



Town of Waynesville, NC

Board of Aldermen Regular Meeting

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

Date: August 25, 2020 Time: 6:30 p.m.

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Consider the environment ♦ Conserve resources ♦ Print only when necessary

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A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements

2. Adoption of Minutes

Motion: To approve the minutes of the August 11th, 2020 regular meeting as presented (or as corrected)

B. PUBLIC COMMENT

C. OLD BUSINESS

3. Law Enforcement Education Foundation Equipment Grant

- Lt. Chris Chandler

Motion: To approve the transfer of Federal Forfeiture Funds to cover the ToW costs of \$5,038.75 to purchase 25 FirstVu HD Body Cameras, a 12 Bay docking station, 25 magnet mounts and 25 Professional Service fees.

D. CALL FOR PUBLIC HEARING

4. Call for a Public Hearing on the Greenway bridge and extension project in preparation for submittal to the NC Recreational Trails Program

- Development Services Director, Elizabeth Teague

Motion: To call for a public hearing on Tuesday, September 8, 2020 beginning at 6:30 p.m. or as closely thereafter as possible in the Town Hall Board Room located at 9 South Main Street, Waynesville. The purpose meeting is to discuss the Greenway bridge and extension project for the NC Recreational Trails Program Grant Application.

E. NEW BUSINESS

5. Request to replace 2014 Dodge Charger (Total Loss Vehicle)

- Lt. Chris Chandler

Motion: To approve the additional funds required to replace Police Department vehicle #15, a 2014 Dodge Charger, last 5 vin# 79194.

6. Request approval of updates to Personnel Manual/Employee Handbook

- Assistant Town Manager, Amie Owens

Motion: To approve the updates to the Personnel Manual/Employee Handbook as presented.

TDA Appointment (Replacement for Amie Owens as Board Member)

F. COMMUNICATIONS FROM STAFF

7. Manager's Report

- Manager Rob Hites

Traffic Calming Policy

Accept for information and advise staff as to next steps.

8. Town Attorney Report

- Town Attorney Bill Cannon

G. COMMUNICATIONS FROM THE MAYOR AND BOARD

H. ADJOURN



TOWN OF WAYNESVILLE

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 16 South Main Street
 Waynesville, NC 28786
 Phone (828) 452-2491 • Fax (828) 456-2000
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CALENDAR September 2020

2020	
Tuesday August 25	Board of Aldermen Meeting – Regular Session
Monday September 7	Town Offices Closed – Labor Day
Tuesday September 8	Board of Aldermen Meeting – Regular Session
Tuesday September 22	Board of Aldermen Meeting – Regular Session
Tuesday October 13	Board of Aldermen Meeting – Regular Session
Tuesday October 27	Board of Aldermen Meeting – Regular Session
Thursday October 31	First UMC Trunk or Treat
Tuesday November 10	Board of Aldermen Meeting – Regular Session
Wednesday November 11	Town Offices Closed – Veterans Day
Tuesday November 24	Board of Alderman Meeting- Regular Session
November 26 & 27th	Town Offices Closed – Thanksgiving Holidays
Tuesday December 8	Board of Aldermen Meeting – Regular Session
December 24, 25 & 28th	Town Closed – Christmas Holidays
Saturday June 5, 2021	Oasis Shriners Spring Celebration Parade

Board and Commission Meetings – September 2020

ABC Board	ABC Office – 52 Dayco Drive	September 15th 3 rd Tuesdays 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	September 1st 1 st Tuesdays 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	September 24th 4 th Thursdays 12 Noon
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	September 2nd 1 st Wednesdays 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	September 21st 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	September 10th 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	September 16th 3 rd Wednesdays 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	September 8th 2 nd Tuesday 3:30 PM

BOARD/STAFF SCHEDULE

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MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
August 11, 2020

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, August 11th, 2020 at 6:30 p.m. in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:30 pm with the following members present:

Mayor Gary Caldwell
Alderman Anthony Sutton
Alderman Jon Feichter
Alderman Chuck Dickson

Mayor Pro Tem Julia Freeman was absent due to accident.

The following staff members were present:

Rob Hites, Town Manager
Amie Owens, Assistant Town Manager
Eddie Ward, Town Clerk
Town Attorney William E Cannon, Jr.
Fire Chief Joey Webb
Chief David Adams
Lieutenant Chris Chandler
Lieutenant Brandon Gilmore
Lieutenant Tyler Trantham
Planner Jesse Fowler
Rhett Langston, Parks and Recreation Director

The following media representatives were present:

Vicky Hyatt, The Mountaineer
Cory Valliancort, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and thanked them for coming. Mayor Caldwell and Manager Rob Hites expressed their feelings concerning the resignation of Assistant Town Manager Amie Owens. Ms. Owens has accepted a position as Assistant Manager at Altavista Virginia and her last day at the Town of Waynesville will be September 4, 2020. Manager Hites praised Ms. Owens' time with the Town and wished her well with her future endeavor.

2. Adoption of Minutes

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve the minutes of the July 28th, 2020 regular meeting as presented. The motion carried unanimously.

B. PUBLIC COMMENT

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

**Wanda Brooks
63 North Hill Street
Waynesville, NC 28786**

Ms. Brooks said that recently a recovery home for women had opened near her home. She expressed her concerns that now a proposed drug recovery home for men that would be established in the same area. She urged the Board to look at the zoning wording to make sure these places are allowed. She said that some of the other Towns in the County should step up and help with the recovery programs.

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

Ms. Hannah stated that she wanted to thank the Board for listening and on their quick action on some of the issues she has presented concerning the Frog Level area. She thanked Alderman Chuck Dickson for coming out to see her and the area she was referring to. Ms. Hannah invited the rest of the Board to see the area. She told them it would be very eye opening for them.

**Danny Stites
11 Connor Ridge Road
Waynesville, NC 28786**

Mr. Stites asked the Board to help Ms. Wanda Brooks in anyway they could to keep another recovery home from being placed next to her home. He stated he had been in rehab and that all his friends were drug addicts. He said nothing good would come of the recovery homes and urged the Board to work on the zoning and where to place these programs.

**Corina Taylor
1287 Brown Avenue
Waynesville, NC 28786**

Ms. Taylor commented on the traffic and speeding concerns in the Hazelwood and Waynesville area. She said that this stretch of road on Brown Avenue is 25 mph in addition to a school zone. There is heavy commercial traffic and is concerned about the speeding. She said there are police and emergency traffic that come through there with no lights or sirens. She gave examples of several accidents that had happened in the area.

**Jessie-lee Dunlap
28 Georgia Avenue
Waynesville, NC 28786**

Ms. Dunlap spoke to the Board concerning a family that needed help with an upcoming foreclosure of their home. She said their house was the first Habitat for Humanity house that had been built. Because of many medical issues in the family, and not being declared disabled yet, no one could work. She said that it would cost the Town much more than the \$15,000.00 that is required to stop the foreclosure in taxes. She told the Board that if they wished to help this family to please contact her.

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

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to excuse Mayor Pro Tem Julia Freeman from the meeting. The motion carried unanimously.

C. PRESENTATION

3. Presentation of Scholarships North Carolina State Firefighters' Association

- Fire Chief Joey Webb

Firefighters Cody Parton and Ben Hooper have been selected to receive a \$2,000.00 scholarship from the NC State Firefighters Association. Two \$2,000.00 scholarships are awarded in each region for those attending a regionally accredited two-year college/university.

Firefighter Parton is seeking his Associates Degree in Fire Protection Technology at Blue Ridge Community College. He is a full time Waynesville Firefighter.

Firefighter Hooper is completing his second year of his Associates Degree in Fire Protection Technology at Blue Ridge Community College. Firefighter Hooper received the scholarship award last year as well. He is a former full-time firefighter for Waynesville now employed with the City of Asheville Fire Department. Firefighter Hooper continues part time employment with the Waynesville Fire Department.

Each year the North Carolina state Fireman's Association awards 45 scholarships totaling \$200,000.00 across the State to volunteer, career and high school seniors across It is very unusual for two Fireman within the same area to receive this scholarship.

C. PUBLIC HEARING

4. Presentation and Public Hearing on the Town of Waynesville Comprehensive Plan, Waynesville 2035: Planning with Purpose to take place August 11 and September 8, 2020.
 - Jesse Fowler, Planner

Town Attorney William Cannon opened the Public Hearing at 6:54 pm.

Jesse Fowler, Planner, told the Board that at a special called meeting on June 29th, 2020, the Planning Board made a unanimous recommendation to the Board of Aldermen to adopt the updated Comprehensive Plan as provided. This draft was developed from the work of the Comprehensive Plan Steering Committee, a team of consultants of Stewart, JM Teague, and Chipley Consulting, and over a year of Planning Board review, discussion and editing. The plan and answer questions, and the Board can hear initial comments. At the September 8, 2020 hearing, the Board may hear any additional comments and consider adoption. This approach will allow for a 30-day period of public review and an opportunity for staff to make any edits the Board sees necessary for adoption.

Jake Petrosky, Lead Consultant for Stewart gave a presentation for the Town of Waynesville Comprehensive Land Use Plan. He described the planning process starting in early 2018 with the kickoff and going up to this point with the final document for adoption. He described the Public Engagement Process by asking the Public what was most important to them. He explained the foundational ideas, vision, goals, smart growth principles, and housing.

Mr. Petrosky stated there had been some changes to the Plan since the public draft. There was a goal for housing added per request from the Planning Board. There have been some organizational changes to the document, minor edits, railroad overlay recommendation, Action plan refinements, and future land use map descriptions.

Mr. Petrosky went over the next step for completion of the plan with the Board. He said there will be another Public Hearing on August 25, 2020 with public comments and discussion, and possible approval.

Attorney Cannon closed the Public Hearing at 7:18 pm

E. NEW BUSINESS

5. Amendment # 2 to the 2020-2021 Budget Ordinance
 - Dean Trader, Interim Finance Director

The proposed amendment is needed to construct restrooms for the West Marshall Street Restroom Project. On July 21, 2020, the board approved the lowest bid of Shick Construction not to exceed \$135,480 for the construction of restrooms on West Marshall Street. The amendment is proposing that \$45,480 from Undesignated Fund Balance or savings in the General Fund be used for additional

funding of the contract. The budget includes a contract price of \$135,480 for Shick Construction of which \$90,000 was previously budgeted for the FY 2020-2021 budget.

General Fund:

Revenues:

Fund Balance Appropriated **\$45,480**

Expenditures:

Recreation-Capital Outlay **\$45,480**

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to approve O-12-20 Amendment # 2 to the 2020-2021 Budget Ordinance to construct Restrooms for the West Marshall Street restroom project. The motion carried unanimously.

6. Request to Amend our Career Track for attracting experienced officers.
- Chief David Adams

Chief Adams told the Board the Police Department has an opportunity to hire seasoned officers from surrounding counties, which will allow them to become fully staffed and address traffic/speeding concerns more effectively. He requested that they be allowed to accelerate their Career Track. This will only be considered if they meet the years of qualified service and complete the required training.

This amendment has been added to the full career track document to outline any exception to the existing career track schedule.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve the exception to the two-year career track progression for an officer who may have previous experience when joining the Waynesville Police Department.

7. Law Enforcement Education Foundation Equipment Grant
- Lt. Chris Chandler

Police Lieutenant Chris Chandler explained that the Police Department (WPD) recently applied for and received a grant from the Law Enforcement Education Equipment Foundation (LawEEF) based out of Atlanta Georgia. The purpose of the grant was to develop a solution to purchasing body cameras. The proposal submitted to LawEEF asked for funding to purchase FirstVu HD Body Cameras and everything needed for basic operation. WPD chose FirstVu because they are produced by Digital Ally, who is the current provider for the in-car camera systems and these cameras could utilize the current VuVault Storage system. The grant was approved and WPD was awarded at \$20,155 grant. There is a 25% match required for the grant. The request from WPD is to utilize drug forfeiture funds for the required match of \$5,038.75. The use of these funds and the acceptance of the grant will require approval from the Board and a budget amendment.

Lt. Chandler continued by noting that in the past storage for video files had been a concern. He has been working with Chief David Adams and the Town's IT vendor Electronic Office related to the best storage options available including utilizing the current VuVault system with the possibility of being required to increase server storage capacity or contract with Digital Ally for access to cloud storage with an additional cost of approximately \$7,200.00 annually. There are advantages to the cloud storage option that are not available to the self-storage option utilizing our current VuVault system.

Alderman Anthony Sutton inquired as to the deadline for accepting the grant. Lt. Chandler answered that there was no acceptance deadline but WPD would like to implement sooner rather than later. Alderman Anthony Sutton added that he would like to review the policies and procedures related to body cameras not just related to data storage, but also the requirements for using (i.e. when to turn on and off), when information would be released, etc.... Chief Adams noted that he had used body cameras in both of his previous jobs and that he had been working on implementing policies here as well. Alderman Anthony Sutton asked to table the issue until all the Board Members were present and he could review the various policies.

Alderman Jon Feichter asked to revisit the two options for storage – in-house or cloud solution. He commented that his preference is the cloud with the proviso that the data remains that of the Town of Waynesville and not of Amazon or whomever would be storing. Alderman Jon Feichter asked that there be specific mechanisms in place to control and protect the data. Lt. Chandler explained that of the current 7 TB storage space onsite there is still 5.5 TB of storage space available. He added that under the current retention policy, data is kept for 730 days which could systematically be reduced if the option for onsite storage is chosen.

Town Attorney William Cannon added that from a legal defense strategy, cloud storage reduces any claims about evidence tampering which is a strong reason to have the cloud as a storage solution. The cloud would be an advantage to the Town.

Alderman Chuck Dickson asked if it would be possible to go ahead and approve receiving the grant at this meeting. While there was not a vote taken, the consensus was that the Board would revisit this agenda item at the next meeting.

Aldermen Feichter and Alderman Sutton will meet with Lt. Chandler and Chief Adams prior to the next meeting to review policies and procedures.

F. COMMUNICATIONS FROM STAFF

8. Manager's Report

- Manager Rob Hites

9. Town Attorney Report

- Town Attorney William E Cannon, Jr.

Attorney Cannon had nothing to report.

G. COMMUNICATIONS FROM THE MAYOR AND BOARD

Alderman Jon Feichter asked Town Attorney Cannon about the progress of the Hazel Street Property. Attorney Cannon said the only delay in the process now is the COVID 19. All the notices have been sent and all that remains is the sale on the Courthouse steps.

Alderman Chuck Dickson stated that the Town Manager has indicated in the past that he has worked on the traffic calming plan. He said he felt that the Board needed something to look at to get started looking at the traffic problems. He asked that Manager Hites have a rough draft to be presented at the next Board meeting.

Manager Hites said the issue was that almost every traffic calming device requires a petition of 70% of the property owners on the street to agree of placing the devices and 70% of the property owners to agree to remove the devices. He said he didn't know how the community would react knowing that they had to have 70% of the property owner's approval in order to approach the Board in order to ask for one. He indicated he would like the Board to consider how they would deal with the vote of placing traffic calming devices when this type of petition is needed.

H. ADJOURN

With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to adjourn the meeting at 7:52 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 25, 2020**

SUBJECT:

Law Enforcement Education Foundation Equipment Grant

AGENDA INFORMATION:

Agenda Location: OLD BUSINESS
Item Number: C3
Department: Police Department
Contact: Lt. Chris S. Chandler
Presenter: Lt. Chris S. Chandler

BRIEF SUMMARY:

The Police Department recently applied for and received a grant from the Law Enforcement Education Equipment Foundation (LawEEF) based out of Atlanta Georgia. The purpose of the grant was to develop a solution to purchasing body cameras. The proposal submitted to LawEEF asked for funding to purchase FirstVu HD Body Cameras and everything needed for basic operation. We chose FirstVu because they are produced by Digital Ally, who is our current provider for the in-car camera systems and could utilize our current VuVault Storage system. As a result of grant application, we were awarded the following:

Original quote from Digital Ally:	\$20,155.00
LawEEF Grant (75%):	\$15, 116.25
ToW Cost (25%):	\$5, 038.75

An ongoing study is being conducted to determine the best storage options available including utilizing the current VuVault system with the possibility of being required to increase server storage capacity with Electronic Office or contract with Digital Ally for access to cloud storage with an additional cost of \$7,092.00 annually. There are advantages to the cloud storage option that are not available to the self-storage option utilizing our current VuVault system.

MOTION FOR CONSIDERATION:

To approve the transfer of Federal Forfeiture Funds to cover the ToW costs of \$5,038.75 to purchase 25 FirstVu HD Body Cameras, a 12 Bay docking station, 25 magnet mounts and 25 Professional Service fees.

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

Finance Director

Date

ATTACHMENTS:

Complete Integrated Video Solution for the Waynesville NC Police Department

MANAGER'S COMMENTS AND RECOMMENDATIONS:



**COMPLETE INTEGRATED
VIDEO SOLUTION
FOR
WAYNESVILLE NC
POLICE DEPARTMENT**

**EVO-HD
IN-CAR VIDEO**

**FIRSTVU HD
BODY CAMERA**

**VUVAULT.EVO.COM
ON AMAZON WEB SERVICES**



9705 Loiret Blvd ■ Lenexa, Kansas 66219 ■ PHONE: 913.814.7774 ■ FAX: 913.814.7775 ■ TOLL FREE: 800.440.4947

WEBSITE: www.digitalallyinc.com ■ EMAIL: sales@digitalallyinc.com



Friday, June 19, 2020

On the following pages is information on Digital Ally's FirstVu HD body camera, our new EVO-HD in-car video system, and the corresponding back office solution. This document includes:

- Overview of EVO-HD in-car video system hardware. With 5-year EvoWeb
- Overview of VuVault.evo.com Evidence and Device Management
- Your options for data storage – cloud or local storage
- Overview of the FirstVu HD body camera with 12 Bay dock
- Overview of VuLink™ for cross activation and correlation between EVO-HD and Body Camera
- Support Services Overview
- Requested Pricing
 - Hardware Pricing
 - License options for software
 - Hardware as subscription plan
 - Installation, Configuration and training pricing

Please review the information and let us know if you want us to make any changes to the pricing options, etc.

Best regards,

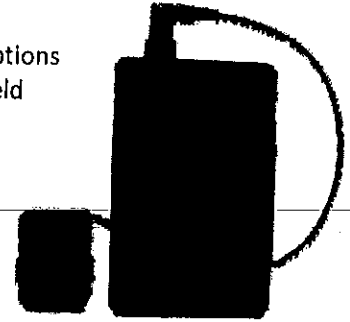
A handwritten signature in blue ink that reads "Robert Stephens". The signature is written in a cursive, flowing style.

Bob Stephens
Regional Sales Manager

- FirstVu HD body camera

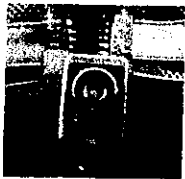
The FirstVu HD is a high definition officer worn camera with a variety of mounting options and a long list of high performance features: 32GB memory, 1280x720 resolution, field replaceable batteries that provide eight hours of record time.

The FirstVu HD two-piece model can be mounted on a variety of locations on the officer via the Klick-Fast mounting system, small or large clips, buttons, magnets, Velcro, rail and options for the lapel and tactical helmet.



Mounting Locations

Chest



Shoulder



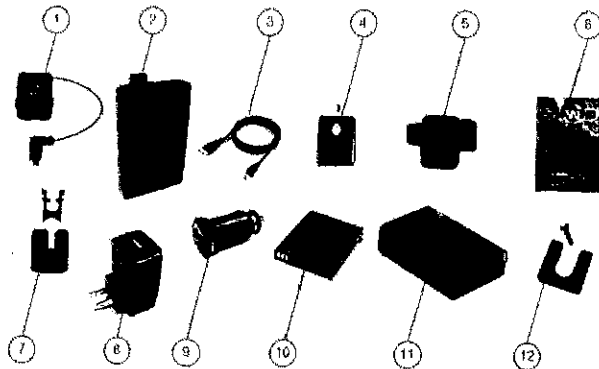
Lapel



Helmet



Included with Purchase



Item	Qty	Description
1	1	FirstVu HD Camera
2	1	FirstVu HD DVR
3	2	Cable, USB 2.0 Type A to Mini-B
4	1	Velcro Mount
5	1	Fabric Clip
6	1	Quick Reference Guide
7	1	Button Mount
8	1	Home Charger
9	1	Car Charger
10	2	FirstVu HD Battery
11	1	Battery Charger
12	1	Wedge Kit

HIGH DEFINITION VIDEO & AUDIO
720p Resolution with 130° field of view

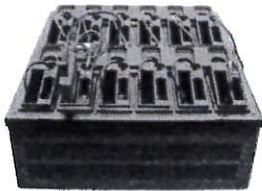
The camera captures exactly what the officer sees during the incident. HD Audio recording built into the camera.



Specifications	FirstVu HD
Video Resolution	1280 x 720, HD
Automatic Activation	Integrated with VuLink
Pre-Event Recording	Up to 60 Seconds
Field of View	130° diagonal, 90° horizontal
Internal Storage	32GB (approx 16 hours of HD Video)
Standard Battery Life	up to 72 hours of standby with one battery up to 4.5 hours of continuous record time with pre-event enabled
Extended Battery Life	up to 144 hours of standby with one battery up to 9.5 hours of continuous record time with pre-event enabled
Video Playback	Available in VuVault GO
Camera Still Photos	Can be created in VuVault and VuVault.com Cell phone photos and videos can be uploaded to VuVault.com
Mounts	Chest, Pouch, Shoulder, Helmet, Magnet, Belt, Vehicle
GPS	Available in VuVault GO

Upload and Charging Stations

The upload station can offload video from 12 body cameras simultaneously while also charging the internal battery and 12 spare batteries. When the video is successfully transferred from the FirstVu HD they will automatically be deleted off the camera. After upload, the dock will transfer any pending device updates and then reboot the body camera.



Price:
12X Docking Station @ \$2,995.00 each



Price (cloud customers only):
1X Auto Upload Dock @ \$399.00 each



Patented Auto Activation and Integration between body camera and in-car camera

In 2014 and again in 2016 Digital Ally was awarded patents for a system of cooperation between the body camera and the in-car camera system:

8781292 for managing multiple devices such as in-vehicle and body cameras such that when one is activated the other device will receive a signal causing it to activate.

9253452 for a device to synchronize with a portable recording device and when an external trigger is activated the device will signal the recording device causing it to activate.

No other body camera or in-car camera provider is authorized to sell, use, promote, install and implement auto-activation technology and multi-camera integration technology.

VuLink™ The Industry's only authorized auto-activation technology

VuLink™ is the product employing the technology covered by these patents. VuLink™ is installed in the patrol car and creates a wireless bridge between the in-car system and the FirstVu HD body camera. The syncing of the FirstVu HD and the In-car system allows the same triggers that start the In-car camera recording to also start recording on the FirstVu HD and vice versa. VuVault will merge the metadata for easy searching and simultaneous playback.



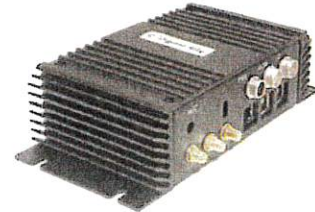
Simultaneous playback of body camera and in-car camera using VuLink™ technology

VuLink™ Module: A separate device installed in the patrol vehicle alone or connected to the DVM-800 In-car video system. VuLink™ will then cross activate all connected devices and synchronize the metadata after upload for easier searching and synchronized playback.

EVO-HD: VuLink™ technology is built into the system and does not require a separate device. This permits the EVO-HD to use the operator's body camera as the wireless microphone.

EVO HD Connected In-Car System

The EVO-HD is a cloud connected high definition video system designed to meet the growing needs of law enforcement now and into the future.



The heart of the system is the four channel DVR with built-in VuLink™ technology and a live data connection. The live cellular connection not only lengthens the chain-of-custody to the moment the recording is complete it provides several next generation benefits:

- Monitor the status of all EVO-HD systems in the field and see who is logged in, which units are recording, how many recordings are queued on the hard drive, location of each unit and which units have outdated configurations.
- Push data to the EVO-HD to update the settings and firmware.
- Activate the EVO-HD from dispatch for high priority situations
- Allow Digital Ally technicians to remote into the system to diagnose, troubleshoot and even repair the system even when it away from the station.

The basic system is composed of:

- 4 Channel HD DVR with 128GB of removable memory
- One 1080p High Definition zoom camera for the windshield
- One 1080p High Definition backseat camera with built-in microphone
- One External antennae housing, GPS, cellular, WIFI
- One 4" mini monitor for control and playback

You also get your choice of:

- Connect to handheld device or MDT for user controls and video playback
- Remote microphone and/or FirstVu HD body camera that doubles as wireless microphone

The EVO-HD uses VuVault.com our cloud-based version of VuVault hosted by Amazon Web Services on CJIS compliant data centers. Housing your video on VuVault.com comes with several additional benefits:

Features:

- Unmatched security against outside attacks, hardware failure, natural disasters
- Updates and new features are rolled out instantly when they are ready. No more waiting for new software to be released.
- Share videos with outside contacts saving the time and expense of burning and delivering DVDs.
- Redaction built into VuVault.com. Redact faces, redact audio, trim video.
- Case management allows you to store and share digital files such as images, audio, video, pdf, excel, links. Cases can be shared with internal and external contacts.
- Improved chain of custody provided when using share function. All activity of outside contacts is also part of the chain of custody.
- Extended warranties. All of your devices are covered under 3 year advance exchange warranty with an option for two additional years.

The Power of a fully web-connected video system

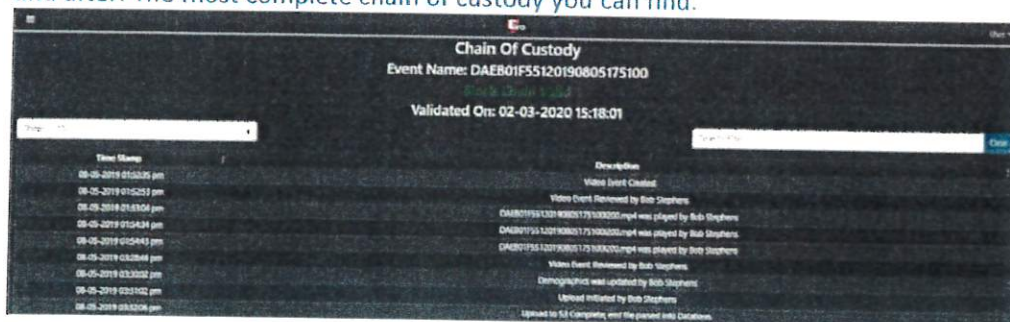
Get immediate situational awareness in the map view. All EVOs will display last known location and current status, who is logged into the device and how many recordings are waiting to upload. Remotely activate a recording in emergency situations – both the EVO and any associated body camera.



The video playback screen provides synchronized playing of all cameras along with an impressive collection of data from map location, GPS coordinates, accelerometer data and all sensors.



All your video is secure and encrypted using the latest in block chain security. Your chain of custody record begins with the moment the video is created and includes all actions taken prior to upload – and after. The most complete chain of custody you can find.



Other Features with EVO-web:

- Share portal
- Redaction
- System health check
- Instant settings update
- Security Groups for users
- Block chain encryption

Customer care

Before – During – After

<p>SALES ENGINEERING</p> <p>This team works with your Regional Sales Manager and your team to understand your infrastructure and design the solution to meet your requirements</p>	<p>Greg Johnson, Manager</p> <ul style="list-style-type: none"> • Consults with you to understand your network environment, vehicle fleet and facilities infrastructure • Identifies and quantifies products and services required to deliver the optimum solution • Works with Regional Sales Manager to define scope of work and corresponding pricing •
<p>TECHNICAL SERVICES</p> <p>This team will implement the solution working with your Regional Sales Manager, agency personnel and third-party providers</p>	<p>Daniel Mullies, Manager</p> <ul style="list-style-type: none"> • Provides remote installation of software and configuration of devices, users and settings • Travels to customer location to install hardware and software • Ensures total solution is delivered to customer specifications and satisfaction • Provides training in conjunction with Regional Sales Manager
<p>PRODUCT SUPPORT</p> <p>The product support team takes care of the customer post deployment to address issues that may arise concerning hardware performance, software updates and network issues.</p>	<p>Daniel Budd, Manager</p> <ul style="list-style-type: none"> • Works with customer by phone or email to troubleshoot issues and affect a remedy • Available 9AM EST – 6PM EST Monday – Friday • Travel to customer location as needed • RMA department handles replacement under advance exchange warranty. Digital Ally will ship product 2nd day FedEx to replace defective items



Price List - Digital Ally, Inc.		
<u>In-Car Video Systems</u>		
EVO-HD In-car Video System(1)	Quantity	Price each*
	1+	\$4,795.00
DVM-800 In-car Video System	1+	\$3,995.00
Ubiquity Wifi Access Point	1+	\$295.00
(1) Includes choice of Wireless microphone or FirstVu HD body camera		
<u>Body Camera Systems</u>		
FirstVu HD Body Camera	Quantity	Price each*
	1-49	\$595.00
	50-199	\$545.00
12 Bay Upload and Charging Dock	1+	\$2,995.00
Single Unit upload and charge Mini-Dc	1+	\$399.00
VuLink auto activation unit (for DVM-800)	1+	\$495.00
<u>Body Camera System Subscription Plan*</u>		
FirstVu HD Body Camera and Dock	Retention Plan	Yearly License
	90 Days Unlimited	\$599.88
(1 mini dock for every 2 Body Cameras or -	180 Days Unlimited	\$743.88
1 12-Bay Dock for every 24 Body Cameras)	365 Days Unlimited	\$1,139.88
* monthly, quarterly or annual billing is available		
* includes three year warranty with active EVO.com license		
* Price does not included set up fees, shipping or sales tax		

EVO.VuVault.com Software and Data License (4 Data Plan Options)

<u>Device</u>	<u>Data on Local Archive</u>	<u>Yearly License</u>
EVO-HD	Device License - Local Archive	\$228.00
	Device License AWS 90 Day Unlimited Storage	\$468.00
	Device License AWS 180 Day Unlimited Storage	\$588.00
	Device License AWS 365 Day Unlimited Storage	\$708.00
<u>Yearly License</u>		
FirstVu HD	Device License - Local Archive	\$108.00
	Device License AWS 90 Day Unlimited Storage	\$168.00
	Device License AWS 180 Day Unlimited Storage	\$312.00
	Device License AWS 365 Day Unlimited Storage	\$384.00
<u>Yearly License</u>		
12 Bay Dock	Device License - Local Archive	\$0.00
	Device License - AWS all plans	\$492.00
<u>Yearly License</u>		
Mini Dock	Device License - Local Archive	\$0.00
	Device License - AWS all plans	\$96.00
<u>Yearly License</u>		
Users	User License - All plans	\$96.00



Quote – FirstVu HD with Server Storage

Body Cameras with Local Server Storage					
One Time Purchase	each	Discount	Net	Total	
0 EVO-HD complete system	\$ 4,795.00	\$ -	\$ 4,795.00	\$ -	
0 Substitute Body Camera for wirelss mic	\$ 595.00	\$ (595.00)	\$ -	\$ -	
25 FirstVu HD Body Camera	\$ 595.00	\$ -	\$ 595.00	\$ 14,875.00	
1 Docking station - 12 Bay	\$ 2,995.00	\$ -	\$ 2,995.00	\$ 2,995.00	
0 Docking station - Portable	\$ 399.00	\$ -	\$ 399.00	\$ -	
25 Magnet Mounds	\$ 49.00	\$ -	\$ 49.00	\$ 1,225.00	
26 Professional Services	\$ 30.00	\$ -	\$ -	\$ 780.00	
0 On-site Deployment	\$ 2,000.00	\$ -	\$ 2,000.00	\$ -	
			shipping and handling:	\$ 280.00	
			Total cost for all hardware:	\$ 20,155.00	

Quote – FirstVu HD with Storage on AWS Gov.cloud

Evo.VuVault.com 90 Day Plan					
One Time Purchase	each	Discount	Net	Total	
0 EVO-HD complete system	\$ 4,795.00	\$ (400.00)	\$ 4,395.00	\$ -	
0 Substitute Body Camera for wirelss mic	\$ 595.00	\$ (595.00)	\$ -	\$ -	
25 FirstVu HD Body Camera	\$ 595.00	\$ -	\$ 595.00	\$ 14,875.00	
1 Docking station - 12 Bay	\$ 2,995.00	\$ -	\$ 2,995.00	\$ 2,995.00	
0 Docking station - Portable	\$ 399.00	\$ -	\$ 399.00	\$ -	
25 Magnet Mounds	\$ 49.00	\$ -	\$ 49.00	\$ 1,225.00	
26 Professional Services	\$ 30.00	\$ -	\$ -	\$ 780.00	
0 On-site Deployment	\$ 2,000.00	\$ -	\$ 2,000.00	\$ -	
			Shipping and Handling:	\$ 280.00	
			Total cost for all hardware:	\$ 20,155.00	
Recurring Licenses	each		Annual	Total	
0 Device License EVO-HD 90 day	\$ 39.00	\$ -	\$ 468.00	\$ -	
25 Device License FirstVu HD 90 day	\$ 14.00	\$ -	\$ 168.00	\$ 4,200.00	
1 Device License Dock - 12 bay	\$ 41.00	\$ -	\$ 492.00	\$ 492.00	
0 Device License Dock - Portable	\$ 8.00	\$ -	\$ 96.00	\$ -	
25 Evo.VuVault.com User License	\$ 8.00	\$ -	\$ 96.00	\$ 2,400.00	
			Total First Year (Hardware, software, technical services)	\$ 27,247.00	
VuVault.com 90 Day Plan provides for all video to be stored for 90 days from date of upload on AWS secure data centers. Videos retained longer than 90 days go into cloud storage. 50GB of cloud storage is included with plan. Additional cloud storage will be added as needed at \$63 per year for each additional 100GB. All devices covered under three year advance exchange warranty.			Year 2 Licenses	\$ 7,092.00	
			Year 3 Licenses	\$ 7,092.00	
			Year 4 Licenses	\$ 7,092.00	
			Year 5 Licenses	\$ 7,092.00	



Benefits of Amazon Web Services vs. on premise storage	
More Secure	Geographic redundancy and state of the art infrastructure secures your data from hardware failure, malicious attacks, natural and man-made disasters.
More Affordable	Save money on network and data storage hardware, software, maintenance, overhead and human resources.
More Potential	Amazon data centers are designed to allow you to add processing and storage capacity as your agency grows and your needs change.
More Power	Amazon data centers give you access to their massive processing capabilities so you can benefit from current features such as video redaction to future capabilities such as advanced analytics and facial recognition, even artificial intelligence.

Benefits of VuVault.com vs. VuVault local	
Save Money	<ul style="list-style-type: none"> • Lower Prices on body cameras, in-car cameras • All products covered by warranty eliminates repair/maintenance • Control budgets by extending, smoothing replacement schedule.
Higher Uptime	Always being under warranty means the product replacement process is faster, improving your uptime of devices in the field.
More Productivity	<ul style="list-style-type: none"> • No Software to support, maintain, update • New features and fixes are rolled out instantly, no action required • Save time spent copying, burning and delivering DVDs, flash drives
More Power	Additional Features such as: <ul style="list-style-type: none"> • Redaction – facial, audio, trimming, etc. • Accessible from any internet connected device • Advanced tagging, searching, marking • Group other digital files with video for easier access • Access to new technology such as live metadata, CAD integration



QUOTE FOR DEPLOYMENT SERVICES

Services included in all quotes:

- Advance Exchange Warranty** on all body cameras, in-car cameras, VuLinks and docking stations.
- Free technical support** by phone or email for the life of your products.
- Free software and firmware updates** for the life of your products.
- Free on-site training** conducted by your Regional Sales Manager.

Additional Services that may be included in your quote:

- Remote Installation** of VuVault software/cloud on your computer or network server
- Remote installation** and configuration of wireless access point and upload manager
- Remote configuration of VuVault including –**
 - Registering devices
 - Registering users
 - Configuring VuLink, VuVault Go, RF card reader, body cameras, in-car cameras, docking station

Additional Services that are available for purchase and may be included in your quote

- On-site** software installation and device configuration, product testing, and user training
- Installation** of the in-car cameras and/or VuLinks into your patrol vehicles (for 6 already installed)
- Remote or on-site transfer** of existing database of video to new network storage location

Services that are NOT included and are the responsibility of the customer

- Installation** of servers and attached storage devices on your network
- Installation** of wireless access points on your building for wireless upload of video

- Please designate your VuVault Top Administrator:** _____ . The VuVault Administrator is the primary customer contact for technical support and product updates. In addition the VuVault Administrator should assume responsibility for these administrative tasks:

Manage VuVault: The Administrator is responsible for maintaining system settings per departmental policy. This includes retention policy, video tagging, naming conventions, security group assignments, event ids, etc. as well as ensuring that the agency has the latest VuVault updates installed.

Manage Devices: Activate and de-activate the in-car cameras, body cameras, VuLinks and Docking stations as they are put into, and taken out of service.

Manage Users: Keep the user list current and up to date by adding and de-activating employees as they join and leave the agency. This also includes managing security groups and rights and permissions within VuVault.

IT Liason: The VuVault Administrator should be the department's IT person or liason with the IT person to address network and software related issues in coordination with Digital Ally's Product Support Group.

Warranty and Repair: the VuVault Administrator will act as the department's internal point of contact to address system and device malfunctions. The VuVault Administrator should be the primary person responsible for contacting Digital Ally Technical Support to initiate warranty replacements, product repairs and ordering accessories and replacement parts.

Training: The VuVault Administrator with the assistance of your Digital Ally Regional Manager should assume primary responsibility for training new hires in the operation of the Digital Ally devices and the use of the VuVault software.

Ordinance No. O-13-20

Amendment No. 3 to the 2020-2021 Budget Ordinance

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

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

General Fund:
Increase the following revenues:

Restricted Intergovernmental Revenue		
Other Police Grant	103350-434311	\$20,155
		<hr/>
Total General Fund revenue increase		\$20,155

(Revenue needed to fund the grant requirement awarded to The Town of Waynesville from the Law Enforcement Education Foundation to purchase body cameras. LawEEF Grant (75%) \$15,116.25 Town of Waynesville Asset Forfeiture Funds (25%) \$5,038.75)

Increase the following appropriations:

General Fund		
Miscellaneous Grants		
Equipment	104315-545500	\$20,155

(The Police Department recently applied for and received a grant from the Law Enforcement Education Equipment Foundation. The purpose of this grant is to purchase FirstVu HD Body Cameras for our Police Department.)

Total General Fund appropriation increase		<hr/>
		\$20,155

Adopted this 25th day of August 2020.

Town of Waynesville

J. Gary Caldwell
Mayor

Attest:

Eddie Ward
Town Clerk

Approved As To Form:

William E. Cannon, Jr.
Town Attorney

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 25, 2020**

SUBJECT: Call for a Public Hearing on the Greenway bridge and extension project in preparation for submittal to the NC Recreational Trails Program.

AGENDA INFORMATION:

Agenda Location: Call for Public Hearing
Item Number: D4
Department: Development Services
Contact: Elizabeth Teague, Planning Director
Presenter: Elizabeth Teague, Planning Director

BRIEF SUMMARY: In January of this year, the Board gave town staff permission to apply for funding assistance from the North Carolina Recreational Trails Program (RTP). Staff has worked with Belle Engineering and Owen Surveying, and sought feedback from RTP consultants in development of a formalized plan and grant application. We ask that the Board schedule a public hearing in order for the Board and public to provide additional feedback on the project prior to final submittal of the grant application which is due on September 11, 2020.

MOTION FOR CONSIDERATION:

1. Motion to call for a public hearing at the next regularly scheduled meeting on September 8th at 6:30pm, on the Greenway bridge and extension project for the NC Recreational Trails Program Grant Application.

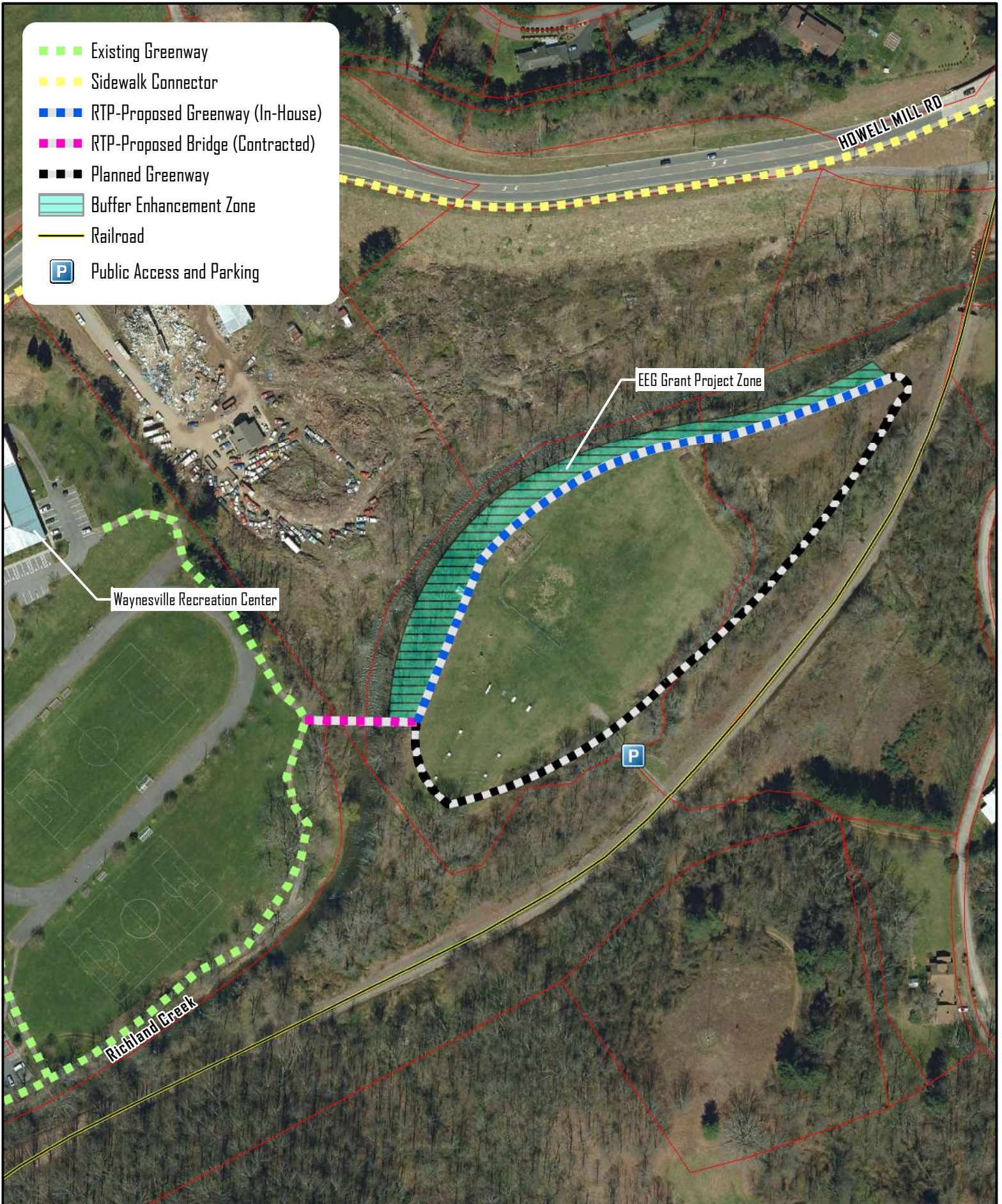
FUNDING SOURCE/IMPACT: \$115,000 has been raised in private donations to provide match for this \$250,000 grant application.

ATTACHMENTS:

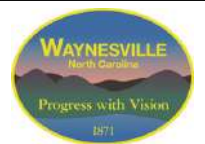
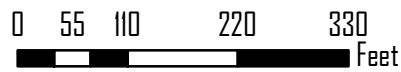
1. Plan map

MANAGER'S COMMENTS AND RECOMMENDATIONS:

- ■ ■ Existing Greenway
- ■ ■ Sidewalk Connector
- ■ ■ RTP-Proposed Greenway (In-House)
- ■ ■ RTP-Proposed Bridge (Contracted)
- ■ ■ Planned Greenway
- Buffer Enhancement Zone
- Railroad
- P Public Access and Parking



Project Specific Map 1:
Richland Creek Greenway and Bridge



**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 25, 2020**

SUBJECT:

The need to replace 2014 Dodge Charger (Total Loss Vehicle)

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E5
Department: Police Department
Contact: Lt. Chris S. Chandler
Presenter: Lt. Chris S. Chandler

BRIEF SUMMARY:

On the evening of July 15, 2020, at 10:54pm, a large white tail deer ran out of the woods directly into the front end of Sgt. Dickey's patrol car. The traffic collision occurred on the Old Asheville Highway while Sgt. Dickey was on his way to conduct a security check of the Time Out Market at the intersection of Old Asheville Highway and Howell Mill Road. The ensuing traffic crash investigation revealed that Sgt. Dicky was operating his vehicle in a safe and prudent manner, traveling at approximately 45 mph. and could have done nothing to avoid the collision. Sgt. Dickey was very fortunate not to be injured in the collision considering the direct front impact the vehicle sustained with no air bag deployment. The repair estimates from the adjuster was at 67% and totaling in NC is 75% loss-this estimate was based on damages not considering the additional engine damage. The insurance adjuster was also concerned about the lack of air bag deployment considering the resulting damage.

MOTION FOR CONSIDERATION:

To approve the additional funds required to replace Police Department vehicle #15, a 2014 Dodge Charger, last 5 vin# 79194. The total loss vehicle (ACV) is \$10,927.33, less deductible of \$500.00=Payment to be made of \$10,427.33. An estimate of \$425.50 was provided by WCCS to remove the usable equipment from Veh#15 with an estimate of \$2,487.53 to reinstall that equipment, along with a new siren speaker and bracket with new coax cables & wiring installment kit required for a replacement vehicle.

In an effort to match our existing fleet of vehicles, we are asking you to consider the following two options for vehicle replacement from the 19/20 Sheriff's Procurement Program that is valid through October 1, 2020:

#149 Dodge Durango AWD 5.7 L	\$30,755.00 - \$10,427.33(ACV)= \$20,327.67 (WCCS)+ \$2,487.53 Total = \$22,815.20
Or	
#145 Dodge Charger AWD 5.7 L	\$24,044.00 - \$10,427.33(ACV)= \$13,616.67 (WCCS)+ \$2,487.53 Total = \$16,104.20

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

Finance Director

Date

ATTACHMENTS:

Letter from Tokio Marine HCC-Public Risk Group

An email from Amie Owens describing the Insurance Adjusters Findings

Quotations from WCCS for removal of usable equipment and replacement costs

A copy of Traffic Collision Report WPD202000114

MANAGER'S COMMENTS AND RECOMMENDATIONS: Recommend approval and replacement of Police Vehicle.

Ordinance No. O-14-20

Amendment No. 4 to The 2020-2021 Budget Ordinance

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

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

General Fund:

Increase the following revenues:

Other Financing Sources

Fund Balance Appropriated	103900-493992	\$24,000
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Total General Fund revenue increase		\$24,000
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Increase the following appropriations:

Police Department

Vehicles	104310-545400	\$24,000
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Total General Fund appropriation increase		\$24,000
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(To approve the additional funds required to replace Police Department vehicle #15, a 2014 Dodge Charger, last 5 vin# 79194. The total loss vehicle (ACV) is \$10,927.33, less deductible of \$500.00=Payment to be made of \$10,427.33. An estimate of \$425.50 was provided by WCCS to remove the usable equipment from Veh#15 with an estimate of \$2,487.53 to reinstall that equipment, along with a new siren speaker and bracket with new coax cables & wiring installment kit required for a replacement vehicle. This vehicle replacement will require additional funds to be appropriated for the current FY 2020-2021 budget.)

In an effort to match our existing fleet of vehicles, we are asking you to consider the following two options for vehicle replacement from the 19/20 Sheriff's Procurement Program that is valid through October 1, 2020:

#149 Dodge Durango AWD 5.7 L	\$30,755.00 - \$10,427.33(ACV)=	\$20,327.67
	(WCCS)+	\$2,913.03
	(Premium Striping – Waynesville PD)+	\$668.75
	Total =	\$23,909.45

Or

#145 Dodge Charger AWD 5.7 L	\$24,044.00 - \$10,427.33(ACV)=	\$13,616.67
	(WCCS)+	\$2,913.03
	(Premium Striping – Waynesville PD)+	\$668.75
	Total =	\$17,198.45

Adopted this 25th day of August 2020.

Town of Waynesville

J. Gary Caldwell
Mayor

Attest:

Eddie Ward
Town Clerk

Approved As To Form:

William E Cannon Jr
Town Attorney

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 25, 2020**

SUBJECT: Request approval of updates to Personnel Manual/Employee Handbook

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E6
Department: Administrative Services
Contact: Amie Owens, Assistant Town Manager
Brittany Angel, HR Specialist
Rob Hites, Town Manager
Presenter: **Amie Owens, Assistant Town Manager**

BRIEF SUMMARY: As required or as is necessary updates the Personnel Manual/Employee Handbook are made to match the current policies and procedures of the Town.

Updates include:

Page 2 - Welcome – updated to reflect the name of Gary Caldwell as Mayor

Page 12 – Authorization of New Positions – last sentence clarifying that only the Board can approve additional positions.

Page 16/17 – Longevity Pay – updated to reflect the new longevity pay format approved at the Board Retreat in February to be effective on July 1, 2020.

Page 23 – Reinstatement – updated to decrease the amount of time that an employee can be away from the Town where credit for previous service and benefits is still approved. Change from one year to six months. This item shows amended in 2015, but there was no discussion related to it in the minutes.

Page 48 – updated to have a not to exceed amount of \$2,000 annually for reimbursement for employees per fiscal year.

Various grammatical and spelling updates throughout the document for clarity.

MOTION FOR CONSIDERATION: To approve the updates to the Personnel Manual/Employee Handbook as presented.

FUNDING SOURCE/IMPACT: No funding required. Administrative Update only.

ATTACHMENTS:

- Tracked version of document

MANAGER'S COMMENTS AND RECOMMENDATIONS: Recommend approval.

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: ~~November 2018~~ 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 _____, 2020.

TOWN OF WAYNESVILLE

J. Gary Caldwell,
Mayor

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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

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: Life Guards. 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 employee's 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/Waste Water 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
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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)**

<u>6 to 10 years</u>	<u>Base of \$100 and add \$25 per year (\$200 max)</u>
<u>11 to 15 years</u>	<u>Base of \$250 and add \$25 per year (\$350 max)</u>
<u>16 to 20 years</u>	<u>\$500 per year (same amount each year)</u>
<u>21 to 25 years</u>	<u>\$750 per year (same amount each year)</u>
<u>26 years and beyond</u>	<u>\$1,000 per year (same amount each year)</u>

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 work place. Ordinarily, an employee's working hours will include all hours from the beginning of the work day 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 photo copies 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 work load 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

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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 Drivers 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 insure 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, nunchucks), 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 work stations 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 wadded 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. Men with ear piercings should wear a clear stud or no earring while on duty. Conventional dress for women 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 piercing, 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 pay check.

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 SnapChat, 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 work days 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, step parent, brother, sister, grand parent, grand child, 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 work day, 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 work day.

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 employees 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 amount of reimbursement for an employee is limited to \$2,000 per fiscal year.

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 BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 25, 2020**

SUBJECT: Traffic Calming Policy

AGENDA INFORMATION:

Agenda Location: Manager's Report
Item Number: F7
Department: Administration
Contact: Rob Hites, Town Manager
Presenter: Rob Hites, Town Manager

BRIEF SUMMARY The Town has received several requests to install traffic calming devices. Many Towns have adopted such policies and incorporated several different devices in an attempt slow speeding. I have reviewed several the policies and they appear to have several repeated themes; A petition of 65-80% of the affected street's residents must sign a petition for the Town to consider such a policy. Some Towns require a cost sharing approach in order to install such devices, Traffic calming devices are not intended for collector streets or thoroughfares. Devices are not intended for short, dead end streets with very few dwellings. Once installed, it takes a petition of 65-80% of the residents to request that such devices be removed.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT: Such devices cost approximately \$15,000 for a pair.

ATTACHMENTS: Policies and Examples of Traffic Calming Devices

MANAGER'S COMMENTS AND RECOMMENDATIONS: Accept for information and advise staff as to next steps.



MEMORANDUM

TO: Mayor and Town Board of Aldermen
FROM: Robert W. Hites Jr.
DATE: 8/25/2020
SUBJECT: **Traffic Calming Policies**

I have reviewed several Traffic Calming Policies from NC municipalities. Some, including the policy the Waynesville staff drafted in June of 2015 may be too complicated for the citizens to understand and carry out. Matthews and Monroe have a more streamlined process that is easier to administer. The policies have the following in common:

- Traffic calming devices may be requested by one or more residents or businesses however the review process begins AFTER sufficient petition of the residents of the “study area” has been submitted and verified. Study areas are defined as the principal street in question plus any small, residential feeder streets that may be impacted by the devices. Different percentages of affirmative signatures are accepted by the municipal staffs. They range from 60%-75.
- It is up to the residents requesting the devices to obtain the signatures. The municipalities supply the petition forms.
- Once the petitions have been submitted and found to be sufficient the municipality conducts a study of the affected area. They post a traffic computer to assess the number of vehicles and their speeds. They study the design of the street and its topography to determine the safest and most efficient traffic calming devices.
- In order to move to the next step, the traffic survey must show that the vehicles that make up the 85th percentile are traveling a minimum speed over the posted speed limit. One Town uses 6 miles over the speed limit, another uses 8 miles over the limit.
- Municipalities define the types of streets that are suited for traffic calming devices. Some of their definitions are as follows:

Street must not end in a cul-de-sac.

Street must post a travel volume of over 500 vehicle trips per day.

Street must not have a grade in excess of 8%.

Street must not be classified as a collector or thoroughfare.

Street must be predominantly residential in nature.

Page 2.

Traffic Calming Devices

- The Town staff will meet as a working group to determine the type of traffic calming device that is best suited for an area.
- The Police, Fire, Sanitation and EMS staff will discuss the impact of different traffic calming devices on their vehicles. Frequently used emergency routes may not be conducive for of certain traffic calming devices.
- The staff will report to elected officials their findings to the elected officials.
- Several municipalities state that the same percentage of residents must petition for a traffic calming device to be removed. One municipality states that the traffic calming device must be kept in place for a minimum 5 years before the Town will remove it unless the residents wish to pay to have it removed.
- A couple of municipalities state that a list of approved traffic calming devices will be kept until such time as the Town may contract with a paving company to install several at one time.

I recommend that the Board review the attached policies and give the staff guidance as to what they would like to see in Waynesville's policy. The staff can flesh together a plan that meets your needs and bring it to you for consideration.

Chief Adams told me our traffic computer is no longer functioning (15 years old). He suggests that we purchase a new on (\$3,500). He also suggests that we purchase several portable solar powered speed monitors that we can place in problem areas to show folks their speed as they pass the monitors.



Town of Ayden, NC: Traffic Calming Policy

Roundabouts – Barriers placed in the middle of an intersection, directing all traffic in the same direction. Speed Humps
Rounded Raised pavement devices placed across roadways to slow and/or discourage traffic.



Speed Humps - Raised devices, parabolic in shape, placed across the road to slow traffic. They are often considered the most traditional traffic-calming solution. Speed humps slow traffic more gradually than speed bumps, although less so than speed tables.



Speed Cushions: Designed as three small speed humps, speed cushions force pedestrian vehicles to slow down. However, the wider axle of emergency vehicles allows them to pass without slowing down. In addition, speed cushions are more affordable than speed humps or tables since they require less material.



Speed Tables – Flat-topped speed humps often constructed with a brick or other textured material to slow traffic.





Town of Ayden, NC: Traffic Calming Policy

#withthemindofayden

Speed Trailer- Portable speed trailers visually display drivers' real-time speeds compared to the speed limit.



Dan Burden

Traffic Circles – Barriers placed in the middle of an intersection, directing all traffic in the same direction. These are usually larger than roundabouts.



Chicanes/Lateral Shifts – Curb extensions that alternate from one side of the roadway to the other, forming S-shaped curves.



Education – Instructions given to the residents on safe on-street vehicle travel.





NEIGHBORHOOD TRAFFIC CALMING POLICY JUNE 12, 2015

I. PURPOSE

The Town of Waynesville continually strives to strengthen and protect its neighborhoods by improving the quality of life in residential areas. Traffic conditions on residential streets can greatly affect neighborhood livability. Speeding traffic and unnecessary through traffic in neighborhoods create safety hazards on residential streets. When traffic problems become a daily occurrence, our sense of community and personal well-being are threatened.

The Town of Waynesville's *Neighborhood Traffic Calming Policy* was developed to guide town staff and inform residents about the processes and procedures for implementing traffic calming on residential streets. Under this policy, the Town Engineer will work with residents to identify traffic problems in their neighborhoods and seek appropriate solutions.

Citizen participation is an important part of all traffic calming projects. Experience in other cities has shown that traffic calming projects that are implemented without involving the neighborhood are frequently unsuccessful, often resulting in the future removal of traffic calming measures. The Town's goal is to give the people who live and work in the project area the opportunity to become actively involved in the planning and decision-making process.

What streets will be addressed under this policy?

This policy addresses residential local service and residential collector streets. As the Town of Waynesville does not currently have a comprehensive document which classifies its existing residential collector and local service streets, this Policy contains the following general descriptions which will help identify appropriate streets.

Residential local service streets serve as local circulation needs for motorists, bicyclists and pedestrians, and provide access to residences and some businesses. Local service streets are not intended to carry significant volumes of through traffic.

Residential collector streets are typically streets that provide access between local service streets or from local service streets to thoroughfares. Collector streets often carry some amounts of through traffic. To be considered under this Policy, a collector street must be primarily residential. In order to allow flexibility for land uses like parks and schools, no exact standard will be set; however, as a general guideline, "primarily residential" means that at least 75% of the properties with frontage on the street are in residential zoning or have existing land use that is residential.

Many streets around the Town of Waynesville are maintained by the North Carolina Department of Transportation (NCDOT). Several of these may fall under one of the descriptions mentioned

previously. It is possible in some cases that the Town of Waynesville will work with the NCDOT to implement traffic calming on these streets through this Policy; however, early in the traffic calming program, the Town will focus on streets that it maintains.

II. STREET EVALUATION AND PRIORITIZATION

INITIATION

All streets will be evaluated by street segment. A segment is that portion of the street that lies between two thoroughfares or collector streets, or other logical feature that may separate portions of a street; such as, changes in land use, major driveway entrances, specific road conditions, or historic boundaries. A street segment can be added to the list of streets to be studied for potential traffic calming in a number of the following ways:

- A citizen or group of citizens contacts the Town Engineer directly to express their concerns about speeding traffic or excessive volumes of traffic on their street. The Town Engineer sends a questionnaire to the resident(s) that request additional information about the problem areas and allows multiple residents to sign on to the request. Once this questionnaire is received by Town staff, the street segment will be added to the list of streets to be studied.
- A recommendation to study is made by the Town Council or the Technical Review Committee. This recommendation may follow a request to one of these public bodies from a citizen or group of citizens; or the concern may surface during the regular business of these public bodies.
- The Waynesville Police Department recommends the addition of a street to the list based on their enforcement and/or citizen concerns.
- The Town Engineer initiates a study based on field observations.

PRELIMINARY EVALUATION

The Town Engineer will visually inspect the street, review the city ordinance to determine the established speed limit, and collect traffic volume and speed data. The data collection will normally be done using electronic automatic traffic recorders over a period of days. The following data will typically be collected:

- Speed data to determine the 85th percentile speed as well as the median. The 85th percentile speed is defined as “the speed at or below which 85% of all vehicles are observed to travel under free flowing conditions past a nominated point.” This is known to be the safe speed that reasonable people (i.e. you and I) tend to adopt according to the road environment.
- The volume of traffic for a typical day. Preferably, both weekdays and weekends will be included to provide a complete depiction of traffic conditions.
- The speed and volume data will typically be in a form that enables specific times of day to be evaluated in order to determine peak hour traffic volume and to identify any specific times of day when traffic speeds are higher.
- Occasionally, vehicle classification data (cars, trucks, buses, motorcycles, etc.) will be collected if deemed necessary by the Town Engineer.

The first step in the preliminary evaluation will be to determine whether the posted speed is appropriate. Under the current ordinance, unless specifically identified in the ordinance, all

residential streets have an established speed limit of 35 mph, regardless of the type of use, volume of traffic, or physical and geometric features.

The Town Engineer will determine the appropriate speed for streets being evaluated under this policy by conducting an engineering study that considers the following factors:

- Speed data collected
- Geometric features of the roadway, including but not limited to, horizontal and vertical alignment, sight distance, lane width, shoulder width, and the presence of sidewalks
- Type of roadside development
- Proximity of houses and other development to the street
- Pedestrian and bicyclist activity
- Density of driveways that intersect the roadway

Typically, speed limits on residential local service streets will be set at 25 mph, while speed limits on residential collector streets will be set at 30 mph. These speed limits may be set lower based upon the above factors.

The primary purpose of the preliminary evaluation is to determine whether the speeding or traffic volume problem is significant enough to warrant further study and prioritization. For streets to be considered for prioritization; the measured 85th percentile speed must be more than 5 mph higher than the posted speed limit or the total traffic volume on the street must be greater than 1,000 vehicles per day. In the event that a street does not meet these criteria, the Town of Waynesville recognizes that a traffic problem may still exist on the street; however, relative to other streets in the Town, the extent of the problem does not warrant the use of the Town's limited resources to resolve by this program.

PRIORITIZATION

Street segments that meet the previous qualifications will advance to selection scoring and prioritization. At this time, a more detailed field review and study of the street can be completed if deemed necessary by the Town Engineer. The detailed evaluation will typically include the following:

- The traffic speed and volume data collected under the preliminary evaluation
- Additional speed and volume studies as needed for more detail or to get updated data
- An evaluation of the roadway geometry to determine the presence of sidewalks, to identify sight distance problems, and to identify any other conditions of concern for traffic safety
- A review of crash history for the prior three years to determine the total number of collisions and to identify any significant crash trends (i.e. type of collisions, locations, time of day and days of the week).

This detailed evaluation will generate information about several rating criteria to be used in prioritizing streets. These criteria will be given varying weights in the rating chart based on the following descriptions:

- Speed is given the most importance, since high speed usually affects safety and livability the most. It is also the condition that can be improved the most using traffic calming measures.
- Traffic volume is also considered because it contributes to the general traffic conditions on the street.

- Crash history gives an indication of existing safety problems with the street. A high level of crashes can be an indicator of limitations of the street design that may be difficult to quantify. In addition, reducing traffic speed and volumes has been shown to reduce crashes on residential streets.
- Roadway geometry is an important factor in traffic safety in neighborhoods. Roadway geometry features can restrict visibility; creating hazards for motorists and pedestrians. Many streets are configured in a manner that residents must back out of narrow driveways into the street.
- Residential density also affects traffic conditions. Higher densities typically generate more pedestrians and vehicle turning movements. In addition, projects on high density streets benefit more people than projects on low density streets.
- Other criteria such as the presence of sidewalks and pedestrian generators like schools, parks, and bus routes are important because they relate to pedestrian safety. Vehicle travel speeds and volumes directly affect the potential for pedestrian injuries and fatalities.

Rating Chart

Criteria	Points	Basis for point assignment
Speed	0 to 40	4 points assigned for every mph greater than 5 mph above the posted speed limit (using the full day 85 th percentile speed)*
Volume	0 to 20	1 point for every 200 vehicles per day.*
Crash history	0 to 10	1 point assigned for each 0.3 recorded crashes per year per mile of roadway (based on the past three years)
Pedestrian generators	0 to 10	4 points for each elementary or middle school within 500 feet of the project area. 2 points for each other school, bus route, park, or community center within 500 feet of the project area. 2 points should be given if any (not for each) retail, commercial, or other institutional (including churches) uses exist within 500 feet of the project area.
Roadway Geometry	0 to 8	Each street segment will be rated on a scale of 0 to 8 for potentially hazardous roadway geometry and other factors. Factors to be considered include horizontal and vertical curvature, street width, proximity of homes to the street, stopping sight distance, intersection sight distance, and driveway sight distance and geometry.

Residential Density	0 to 7	1 point assigned for every 25 dwelling units per mile.
Sidewalks	0 or 5	5 points assigned if there is no continuous sidewalk on at least one side of the street.
Total Points Possible	100	

*For streets that exhibit cut-through traffic characteristics during specific hours, the following alternative method may be used if it results in a higher score. For speed: 3 points for every mph greater than 5 mph over the posted speed (using the 85th percentile speed calculated during heavy cut-through traffic periods). For traffic volume: 1 point for every 20 vehicles per hour during the peak hour recorded on the street.

III. PRELIMINARY USES OF THE PRIORITIZED LIST

The prioritized list will be used in several ways by different departments in the town. The primary purpose of the list is to identify streets and areas for traffic calming projects; however, due to limited resources, some areas may not be identified and funded for a project for significant periods of time. In addition, developing a traffic calming project can take months, adding to the delay experienced by residents. Therefore, interim strategies may be used to provide citizens with some improvement of their traffic problems by one or all of the following: police enforcement, traffic speed display signs and neighborhood awareness campaigns and education.

POLICE ENFORCEMENT

The prioritized list and the speed and volume data will help the Waynesville Police Department enforce speeding laws more efficiently. The data tells officers which streets have the most significant speeding problems. In addition, specific information about the speed profiles for the street can help officers focus their efforts on the most serious offenders.

TRAFFIC SPEED DISPLAY SIGNS

The Town of Waynesville has speed display signs that use radar technology to show drivers the speed they are travelling. The Police Department and the Public Services Department place these signs on streets where speeding problems have been identified. The prioritized list with information about the level of speeding on various streets will help these departments place these signs more effectively. While these signs do not force scofflaw drivers to slow down, many drivers speed in neighborhoods without realizing how fast they are travelling. Reminding these drivers that they are exceeding the speed limit on a street can encourage them to drive more slowly.

NEIGHBORHOOD AWARENESS CAMPAIGNS AND EDUCATION

Many people drive too fast in their own neighborhoods. “Speeders” are not always bad guys from somewhere else – most are neighbors and friends, responsible people like ourselves who are committed to safe, peaceful neighborhoods. Nevertheless speeding in residential areas is a bad habit, and we need to help each other break it.

NEIGHBORHOOD ACTIVITIES

There are a number of activities neighborhood residents or associations can initiate on their own to help remind neighbors and through traffic to pay attention to their driving habits and remind them of their mutual responsibility to the residents – particularly the children – living in the community. The following are some examples of this type of low cost and potentially effective neighborhood activities neighborhoods can implement on their own to encourage drivers to slow down on neighborhood streets:

- Write letters to local newspapers or neighborhood/community newsletters letting drivers know the threat posed by speeding on our sense of community and well-being.
- Hold a “slow down” block party to get people to think about their driving habits.
- Groups of residents can walk the neighborhood with door hangers and talk to neighbors about neighborhood traffic safety.
- Leave the cars at home. Encourage family and friends to ride bicycles, walk or take the bus to destinations. This will reduce the traffic volume and speeding in your neighborhood. In addition, the presence of people (not just people in cars) on the street reminds driver’s that they are in a neighborhood, not on an interstate highway. The Strive Not To Drive campaign is an example of this activity.

NEIGHBORHOOD ROLE AND RESPONSIBILITY IN THE FORMAL TRAFFIC CALMING POLICY

Neighborhood participation is an important component of the Traffic Calming policy. The town has developed a number of tools and programs to help neighborhoods participate in lowering the speed of vehicles traveling on neighborhood streets. Neighborhoods interested in participating in the Traffic Calming Program are required to develop a neighborhood traffic calming plan that includes strategies from the categories listed below. As a step in the traffic calming process the plan must be approved by the Public Services Department and documentation provided that all strategies have been implemented. The materials and equipment are provided to the neighborhood by the town.

Conduct an Educational Campaign:

- Distribute information on the impact of speeding in the neighborhood and larger community. (Town provided resources: brochures, door hangers, templates for letters, articles and meeting presentations)
- Neighborhood awareness walks. Neighborhood residents conduct walks on neighborhood streets to distribute information about the traffic calming plan and campaign. (Town provided resources: brochures, door hangers, safety vests)
- Yard Signs. Neighborhood enlists residents to install yard signs encouraging drivers to slow down. (Town provided resources: Standard signs that meet ordinance standards for size, content and placement)

Conduct or sponsor safety training events:

Pedestrian safety training for kids
Bike safety training (Rodeos)
Drivers’ education

Low-Cost Traffic Control Device Strategies

Under some circumstances, placement or removal of various traffic control devices such as signs and markings can improve the traffic problem on a residential street. If the Town's Engineer determines that a low-cost strategy may be beneficial, he or she can implement the strategy as soon as personnel resources are available. Some examples of possible strategies are:

- In areas away from hill crests or curves, removing a striped centerline can encourage drivers to drive more slowly. Centerlines should be maintained around curves, over hills, and on approaches to railroad crossings and bridges. In some situations, centerlines should be maintained at approaches to intersections.
- On some overly wide streets where on-street parking is underutilized, reduced vehicle speeds can be achieved by striping white edge lines spaced approximately 20 feet apart (preferably without a centerline stripe). Typically, streets with a width of at least 32 feet are good candidates for this treatment.
- Removing on-street parking restrictions can reduce speeds. For low-volume residential streets, parking on one side of streets will normally be allowed on streets with curb to curb widths of at least 20 feet, and parking on both sides of the street can normally be allowed on streets with widths of at least 24 feet. Any changes that will allow parked cars to effectively narrow the street, must be approved by the Public Services Department. On streets with volumes over 1500 vehicles per day, a queuing analysis that considers traffic volume and the density of on-street parking may be necessary before allowing parking that would narrow the street down to one lane.
 - On streets with parking allowed on only one side of the street, parking can be alternated from side to side along the length of the street to break up the visual continuity of long, straight streets. No parking zones must be overlapped to avoid potential barriers to emergency response vehicles.
 - In some situations, turning two-way streets to one-way can improve traffic problems in neighborhoods. One-way street conversions will be considered as part of traffic calming projects. However, in some situations it may be appropriate to convert streets to one-way as a low-cost strategy.

IV. TRAFFIC CALMING PROJECTS

Traffic Calming Measures

As described below under Project Development, residents will be given a "toolbox" of traffic calming measures that can be used to reduce traffic problems on residential streets; in addition to, several excellent publications and web sites providing, definitions, descriptions, benefits, disbenefits, costs, and design guidelines for traffic calming measures.

Department Staff will use these documents and other resources to present a "toolbox" of traffic calming measures to residents during the project development process. In addition, staff may make general presentations about traffic calming measures to the public or to specific organizations. Residents who are interested in learning more about traffic calming on their own are encouraged to make use of valuable resources on the internet. The web site for the Institute of Transportation Engineers (ITE) contains excellent information and several links concerning traffic calming. <http://www.ite.org/traffic/index.htm>

Project Selection

In many cases, several neighboring streets have similar speeding and cut-through traffic problems. Implementing traffic calming on one street can cause the problem to get worse on other streets, or create traffic problems where there were not significant problems before. Therefore, traffic calming projects will often need to include several streets in the same area. Some flexibility in selecting projects from the prioritized list will be necessary in order to accommodate appropriate grouping of streets. The Town's goal is to provide traffic calming in all regions of the city where the data indicates that it is needed. Additional flexibility in project selection is necessary to allow this goal of regional equity to be realized.

Due to the criteria used, the rating chart will give higher scores for residential collector streets. However, it is important to have traffic calming projects on both residential collector streets and residential local service streets. Therefore, to select traffic calming projects, separate lists shall be created for collector streets and local streets. Projects will be alternately selected from each list.

Residents or a home owner's association may elect to pay for 100% of the construction costs to implement a low priority project faster, provided the other high priority projects remain on schedule.

It should be noted that only warranted projects will be considered for funding. Simply because private funds are provided does not mean that traffic calming devices will be installed.

Project Initiation

Once an area has been selected for a traffic calming project, Department Staff will contact neighborhood representatives and identify a few neighborhood representatives who will assist in notifying and petitioning other residents. Preferably, the project will be supported by an established neighborhood association. The committee and Department staff will work together to identify the petition area. Typically the petition area will include properties on all street segments within the actual project area, on cross streets up to the next parallel street (or up to 300 feet from the project streets), and on any other street that must use the project streets as primary access. Projects on collector streets will generally have a relatively large petition area.

The citizen committee will be given petition forms along with information about the project area and basic information about traffic calming to provide to the residents in the petition area. In order to move on to the next phase of project development, signatures must be gathered from at least 40 percent of the households (owners and renters) within the petition area and a structured neighborhood awareness campaign must be held along with an education process that will last for a minimum of six months.

In addition to the petition, in some situations, surveys may be distributed to residents of the petition area, to further measure support for the project and obtain additional comments about traffic from residents who may not be able to attend the project development meetings described below.

Meetings for Project Development

The Town Engineer and Department Staff will work with residents of the petition area to set up a public meeting. All the residents of the petition area will be invited to attend. Facilitators will be used to assist in the process, and depending on the size of the project, consultants may be on hand to help with the project. Representatives of the Police, Fire, Public Works, Planning and Development, Parks and Recreation, and Transit Departments will be invited to attend the

meeting and participate in the discussion. Depending on the size and magnitude of the project, the following activities may take place at this meeting:

- Waynesville Fire Department will weigh in on any adverse affects the traffic calming devices (speed humps and/or cushions) may create to their response time and standard of cover performance.
- Staff will present the data and analysis for the traffic problems in the project area. This process may include slides of the streets to help illustrate the problems.
- Participants will be offered a “toolbox” of physical traffic calming measures or other solutions for the traffic problems on their streets. This toolbox will be in the form of a verbal presentation accompanied by slides, handouts and/or other visual media.
- Participants will be asked to provide one-sentence descriptions of specific traffic issues within their neighborhood.
- Residents will split into groups of 6 to 10 people and work around a map laid out on a table. Using the maps provided, participants will create a neighborhood traffic calming plan with their proposed solutions.
- Each of the groups will present their maps and give a summary of their discussion.
- A final group discussion to get consensus about differences in the plans will give Department Staff final guidance.

Conceptual Plan Development

The Town Engineer will create a conceptual plan for the neighborhood based upon the recommendations and proposed solutions from the residents. Any necessary field measurements will be taken to ensure that the proposed treatments will fit within the context of the street and to help with design. The proposed solutions will be evaluated for their appropriateness for the project area, and adjustments will be made as necessary. The plan development should include an analysis of whether or not the proposed measures will negatively affect nearby residential streets. The conceptual plan and final report will be prepared by the Town Engineer and will be reviewed by Police, Fire, Public Works and Planning and Development.

Final Report to Neighborhood

Department Staff will present the final report to all of the residents of the petition area. A map of the project area and visual aids will be used to summarize the treatments. Approximate project costs and installation information will be presented as well. Meeting participants will be asked to provide comments and help refine the recommended design. The Town Engineer will refine the design as necessary to address the concerns and comments from this meeting.

Final Approval Process

With information about the project and petitions provided by the Town Engineer, the citizen committee will petition residents of the petition area to determine the level of support for installation of the proposed traffic calming measures. Both residents and non-resident property owners may be included on the petition. Signatures are required that represent at least 60 percent of the households in the petition area. In addition to the petition, a survey of residents in the area may be conducted to further assess the level of community support. Once the necessary level of support is determined, projects will be funded based upon their prioritization.

Design and Construction

Once the project is approved and funded, the Town Engineer will complete the detailed design. The final plans will be reviewed by Department Staff and representatives of the neighborhood as needed. The traffic calming measures will be constructed by Town crews or by a contractor.

In the event that the traffic calming measures are very costly to install, or if the potential effectiveness of the measures is unknown, the Town Engineer may elect to install temporary traffic calming measures to determine their effectiveness.

Many traffic calming measures offer significant opportunities for landscaping. Neighborhood residents will be responsible for installation and maintenance of the landscaping. Landscaping must be installed in accordance with the Town's Ordinances, and as approved by Department Staff. Before the project is constructed, an agreement or agreements must be signed between the Town and the residents, which states that the residents are responsible for installation and maintenance landscaping. Preferably, these agreements will be between the Town and a neighborhood association or other organization. However, if this is not feasible, an agreement may be made with individuals for specific traffic calming measures.

Project Evaluation

Six months after the project is installed, the Town Engineer will complete an evaluation of the effects of the project. Comments will be solicited from residents in the project area by the use of a formal survey or through press releases. Traffic speed and volume data will be collected and any change in traffic volumes and speeds on the treated streets will be documented. In addition, traffic diversion and impact on nearby residential local service streets will be measured. If any unacceptable impacts are identified, corrective measures will be taken. In some cases, traffic calming measures might be removed. If temporary traffic calming measures were used initially, the Town may opt to install permanent measures at this time.

FLOW CHART 1. TRAFFIC CALMING POLICY PROCESS

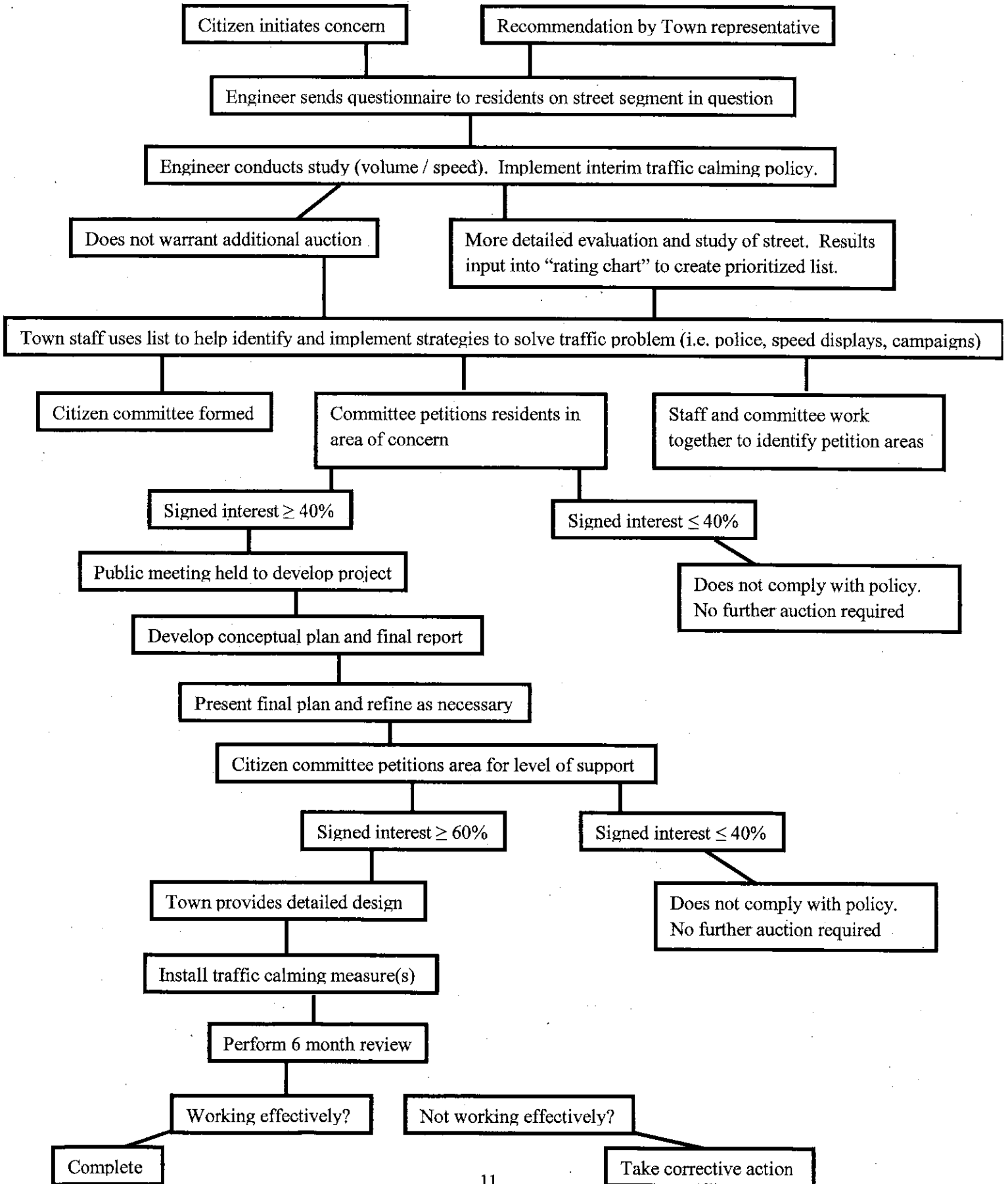

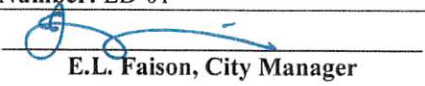


TABLE 1. Summary of the Process Outlined in This Policy

Step #1	<ul style="list-style-type: none"> • Citizen(s) contacts staff with concern or a study is initiated by Town staff • Town Engineer sends questionnaire to resident(s). • Citizens return completed questionnaire to Town staff.
Step #2	<p>Town Engineer:</p> <ul style="list-style-type: none"> • Conducts a preliminary evaluation including a basic speed and volume study; • Recommends reduced speed limits if necessary; and • Determines whether the traffic problem is significant enough to warrant further study and prioritization for traffic calming measures.
Step #3	<ul style="list-style-type: none"> • Town Engineer conducts a more detailed evaluation and study of the street. • The data collected from the evaluation is input into the rating chart in order to create a prioritized list of street segments that have significant traffic problems.
Step #4	<ul style="list-style-type: none"> • Town staff uses the prioritized list to help implement some interim strategies to provide citizens with some improvement to their traffic problems. These strategies may include: <ul style="list-style-type: none"> • Police enforcement; • Speed display signs; • Awareness campaigns; and • Low-cost traffic control device changes.
Step #5	<ul style="list-style-type: none"> • Projects are selected based on the prioritized list and the connectivity of streets in specific areas. • A citizen committee of residents who live on or near the project streets is formed. • Staff and the committee identify the petition area for the project, and the citizen committee gathers signatures from residents within the petition area. • At least 40% of the households in the petition area must be represented on the petition in order to move on to the next step.
Step #6	<ul style="list-style-type: none"> • Town staff works with neighborhood residents to hold a public meeting to develop the project. • Staff presents the data for the project area and a “toolbox” of traffic calming measures. • Citizens and Town staff work together to identify the key problems and recommend solutions for the neighborhood.
Step #7	<ul style="list-style-type: none"> • Town Engineer develops a draft conceptual plan based on the recommendations from the neighborhood meeting. • This plan is reviewed by representatives of other Town Departments as necessary. • A final plan is developed based on any internal comments.
Step #8	<ul style="list-style-type: none"> • Town staff presents the final report and conceptual plan to the neighborhood • Town staff refines the design as necessary
Step #9	<ul style="list-style-type: none"> • Citizens petition residents of the petition area to determine the level of support. • Signatures must be obtained that represent at least 60% of the households in the petition area.
Step #10	<ul style="list-style-type: none"> • Town Engineer completes the detailed design. • Agreements are signed between the neighborhood and the Town stating that the neighborhood will install and maintain any landscaping. • Traffic calming measures are installed.
Step #11	<ul style="list-style-type: none"> • After six months, Town Engineer evaluates the project. • Comments are solicited from neighborhood residents and other citizens. • Corrective measures will be taken if necessary.

	Policy: Traffic Calming in Residential Neighborhoods	Effective Date: November 3, 1998
	Policy Number: ED-01	Revision Effective Date: August 17, 1999; April 2, 2002; May 6, 2008; March 21, 2016
 E.L. Faison, City Manager		Page 1 of 4 Engineering Responsible Party

TRAFFIC CALMING IN RESIDENTIAL NEIGHBORHOODS

A traffic calming device is a physical device used along city-maintained streets to calm traffic within residential neighborhoods. A speed hump/cushion is a raised area of pavement that extends transversely across a roadway surface. Speed humps normally have a height of 5 inches and a travel length of 22 feet. Speed cushions are typically 13 feet long and 3.75 inches high, installed as three separate panels across the width of the roadway, leaving a separation between panels to accommodate the wheel path of emergency response vehicles which are wider than typical passenger vehicles. The speed cushion reduces speeds for normal vehicles, but allows vehicles with a broader wheelbase, such as fire trucks, to straddle the speed cushion without slowing and is the primary design installed. Traffic calming is typically installed in sets of three and serves as a deterrent and physical reminder that the speed limit is 25-mph. The following policy is to govern the installation and placement of traffic calming within residential neighborhoods.

Policy Creation

Creation of a Policy for Traffic Calming in Residential Neighborhoods is the responsibility of the City of Monroe Engineering Department. The Public Safety Committee shall oversee preparation and implementation of the traffic calming policy. Once the policy has been drafted, it is the responsibility of the City Council to review and approve/disapprove said policy. In the event of disapproval, the City Council will recommend policy changes and direct the Public Safety Committee to revise and resubmit. This process shall continue until a policy is approved.

Execution of Policy

Once the Traffic Calming Policy has been approved by the City Council, it is the responsibility of the Engineering Department to execute and enforce the policy. Only in cases where the Engineering Director has determined special circumstances to exist shall the Public Safety Committee be asked to evaluate individual traffic calming requests.

Traffic Calming Process

The process is initiated when the Engineering Department receives a request for installations. A preliminary investigation into the Pre-Study Qualifying Criteria, including horizontal and vertical alignment and roadway classification, will be completed. Roadway classifications will be determined in accordance with Section 02.01.01, Street Classifications, of the City of Monroe Standard Specifications and Detail Manual. For qualified streets that are not posted at 25-mph, the Engineering Director shall submit the street for inclusion in the City of Monroe Traffic Schedules as a designated 25-mph street and post upon approval of the Ordinance amending the Traffic Schedules by the City Council. Traffic Studies shall only be completed after the residential street has been posted at 25-mph for a period exceeding six (6) months. If these

criteria are met, the Engineering Department will conduct a field investigation. The Engineering Department will use traffic monitoring devices to determine average daily traffic, vehicle speeds, and vehicle types. If the street's Post-Study results meet the Post-Study Qualifying Criteria, a map will then be prepared detailing the best possible locations for installations. A standard petition package containing a petition form, maps, and brochures on traffic calming devices will be mailed to the requesting party. The requesting party is responsible for obtaining signatures on the petition form and returning it to the Engineering Department. If the petition requirements have been satisfied, the Engineering Department will generate and execute a work order to install the traffic calming devices. If the Pre/Post Study Qualifying Criteria have not been satisfied, the Engineering Department shall issue a letter to the applicant identifying disqualifying criteria.

The Engineering Department will approve or disapprove installations based on the "findings of fact" report generated by the traffic study.

Pre-Study Qualifying Criteria

In order for a street to be considered eligible for traffic calming devices, the following criteria must be met:

1. The street must be classified as a two-lane residential street.
2. The street must be a municipally-maintained roadway that receives Powell Bill funding. State roadways are excluded under this policy.
3. Streets in subdivisions must be at 90% lot build-out.
4. A minor residential street such as a cul-de-sac that has one end open to traffic and the other end permanently closed does not qualify due to low traffic volumes.
5. The grade of the street should not be greater than 8 percent.
6. The horizontal radius of the street must be equal to or greater than 300 feet.
7. The speed limit must be posted 25-mph. All traffic calming devices will be posted at a traverse speed of 15-mph.
8. The street should not be used as a primary emergency vehicle access route. A positive recommendation for installation must be received from Police, Fire and EMS.

If the street does not meet the above criteria, a letter will be issued defining why the street is not eligible for the traffic calming program.

Post-Study Qualifying Criteria

Once a street has met all of the Pre-Study Qualifying Criteria, the Engineering Department will conduct a traffic study. The street's study results must indicate that the 85th percentile speed is greater than or equal to eight (8) miles per hour over the posted speed limit. If the street does not meet this requirement, a letter will be issued defining why the street is not eligible for the traffic calming program. If the street has been determined qualified, the petition process will be initiated.

Petition Process

Once a request has been determined valid by meeting both the Pre/Post Study Qualifying Criteria, a standard petition packet will be mailed to the individual initiating the traffic calming request. The following requirements shall be used to administer the petition process:

1. Petitions must be completed and returned to the Engineering Department no later than 90 days (3 months) from the date the petition packet was mailed. Petitions received after this period will be considered invalid and will require reinitiating the petition process.
2. Signatures must be obtained on the standard Petition for Traffic Calming Devices provided by the City.
3. Only one signature per household can be obtained.
4. Signatures must be of the current residents within the Engineering Department defined study area.
5. Residents must provide their address in the space allotted.
6. The requesting party must distribute the provided maps and brochures while obtaining signatures.
7. Residents must acknowledge receipt of a map and brochure.
8. Signatures will be checked by Engineering using utility billing records.
9. The number of valid signatures either for or against installation must meet or exceed 75% of the total number of households within the study area. The number of valid signatures for installation must exceed 75%. The study area limits will be determined by the Engineering Department.
10. Signatures/Petitions that do not satisfy requirements 1-9 will be considered invalid.

If all of the petition requirements have been met, the street will be scheduled for traffic calming installation and the petitioner will be notified by mail of the installation date. If the requirements have not been met, the petitioner will be issued a letter clearly defining any petition deficiencies and given the opportunity to resubmit.

Placement Goals

- ◆ Traffic calming devices should be placed at least 200 feet apart.
- ◆ The stopping sight distance should be greater than or equal to 200 feet.
- ◆ Traffic calming devices should be located at least 200 feet from an intersection.
- ◆ Traffic calming devices should be located on or adjacent to property lines and at least 5 to 10 feet from driveways.
- ◆ When possible, traffic calming devices should be placed under street lighting for greater visibility.

Every attempt will be made to adhere to the placement goals. However, some streets will have special circumstances that will not allow the goals to be met.

Funding/Reports

Traffic calming devices shall be installed at no costs to the citizens making the request. Installations will be paid for using Powell Bill funds. The Engineering Department will monitor expenditure of funds and prepare a written report on a bi-annual basis for review by the Public Safety Committee.

The Engineering Department will provide the Public Safety Committee with a status report of current requests, studies, and installations on a quarterly basis.

Special Provisions

The Public Safety Committee can waive the petition requirement and can order installations based on a public need to protect the general welfare and safety of Monroe Citizens. This action is limited to requests concerning facilities opened to the general public, including but not limited to churches, schools, and recreational facilities.

Post Installation

Once installed, the traffic calming devices will not be eligible for removal for five years from the date of installation. Exceptions to this will include removal for public safety reasons or consensus of the affected residents as evidenced through a petition process in which the residents pay for the total cost of removal. Once five years have passed, the affected residents will be able to request removal of the devices through the petitioning process in which at least 51% will have to agree on the removal and 75% will have to acknowledge that they are aware of the request. Once removed, the Engineering Department will not process any new requests for that particular street for five years from the date of removal.

Summary

As with any measure implemented to reduce or calm traffic, success is directly related to the level of acceptance by the residences being affected. All traffic calming locations will be monitored by Public Safety to determine their effectiveness and to identify any safety concerns or accidents arising from their installation. The Engineering Department will be responsible for reviewing the reports, implementing corrective measures, and maintaining records for use on future installations.

The requesting party is responsible for obtaining signatures on the petition form and returning it to the City of Monroe Engineering Department. The number of valid signatures must equal or exceed 75% of the total number of residents of the study area. If the number of valid signatures “FOR” the installation of the speed cushions exceeds or is equal to 75% of the population of the study area, Police, Fire, and EMS will be contacted for recommendations.

Procedure for Obtaining Approval

The process is initiated when the Engineering Department receives a request for installations. A preliminary investigation into the first five basic qualifying criteria will be completed. If these criteria are met, the Engineering Department will conduct a field investigation and determine the study area. A map will then be prepared detailing the best possible locations for installations. A petition package containing a petition form, maps, and brochures on speed cushions will be mailed to the requesting party.

The requesting party is responsible for obtaining signatures on the petition form and returning it to the City of Monroe Engineering Department. The number of valid signatures must equal or exceed 75% of the total number of residents of the study area. If the number of valid signatures “FOR” the installation of the speed cushions exceeds or is equal to 75% of the population of the study area, Police, Fire, and EMS will be contacted for recommendations. The Engineering Department will use traffic monitoring devices to determine average daily traffic, vehicle speeds, and vehicle types. When all qualifying criteria are met, the street will be scheduled for speed cushion installation.

Special Provisions

The Transportation Committee can waive the petition requirement and can order installations based on a public need to protect the general welfare and safety of Monroe citizens.

[Request for Speed Cushions](#)

[Speed Cushion Brochure](#)

[Speed Cushion Brochure\(Spanish\)](#)

[Policy](#)



Traffic Services

- Cemeteries
- Erosion Control
- Stormwater Services
- Streets & Sidewalks
- Traffic Services

[Departments](#) > [Engineering](#) > [Traffic Services](#)

Traffic Services

Traffic Services

The Street Division is responsible for completing day-to-day maintenance of municipal right-of-ways as well as completing various improvement projects. Requests for pothole patching, minor sidewalk repairs, damaged sign repair or replacement, storm drain or catch basin cleaning should be directed to the Street Division at (704) 282-4667.

Speed Cushions

A speed cushion is a physical device used along city streets to calm traffic within residential neighborhoods. A speed cushion is a raised area of pavement that extends transversely across a roadway surface. Speed cushions normally have a height of five inches and a travel length of 22 feet. These pavement undulations are typically installed in sets of three and serve to reduce speeds and to redirect cut-through traffic away from neighborhood streets.

As with any measure implemented to reduce or calm traffic, success is directly related to the level of acceptance by the residents being affected. All speed cushion locations will be monitored by Public Safety to determine their effectiveness and to identify any safety concerns or accidents arising from their installation. The Engineering Department will be responsible for reviewing the reports, implementing corrective measures, and maintaining records for use on future installations.

Qualifying Criteria

- The street must be classified as a two-lane residential street.
- The street must be a municipally maintained roadway that receives Powell Bill funding. State roadways are excluded under this policy.
- The grade of the street should not be greater than 8 percent.
- The horizontal radius of the street must be equal to or greater than 300 feet.
- The speed limit must be posted 25 MPH or reduced at time of installation of speed cushions to 25 MPH. All speed cushions will be posted at a traverse speed of 15 MPH.
- The street should not be used as a primary emergency vehicle access route. A positive recommendation for installation must be received from Police, Fire and EMS.

- The residents of the requested street are required to submit a petition form. (See Petition Requirements.)

If you meet these qualifying criteria, you may apply for a speed cushion by sending an email or by calling (704) 282-4539.

Placement Goals

- Speed cushions should be placed at least 200 feet apart.
- The stopping sight distance should be greater than or equal to 200 feet.
- Speed cushions should be located at least 200 feet from an intersection.
- Speed cushions should be located on or adjacent to property lines and at least 5 to 10 feet from driveways.
- When possible, speed cushions should be placed under street lighting for greater visibility.
- Every attempt will be made to adhere to the placement goals. However, some streets will have special circumstances that will not allow the goals to be met.

Funding

Speed cushions are installed at no cost to the citizens making the request. Installations are paid for using Powell Bill funds. The Powell Bill is a State Street Aid Allocation of funds produced by motor fuel taxes. Funds can be used for maintenance, repairs, and the construction or the widening of any city-owned street. Funds can also be used to ensure safer conditions on city streets. In this context, "street" is defined as any public road maintained by the City and open to use by the general public and having an average width of not less than 16 feet.

To continue to receive the allocation of funds through this State Street Aid, the Engineering Department monitors expenditure of funds allocated to the City and prepares a written report on a bi-annual basis for review by the Transportation Committee.

Petition Requirements

- Signatures must be obtained on the standard Petition for Speed Cushions provided by the City.
- Only one signature per household can be obtained.
- Signatures must be of the current residents within the Engineering Department defined study area.
- Residents must provide their address in the space allotted.
- Residents must answer if they wish to attend the Transportation Committee meeting for consideration.
- The requesting party must distribute the provided maps and brochures while obtaining signatures.
- Residents must acknowledge receipt of a map and brochure.
- Signatures will be checked by Engineering using utility billing records.
- Signatures that do not adhere to these requirements will be considered invalid.

Q: "Who will pay for speed cushions?"

A: If a street qualifies, all costs will be paid for by the City of Monroe utilizing Powell Bill funds.

Q: "How can I voice my concerns about the speed cushion installations?"

A: The residents will be given the opportunity to voice their concerns in the comments section of the petition form or by calling the Engineering Department.

Q: "Will speed cushions help with the problem of speeding traffic along my street?"

A: Speed cushions can be expected to calm most traffic to the posted speed limit of 25 MPH. There will, however, be some people who choose to speed no matter what deterrent is in place.

Q: "How will speed cushions affect emergency vehicle response time?"

A: The speed cushions are placed so that the larger wheel spacing of emergency vehicles can pass the speed cushions without slowing. Thus, the response times for fire and EMS are not affected.

For more information,
contact :

City of Monroe
Engineering
Department
P.O. Box 69
Monroe, NC 28111

City Hall
300 W. Crowell St.
Phone # 704-282-4515
Fax # 704-282-4735

**CITY OF MONROE
ENGINEERING
DEPARTMENT**



**SPEED CUSHION
REQUEST GUIDE
AND INFORMATION
PACKAGE**

ENGINEERING
S TREETS
TRIMWATER
MONROENC.ORG

To improve safety along City maintained streets, City Council has adopted a policy to install traffic calming devices on qualifying residential streets. The City of Monroe policy for installing speed cushions states that before a street qualifies, it must meet certain criteria. **These criteria are as follows:**

1. The street must be a two-lane residential street.
2. The street must be maintained by the City of Monroe.
3. The street must be posted at 25 MPH for a minimum of 6 months before the requested street will be studied.
4. The street's grade must be less than 8%.
5. The horizontal radius of the roadway must be greater than 300 feet.
6. Police, Fire, and Union EMS must give a positive recommendation.
7. Streets in subdivisions must be at least 90% lot build-out.
8. Cul-de-sacs and dead-end streets are not eligible for the program.
9. The Engineering Department must conduct a traffic study. The results must indicate that the 85th percentile speed is greater than or equal to 8-mph over the 25-mph speed limit.

Q: "How do I know if my street qualifies?"

A: The first step is to contact the Engineering Department who will determine if the first eight criteria are met. If the criteria are not met, the Engineering Department will inform the requesting party that the street does not qualify. If the criteria are met, the Engineering Department will conduct a traffic study to determine if the 85th percentile speed criterion is satisfied.

If this criterion is not met, the Engineering Department will inform the requesting party that the street does not qualify. If this criterion is met, the Engineering Department will issue a petition package containing the **STANDARD** petition form, maps, and brochures on speed cushions to the requesting party. The requesting party must complete the petition and return it to the Engineering Department within 90 days. When a **STANDARD** petition is received by Engineering, it will be verified and determined valid or invalid. Invalid petitions will be returned to the requesting party with deficiencies noted. Streets for which valid petitions are received will be scheduled for speed cushion installation.

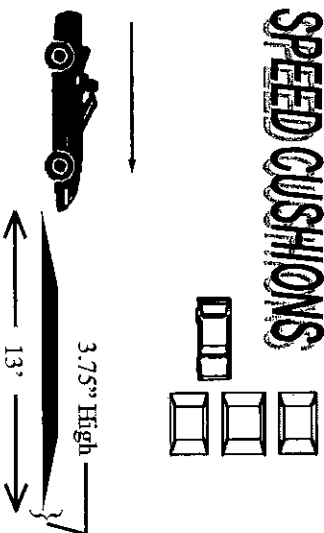
Q: "Who is responsible for completing a qualifying petition?"

A: The requesting party is responsible for serving as the lead petitioner or coordinating someone to serve as the lead petitioner.

Q: "What is the difference between speed cushions, speed humps, and speed bumps?"

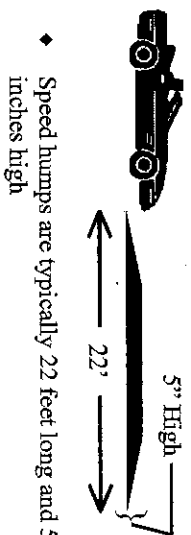
A: Please refer to the following diagrams. Speed humps were originally installed by the city. New installations are speed cushions which do not affect emergency vehicle response time.

SPEED CUSHIONS



- ◆ Speed cushions are typically 13 feet long and 3.75 inches high, placed in sets of 3
- ◆ Speed cushions are placed so that the large wheel spacing of emergency vehicles can pass over them with out slowing

SPEED HUMPS



- ◆ Speed humps are typically 22 feet long and 5 inches high

SPEED BUMPS



- ◆ Cars must slow to speeds of 5 to 10 MPH
- ◆ Speed bumps are typically 3 feet long and 6 to 8 inches high
- ◆ Speed bumps are placed in parking lots to slow traffic and cause significant driver discomfort

Q: "Why can't speed bumps be installed?"

A: Due to liability concerns, the City cannot place an obstruction in the roadway that would damage a vehicle traveling the posted speed limit.

TOWN OF MATTHEWS
SPEED HUMP PLACEMENT POLICY
Adopted March 1998, amended August 1999, August 2000, July 2003

It is the policy of the Town of Matthews to consider the placement of speed humps on residential streets in accordance with the following:

PAYMENT

"Standard" speed humps will be provided at the cost of the Town on residential streets that meet all the below listed standards and are approved by the Board of Commissioners, upon recommendation by the Transportation Committee. The number of speed humps approved in any fiscal year will be limited by the funds appropriated by the Board in the annual budget process, or as amended.

In the event that a neighborhood requests a decorative speed hump (brick patterned) be provided, the full cost of such addition must be paid for by the neighborhood and such payment must be made prior to the construction of the improvement.

QUALIFYING CRITERIA

- A street must be classified as a two-lane, local, residential street.
- A street's width must be less than or equal to 40 feet.
- Average Annual Daily Traffic (AADT) volumes should be greater than 500.
- The 85th percentile speed should be equal to or greater than five (5) miles over the posted speed limit.
- A petition signed by 75% of all residents of the street will be required, including adjoining streets and cul-de-sac off the street within one quarter mile of proposed hump location.
- A letter of endorsement from the neighborhood association is required, if applicable.
- The street grade is less than or equal to 8%.
- Horizontal radius of the street is less than or equal to 300 feet.
- Street's current speed limit must be posted as 25 m.p.h. if it is a local street.
- Street should not be a primary emergency medical services route - Public Works will contact EMS, Police and Fire Departments to determine if the humps will interfere with a majority of their emergency response call.

Additional Considerations

In addition to the previously listed technical criteria, the following conditions may also be considered by the Transportation Committee and/or Board of Commissioners when considering hump location request:

Sight line and distance

Curvature considerations beyond the minimum established above

Existing vegetation

Other objects near the street surface

Existence of Sidewalks

Past accident history in the area

Past speeding citations in the area

PLACEMENT CRITERIA

- Should be at least 200 feet apart (average 600 - 800 feet apart).
- Stop sight distance is greater than or equal to 200 feet.
- Should be located at least 200 feet from an intersection.
- Should try to locate on property lines.
- Should try to place under street lighting for greater visibility.
- Should be 5-10 feet from driveways.

PETITION PROCESS AND SCHEDULING

It is the Town's intention to construct a number of speed humps at the same time in order to obtain the most economical price to the Town. As such, qualified petitions will be presented to the Transportation Committee for recommendation as they are received, but than held until there is, in the opinion of the Director, a sufficient number to proceed with presentation to the Board. Petitions will be "qualified" by the Town Tax Collector, who will verify that the required number of residents, based on the most current tax records, have signed the petition.

After the Transportation Committee makes its recommendation, the Director will present this list to the Board, along with his bids for construction. The Board may add, delete or modify the recommendations as it sees fit. Should recommended humps exceed the money appropriated in the current fiscal year, petitions may be held over until the next fiscal year.

~~Any neighborhood whose approved project is subject to carry over into the following year, may have their project constructed sooner by paying the Town the full and total cost of the speed hump, including any decorative aspects. In these cases the speed hump will be included in the next contract let by the Town. There will be no refunds for humps constructed in this manner.~~

Hump Removal - Town Initiated

~~The Town may remove any speed hump or other traffic control device at any time when it is in the best interest of the Town, with Board action. Such removal will be at the expense of the Town. In cases where the Town received any payment for the hump construction, there shall be no refunds.~~

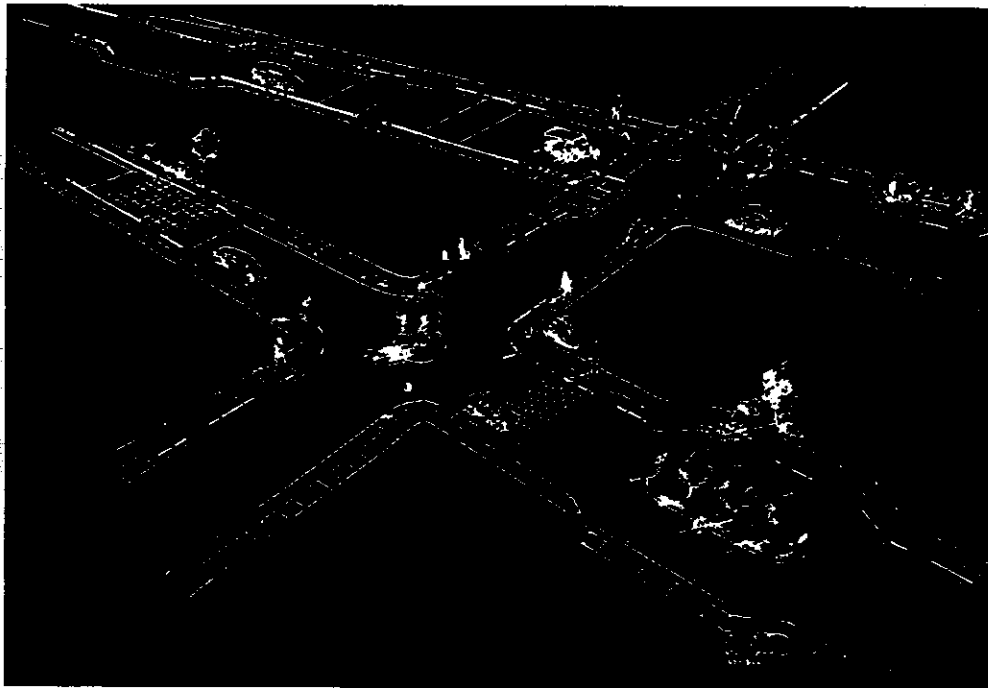
Hump Removal - Citizen Initiated

Citizens may initiate a request for the removal of a hump through a petition process meeting the same criteria for signatures as petition requesting a hump. Upon certification, it will be reviewed by the Transportation Committee and a recommendation made to the Board of Commissioners. If approved, such removal will be at the expense of the Town. In cases where the Town received any payment for the hump construction, there shall be no refunds.



TOWN OF CHAPEL HILL

POLICY AND PROCEDURES FOR TRAFFIC CALMING MEASURES



(Adopted by the Town Council on June 30, 2004)
(Revised December 6, 2010)
(Revised February 8, 2016)

Adopted by the Chapel Hill Town Council: 06/30/2004
Revised: 12/06/2010
02/08/2016

POLICY AND PROCEDURES FOR TRAFFIC CALMING MEASURES

PURPOSE

To adopt official policy for the appropriate and consistent application of traffic calming measures on Town-maintained streets in Chapel Hill.

COVERAGE

This policy shall be applicable until such time that they are officially amended, modified, or rescinded by the Town Council.

POLICY

Traffic calming measures are applicable in residential neighborhoods where speeding vehicles and/or cut-through traffic are the primary concerns, and traditional police enforcement is found to be unfeasible and/or ineffective. Streets must typically be residential in nature for consideration under this policy. The policy is intended to promote traffic calming measures that are appropriately implemented, coordinated with the Town's key departments including Police, Fire, Engineering and Transit, and are supported by the community. In addition to citizen requests, traffic calming projects can also be identified by Town staff, Town advisory boards, and/or the Town Council.

The Staff will identify improvements to the procedures to keep the implementation of the Council's policy up-to-date. Staff will report on the status of the Procedures during the annual update on the Town's Traffic Calming program.

The following procedure will be used to identify, evaluate, and implement traffic calming projects in Chapel Hill.

1. A citizen requesting traffic calming improvements will fill out a Request for Traffic Calming Measures form available in the Town Public Works Department and on the Town web site.
2. Upon receipt of a properly completed Request form, the Town's Transportation Management Team will review the initial request to make sure that the requested streets for traffic calming measures does not reduce response time for emergency service providers. The Public Works Department will determine an applicable "service area" surrounding the requested traffic calming site(s) and will provide the requesting citizen with a Petition form to be signed by interested property owners within the designated service area. The size and extent of the service area will take into consideration the type of traffic calming project being proposed, the layout and type of properties in the vicinity, and the characteristics of the street network surrounding the proposed project site(s). Depending on the circumstances, the service area may include:
 - All properties abutting the proposed street segment to be modified.
 - All properties on adjacent street(s) with ingress/egress only possible via the modified street segment.
 - All properties on adjacent street(s) that have alternative points of ingress/egress but will be otherwise affected by the modified street segment.

The Transportation Board will hear appeals regarding service area boundaries established by Town staff, and will provide recommendations regarding alterations of the boundaries for consideration by the Manager.

3. The Public Works Department will prepare a Petition form including the following items:
 - A map showing the service area
 - A listing of property owners in the service area
 - A preliminary traffic calming plan showing probable devices and their locations

The requesting citizen will obtain signatures on the Petition form. A valid Petition for traffic calming measures must be signed by 2/3's of the property owners within the service area surrounding the requested traffic calming site(s).

4. The requesting citizen will return the Petition form, with **original** signatures, to the Public Works Department at 6850 Millhouse Road, Chapel Hill, N.C. 27516.

Email signed petitions from the property owners are also allowed in lieu of original signatures. The email petition must indicate the full name(s) of property owners. Email signed petitions must be returned to the email address traffic@townofchapelhill.org.

5. The Public Works Department will confirm that the Petition signatures concur with land ownership records. Once a Petition is determined to be valid, the Public Works Department will notify the requesting citizen of the petition status.
6. Upon receipt of a valid Petition (as described in Step #3 above), the Public Works Department will gather project site data including traffic volumes, speeds, and accident history. A proposed project plan will be developed using the following procedure:
 - Assess problems and needs
 - Identify goals and objectives
 - Identify evaluation criteria
 - Evaluate alternatives
 - Select a proposed plan

The development of a traffic calming plan will include review and evaluation by the Town Fire Department, the Town Police Department, the Town's Transportation Management Team, neighborhood meetings, citizen input, consideration of current Town Policy for Placement of Stop Signs and Assignment of Speed Limits (APPENDIX A), and evaluation of the types and design criteria of traffic calming measures applicable to site (APPENDIX B).

The Public Works Department will prepare a cost estimate for the proposed traffic calming project and associated improvements.

7. Traffic calming projects will be prioritized in accordance with the ranking system outlined in APPENDIX C, and will be presented to the Town Transportation Board for consideration. The Transportation Board will review the proposed projects, including the associated traffic data compiled for each project. Based on its review, the Transportation Board will provide recommendations to be included with the Town Manager's annual report to the Town Council regarding proposed traffic calming projects

8. In the fall of each year, the Town Manager will prepare and present to the Council a report regarding proposed traffic calming projects. This report will include:
 - A prioritized list of proposed traffic calming projects
 - A summary of the traffic data pertaining to each project
 - Transportation Board review comments and recommendations
 - The Town Manager's recommendations

The Council will receive the Manager's report and recommendations, and may approve projects or refer them for further consideration during annual budget deliberations.

9. If necessary, during the budget development process, the Council will consider the proposed traffic calming projects presented in the Manager's annual report, and will allocate funds for construction as it deems appropriate.
10. Once project funding is approved by the Council, the Public Works Department will prepare construction plans and specifications and an updated cost estimate.
11. When the final project drawings are complete, the Public Works Department will schedule a neighborhood meeting to discuss the plans, estimated costs, and construction procedures/schedule. Each property owner in the service area of the project will be notified when and where the meeting is scheduled.
12. The project will be constructed by Town forces or by private contractor.
13. Town staff will monitor the performance of completed traffic management projects, and will report to the Council and Transportation Board regarding the operation and effectiveness of the traffic calming measures within 12-18 months following installation. This follow-up report could result in Council action to revise or remove a previously approved traffic management measure.
14. Citizen requests for removal of traffic calming devices will be required to go through the same petition process described previously for installation requests.

APPENDIX A

Adopted by the Chapel Hill Town Council: 04/24/89
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TOWN OF CHAPEL HILL POLICY FOR PLACEMENT OF STOP SIGNS AND ASSIGNMENT OF SPEED LIMITS

OBJECTIVE: It is the policy of the Town of Chapel Hill to install stop signs and assign speed limits that will promote the safe, efficient, and orderly movement of vehicles throughout the Town while preserving existing residential neighborhoods and providing safe and accessible means for pedestrian movement adjacent to and across Town streets.

GUIDELINES: The following guidelines shall be considered when evaluating placement of stop signs and assignment of speed limits on Town streets. In general, the Town of Chapel Hill places signs of all types in accordance with the recommendations of the Manual on Uniform Traffic Control Devices for Streets and Highways (M.U.T.C.D.), published by the U.S. Department of Transportation. This policy includes the general M.U.T.C.D. recommendations and supplements them with more specific guidelines directed to situations expected to arise in Chapel Hill.

STOP SIGNS

Stop sign(s) may be warranted at an intersection where one or more of the following conditions exist:

1. Intersection of less important road with a main road where application of the normal right-of-way rule is unduly hazardous.
2. Intersection of a minor street entering a through highway or street.
3. Unsignalized intersection in a signalized area.
4. Intersection where a combination of high speed, restricted sight distance, and serious accident record indicates a need for control by stop sign(s).
5. Intersection which intercepts identified pedestrian route(s) carrying significant Pedestrian volume.
6. Intersection on a street without curbs or sidewalks when such streets are carrying traffic volume significantly above that for which the street was designed.
7. Intersection with existing irregular stop sign placement, where additional sign(s) would improve safety.

- 8. Unsigned intersection within an existing series of intersections with stop signs.
- 9. Where the interest of public safety dictates.
- 10. Intersection of two collector streets that provide primary service to an area and carry nearly equal traffic volumes, which makes clear assignment of right-of-way difficult.
- 11. Intersection adjacent to facilities such as parks, pools, schools, or other facilities which significantly increase and concentrate pedestrian and vehicular traffic in a localized area.
- 12. Intersection within a specific street network that carries through traffic on a route which is less desirable than on an alternative route or designated thoroughfare.

Stop sign installation will normally not be recommended in the following situations:

- 1. At mid-block locations.
- 2. Solely for the purpose of controlling vehicular speeds.
- 3. At locations where a stop would create a high likelihood of rear-end collisions.
- 4. On major arterials or thoroughfares.
- 5. At locations where yield signs will provide adequate control without requiring full stops.
- 6. At railroad crossings.

Stop sign installations will be evaluated by Town engineering staff and judged in accordance with these guidelines to avoid potentially detrimental use of this highly restrictive traffic control measure. Evaluations will consider alternatives to stop sign installations which may include construction of sidewalks, improvement of sight distance, construction or improvement of alternative traffic routes, or other site-specific improvements in lieu of stop sign placement.

SPEED LIMITS

In general, speed limits will be assigned on the basis of street classification as follows:

Local.....	25 mph
Collector.....	25-35 mph
Arterial (Major and Minor).....	45 mph

Changes in existing speed limits and/or posting of speed limits other than those generally recommended by street classification will be considered in situations where:

1. Changes in use of property adjacent to a street creates changed speed limit conditions.
2. Changes in vehicular or pedestrian traffic patterns on a given street creates changed speed limit conditions.
3. The proximity or locations of parks, pools, schools, driveways or other facilities increases and concentrates vehicular and pedestrian traffic on a given street or streets.
4. Street design will not accommodate the speed limit normally recommended, or the posted speed limit.
5. Changes will create a more uniform, continuous speed limit throughout a defined travel corridor.

Speed limits below 25 mph will not be considered on public streets with the exception of special zones such as schools or hospitals.

Speed limits will be evaluated by Town engineering staff to create conditions where the Town street system can be utilized efficiently and safely at speeds that can be adequately enforced. Evaluations will include review of alternatives to speed limit changes which may include street improvements, construction of alternative routes, control of access, or other site-specific improvements in lieu of speed limit changes.

APPENDIX B

TYPES OF TRAFFIC CALMING MEASURES AND DESIGN CRITERIA

Traffic Calming Device	Street Classification (Intersection)	Average Daily Traffic Volume (ADT) Minimum & Maximum	Street Width (Edge to Edge)	Street Grade or Intersecting Street Grades	Line of Sight (Minimum)	Adjacent On-Street Parking	Posted Speed Limit	Minimum 85 th Percentile Speed
Speed Tables	Local or Local Collector	800 - 3000 vpd	25 ft.	4%	360 ft.	Removed	25 mph	35 mph
Pavement Treatments	Local or Local Collector	800 - 3000 vpd	20 ft.	4%	360 ft.	Removed	25 - 35 mph	35 to 45 mph
Semi-Diversers	Local	800 - 1500 vpd	25 ft.	1%	360 ft.	Removed	25 mph	35 mph
Cul-de-sac	Local	800 - 1500 vpd	(Note 1)	(Note 2)	360 ft.	Removed	25 mph	35 mph
Mid-block Closure	Local	800 - 1500 vpd	25 ft.	(Note 2)	360 ft.	Removed	25 mph	35 mph
Forced Turn Channelization	Major Street - Local or Local Collector Minor Street - Local	800 - 1000 vpd	25 ft.	(Note 1)	360 ft.	Removed	25 - 35 mph	35 to 45 mph
Traffic Circle	Major Street - Local or Local Collector Minor Street - Local	800 - 3000 vpd	(Note 1)	1%	360 ft.	Removed	25 - 35 mph	35 to 45 mph
Chicanes	Local Collector	800 - 3000 vpd	(Note 1)	4%	360 ft.	Removed	25 - 35 mph	35 to 45 mph
Chokers	Local or Local Collector	800 - 3000 vpd	(Note 1)	4%	360 ft.	Removed	25 - 35 mph	35 to 45 mph

Note 1: Existing Street conditions must be able to accommodate Emergency vehicle requirements.

Note 2: Existing Street conditions must be able to maintain drainage requirements.

Note 3: The criteria in this table were developed by the Chapel Hill Public Works Department. They are based on accepted traffic engineering practices and similar traffic calming applications in other parts of the country.

APPENDIX C

RANKING SYSTEM FOR TRAFFIC CALMING PROJECTS

Item	Points
1. Traffic Volume	Average daily traffic volume on the proposed project street divided by 100. [20 points maximum]
2. Traffic Speed	Percentage of vehicles traveling at or more than 10 mph over the posted speed limit on the proposed project street divided by 2. [40 points maximum]
3. Traffic Accidents	Two points per accident that likely could have been resolved by the recommended traffic calming device, based on accident records for the past three consecutive years. [20 points maximum]
4. Schools	Five points for each private or public elementary, middle, or high school within the area benefited by the proposed traffic calming measure.
5. Other	<p>a) Five points if a street proposed for a traffic management project has a sidewalk on only one side.</p> <p>b) Twenty points if a street proposed for a traffic management project does not have a sidewalk on either side.</p> <p>c) Ten points if a street proposed for a traffic management project has travel lane widths wider than 10 feet.</p> <p>d). Three points for each pedestrian generator or attractor (such as a park, swimming pool, green-way, etc.) within the area benefited by the proposed calming measure.</p> <p>e) One point for each bus stop within the area benefited by the proposed calming measure.</p> <p>f) Five points for each designated school crossing within the area benefited by the proposed calming measure.</p> <p>g) Ten points for each six month period that a project remains on the prioritized list without being selected for funding.</p>

