOURCES COORDINATOR DISTRIBUTION/COLLECTIONS SUPERINTENDENT LAND USE ADMINISTRATOR STREETS & SANITATION SUPERINTENDENT TREATMENT PLANT SUPERINTENDENT	Exempt Exempt Exempt Exempt Exempt Exempt Exempt	\$53,018.11	\$68,923.55	\$84,828.98
71			\$54,873.74	\$71,335.86	\$87,797.98
72	ASSISTANT ELECTRIC SUPERVISOR ASSISTANT FINANCE DIRECTOR	Exempt Exempt	\$56,794.32	\$73,832.62	\$90,870.91
73	ELECTRIC DISTRIBUTION SUPERINTENDENT ASSISTANT PUBLIC SERVICES DIRECTOR/TOWN ENGINEER	Exempt Exempt	\$58,782.12	\$76,416.76	\$94,051.39
DEPT. HEADS	ASSISTANT TOWN MANAGER DEVELOPMENT SERVICES DIRECTOR FINANCE DIRECTOR FIRE CHIEF PARKS & RECREATION DIRECTOR POLICE CHIEF PUBLIC SERVICES DIRECTOR	EXEMPT	\$60,000.00	\$82,000.00	\$104,000.00
**	TOWN MANAGER ** Hired by Board Under Contract	Exempt			

Police Department Pay/Classification Table 2021

EVIDENCE TECH.	Non-Exempt	\$16.8269/hr
RECORDS TECH.	Non-Exempt	\$16.8269/hr
OFFICER I	Non-Exempt	\$18.5439/hr
OFFICER II	Non-Exempt	\$19.4711/hr
OFFICER III	Non-Exempt	\$20.4446/hr
SENIOR OFFICER I	Non-Exempt	\$21.4669/hr
SENIOR OFFICER II	Non-Exempt	\$22.5402/hr
SENIOR OFFICER III	Non-Exempt	\$23.6672/hr
MASTER OFFICER I	Non-Exempt	\$24.8506/hr
MASTER OFFICER II	Non-Exempt	\$26.0931/hr
MASTER OFFICER III	Non-Exempt	\$27.3978/hr
SERGEANT	Non-Exempt	\$28.7677/hr

Pay/Classification Table 2021-2022 (Amended 4/12/22)

SENIOR SERGEANT	Non-Exempt	\$30.2061/hr
LIEUTENANT	Exempt	\$31.7164/hr
SENIOR LIEUTENANT	Exempt	\$33.3022/hr
ASSISTANT POLICE CHIEF	Exempt	\$34.9673/hr
DISPATCHER I	Non-Exempt	\$15.1204/hr
DISPATCHER II	Non-Exempt	\$15.8764/hr
DISPATCHER III	Non-Exempt	\$16.6702/hr
SENIOR DISPATCHER I	Non-Exempt	\$17.5038/hr
SENIOR DISPATCHER II	Non-Exempt	\$18.3789/hr
SENIOR DISPATCHER III	Non-Exempt	\$19.2979/hr
MASTER DISPATCHER I	Non-Exempt	\$20.2628/hr
MASTER DISPATCHER II	Non-Exempt	\$21.2759/hr

*The 5% salary increase which accompanies the successful completion of an employee's 6-month probationary period is factored into the pay scale of the Police Department located above, and so Police Department employees are not eligible for a 5% increase following the successful completion of their 6-month probationary period.

Grade Equiv.	Part-Time Class Titles	FLSA Status	Dept	Class Min	Class Max
	FIRE FIGHTER-PT	Non-Exempt	FIRE	\$13.50 / hr	\$15.50 / hr
	CHILD CARE AID	Non-Exempt	PARKS & REC	\$11.00 / hr	\$13.00 / hr
	CUSTOMER SERVICE REP-PT	Non-Exempt		\$11.00 / hr	\$13.00 / hr
	FITNESS INSTRUCTOR	Non-Exempt		\$15.00 / hr*	\$20.00 / hr*
	LIFEGUARD-PT	Non-Exempt		\$12.00 / hr	\$14.00 / hr
	MAINTENANCE WORKER-PT	Non-Exempt		\$11.00 / hr	\$13.00 / hr
	RECREATION AID – (Programs)	Non-Exempt		\$9.00 / hr	\$11.00 / hr
	REFEREE	Non-Exempt		\$15.00 / hr	\$15.00 / hr
	SCOREKEEPER	Non-Exempt		\$8.50 / hr	\$8.50 / hr
	SUMMER CAMP ASSISTANT	Non-Exempt		\$10.00 / hr	\$11.00 / hr
	LEAD SUMMER CAMP ASSISTANT	Non-Exempt		\$11.00 / hr	\$12.00 / hr
	UMPIRE	Non-Exempt		\$20.00 / hr	\$20.00 / hr
	CROSSING GUARD	Non-Exempt	POLICE	\$9.00 / hr	\$10.50 / hr
	TELECOMMUNICATOR-PT	Non-Exempt		\$13.00 / hr	\$14.00 / hr
	POLICE OFFICER-PT	Non-Exempt		\$15.00 / hr	\$16.25 / hr
	MAINTENANCE WORKER- SEASONAL	Non-Exempt	PUBLIC SVCS	\$11.00 / hr	\$12.00 / hr
	INTERN **	Non-Exempt	ALL DEPTS	\$10.00 / hr	\$20.00 / hr
	RETIREEES RETURNING TO WORK PT***	Non-Exempt		No Min	Outgoing Rate or \$25.00 / hr, whichever is lower

Part-time & seasonal employees may receive \$0.25/hr additional wage adjustment for each year of consecutive employment in the same position up to the maximum for the class, except where the minimum and maximum are fixed at the same rate.

*Fitness Instructors shall be paid \$15/hr with the Town paying for certifications, or they may be paid up to \$20 / hr upon recommendation by DD if they pay for their own certifications.

**The hiring of interns, and rate at which they are hired, requires prior approval of the Town Manager

Pay/Classification Table 2021-2022 (Amended 4/12/22)

***The hiring of retirees to provide part-time or occasional assistance, and the rate at which they are re-hired, requires prior approval of the Town Manager

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 5/10/2022**

SUBJECT Presentation of 2022-23 Budget and scheduling public hearing.

AGENDA INFORMATION:

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

BRIEF SUMMARY:

The Board provided direction to the staff regarding major elements of the upcoming 2022-23 budget. Misty Hagood is making the changes recommended by the concurrence of the Board and we have started working on some of the analytical questions posed by the members. Some of the questions regarding a redistribution of revenue within the electric fund may take some work but it is important to remember that the Board may change utility rates and general fund fees at any time during the budget year. Only the ad valorem tax rate must be set by midnight on June 30th. We plan to present you with an electronic and unbound copy of the document on Tuesday and wait to produce bound copies once the budget is approved.

MOTION FOR CONSIDERATION:

Accept the proposed 2022-23 budget and set a public hearing on the budget for May 24th, the Board's second meeting in May.

FUNDING SOURCE/IMPACT: All

ATTACHMENTS: Budget document will be delivered when it is complete.

MANAGER'S COMMENTS AND RECOMMENDATIONS

Receive the proposed budget and set the public hearing. The budget will "lay on the table" until the 24th when the Board will hear from the public. It would be appropriate for the Board to clarify any items on the budget after the hearing and determine if they need an additional work session. The second work session would take place before the June 14th agenda.