

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
January 20, 2009

5:30 p.m.

MINUTES

Members Present: Mayor Roger McElroy, Aldermen: Saralyn Price, Colin Edwards, and Mark DeMeola
Members Absent: Alderman Phil Aldridge
Staff Present: Manager Tim Barth, Attorney Chuck Dickson, Chief Scott Sutton, Public Works Director Mike Mehaffey, Planning Director Nathan Clark, and Town Clerk Vickie Best
Others Present: 11 people

1. **Meeting Called to Order.**

Mayor McElroy called the meeting to order at 5:30 p.m. in the Town Hall Boardroom.

2. **Consent Agenda**

- a. Petition for annexation : Stephen Suggs: #21
Maggie Valley Estates,
83 Lady Bug Lane, Parcel #7686-46-3403,
(0.6454 acres):

Resolution No. 09-03,
Directing Clerk to investigate an annexation
petition.

- b. Petition for Annexation: certain Brannon Forest
residents, including:

Layton Bailey, 34 Airish Way, Parcel #7697-75-6715 (0.484
acres);

Frederick Bernard, 46 Cripple Creek Drive, Parcel # 7697-85-1414
(0.315 acres);

Joe Dance, 486 Brannon Forest Drive, Parcel #7697-76-1092
(0.363 acres);

James Halligan, 293 Brannon Forest Drive, Parcel #7697-75-9478
(0.983 acres);

Patricia Hinders, 66 Ladderback Ridge, Parcel #7697-65-7841
(0.653 acres);

Carl Keltner, 303 Brannon Forest Drive, Parcel #7697-75-9616;
(0.396 acres)

Thomas McGurn, 205 Brannon Forest Drive, Parcel #7697-85-
5437 (1.006 acres):

Resolution No. 09-04,
Directing Clerk to investigate an annexation
petition.

- c. Tax Releases.

- d. Correction and Approval of Minutes for the
December 16, 2008 and January 9, 2009
meetings.

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- e. Budget vs. Actual Year to Date ending December 31, 2008.
- f. Quarterly Investment Report.
- g. Schedule of ad valorem taxes receivable as of December 31, 2008.

**ALDERMAN EDWARDS MADE A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED.
 MOTION CARRIED UNANIMOUSLY.**

3. Consideration of allowing Folkmoot to use the Festival Grounds (with no fee) Wednesday July 15.

Erin Babcock, the new Executive Director of Folkmoot, addressed Council stating that the event would be similar to last year where there is general admission at the gate. Folkmoot is a non-profit organization. The event in 2008 was not as well attended as desired; but the rainy weather was a deterrent for most people.

ALDERMAN DEMEOLA MADE A MOTION TO APPROVE THE EVENT SCHEDULED FOR JULY 15, 2009 BY FOLKMOOT AND TO WAIVE ALL FEES.

MOTION CARRIED UNANIMOUSLY.

4. Consideration of appointing two persons to the ABC Board.

The current members, Mr. Austin Pendley and Sam McCrary were the only people to apply for the two vacant positions.

**ALDERMAN EDWARDS MADE A MOTION TO REAPPOINT AUSTIN PENDLEY AND SAM MCCRARY TO THE ABC BOARD.
 MOTION CARRIED UNANIMOUSLY.**

5. Consideration of Resolution No.09-05 which would commit the Town to fund its part of Parham Park if North Carolina Parks and Recreation Trust Fund grant money is committed.

Resolution No. 09-05

RESOLUTION BY TOWN OF MAGGIE VALLEY

BOARD OF ALDERMEN

Whereas, the Park and Recreation Trust Fund has been authorized by the State Assembly to award grant funds to eligible park, recreation and open space projects.

Whereas, the Town of Maggie Valley seeks to develop a small passive park at the intersection of Soco Road and Moody Farm Road by constructing a walking

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trail, picnic sites, access to the river and picnic shelter with restrooms and educational display gardens to serve the citizenry of this town.

Whereas, the Town of Maggie Valley intends to request grant funds to support this project;

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF ALDERMEN OF THE TOWN OF MAGGIE VALLEY:

That the Board will allocate monies from the general fund to match the amount awarded by the State, if its application is approved. These funds will be available when the grant is awarded in the Summer of 2009.

That the Board will provide for the efficient operation and maintenance of the project on completion of the improvements thereof.

That Timothy Barth, Town Manager, and successors so titled is hereby authorized to submit an application to the Park and Recreation Trust Fund and directed to provide such information as the appropriate State agency may request in connection with the Town's application.

That the Town of Maggie Valley has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

The cost estimate is about \$50,000 higher than last year because the bathrooms will have to be built one-foot above flood plain elevation. The total cost for the project is estimated to be \$313,135.00. The Town's share would be approximately \$156,568.00. Staff will continue to apply for grant funding from other agencies that may help. The Town portion can be financed over 3-5 years.

Ellen McKinnon with McGill Associates completed the grant for the Town.

Council agreed that Parham Memorial Park gets a great deal of use. Additional improvements will make a considerable difference for people to picnic, fish, or just sit by the creek and enjoy the tranquility.

**ALDERMAN PRICE MADE A MOTION TO ADOPT RESOLUTION NO 09-05.
MOTION CARRIED UNANIMOUSLY.**

6. Consideration of the approval of a Comprehensive Plan for Service Provision for recreation.

Ms. Ellen McKinnon with McGill Associates completed a Recreational Comprehensive Plan. If adopted, the plan will provide a guide, as well as help when applying for grant

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funding. Recreation has been an intricate part of Maggie Valley's direction for the last several years. Having recreational options provides opportunities for visitors and residents alike.

Council commended Ms. McKinnon on the plan.

**ALDERMAN EDWARDS MADE A MOTION TO APPROVE THE
 COMPREHENSIVE PLAN FOR RECREATION.
 MOTION CARRIED UNANIMOUSLY.**

7. Consideration of the approval of a Master Plan for Parham Park.

The Comprehensive Plan is for all recreational areas within Town. This is the master plan for Parham Memorial Park only. The park will have two decks to fish or relax, a rain garden, picnic pavilion, and restrooms. A walking trail will be installed to connect to the Soco Road sidewalk and greenways trails. The walking trail will connect to the planned sidewalk down Moody Farm Road.

**ALDERMAN PRICE MADE A MOTION TO APPROVE THE MASTER PLAN
 FOR PARHAM MEMORIAL PARK.
 MOTION CARRIED UNANIMOUSLY.**

8. Consideration of a Capital Improvement Plan for the Town's Parks and Recreation Department.

The plan is of what projects or items the Town would like to see completed in the next five-years. The plan does not commit the Town to these projects/items, but will be used as a guideline.

**ALDERMAN EDWARDS MADE A MOTION TO APPROVE THE PARKS AND
 RECREATION CAPITAL IMPROVEMENT PLAN.
 MOTION CARRIED UNANIMOUSLY.**

9. Consideration of Resolution 09-06 to approve applying for a Clean Water Management Trust Fund Stormwater mini-grant.

Resolution # 09-06

**TOWN OF MAGGIE VALLEY
 NORTH CAROLINA
 RESOLUTION APPROVING CLEAN WATER MANAGEMENT TRUST FUND
 APPLICATION FOR A STORMWATER MINIGRANT BY A LOCAL
 GOVERNMENT**

WHEREAS, the North Carolina Clean Water Management Trust Fund has authorized the making of grants to aid eligible units of government or non-profit organizations in financing the cost of improvements and/or studies that will impact the quality of affected waterways; and

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WHEREAS, the Town of Maggie Valley has the need for a Stormwater Master Plan to help better manage existing stormwater issues within the Town. The goal of the Stormwater Master Plan is to maximize water quality efforts, address flooding and hydraulic issues, and provide guidance on how to maintain the raw water supply quality at the intakes in the Town; and

WHEREAS, the Town of Maggie Valley intends to request grant assistance from the State of North Carolina.

NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF ALDERMAN OF THE TOWN OF MAGGIE VALLEY:

That the Town of Maggie Valley will provide \$ 5,000.00 in matching funds, if approved for the Clean Water Management Trust Fund grant.

That the Town of Maggie Valley will perform the functions and obligations of the grant recipient as set out in a grant agreement should this project be chosen for funding.

That Mr. Tim Barth, Town Manager and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Maggie Valley with the North Carolina Clean Water Management Trust Fund for a grant to aid in this project to improve water quality through the implementation of a Stormwater Master Plan.

That Mr. Tim Barth, Town Manager and successors so titled, is hereby authorized and directed to furnish such information as the Clean Water Management Trust Fund may request in connection with such application or the project to make the assurances as contained above, and to execute such other documents as may be required in connection with the application.

Maggie Valley will soon have to do storm water management due to State mandates. Mr. Storrow with McGill Associates addressed Council explaining that, if awarded, this grant will provide the opportunity to begin exploring and evaluating storm water, amount of run off, quality of run off, etc. The purpose of the "mini-grants" is to complete studies for small towns like Maggie Valley. Recommendations can be made on how to improve storm water run off.

The grant is for \$50,000 with the Town's match being \$5,000. A scope of services that McGill Associates will provide was provided to Council. If awarded, this grant will help to prioritize needs and cost.

The State regulations may change a little, but the basic plan will not become obsolete. The State is going to award 10 mini-grants.

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**ALDERMAN DEMEOLA MADE A MOTION TO APPROVE
 RESOLUTION 09-06 FOR CLEAN WATER MANAGEMENT TRUST FUND
 STORM WATER MINI-GRANT.
 MOTION CARRIED UNANIMOUSLY.**

10. Consideration of awarding a contract for the FY2008-09 audit.

Although Maggie Valley has a three-year contract with Martin Starnes and Associates, the Local Government Commission requires audit approval each year.

**ALDERMAN PRICE MADE A MOTION TO AWARD THE 2008/09 AUDIT TO
 MARTIN STARNES ASSOCIATES.
 MOTION CARRIED UNANIMOUSLY.**

11. Discussion regarding an events/coordinator/festival promoter position.

Council moved this item to last in order to go into closed session for the purpose of discussing personnel.

**ALDERMAN DEMEOLA MADE A MOTION TO GO INTO CLOSED SESSION
 AT 6:04 P.M. TO DISCUSS EMPLOYEE ISSUES.
 MOTION CARRIED UNANIMOUSLY.**

**ALDERMAN DEMEOLA MADE A MOTION TO COME OUT OF CLOSED
 SESSION AT 6:17 P.M.
 MOTION CARRIED UNANIMOUSLY.**

12. Consideration of setting a date for a work session.

A work session was scheduled for February 10, 2009 beginning at 9:00 a.m.

13. Manager's Report.

- ▶ The electric and lighting is being installed at the Festival Grounds. Public Works is digging the ditches and laying the conduit in an effort to save money.
- ▶ The Region A meeting will be held January 26, 2009 beginning at 6:30 p.m.
- ▶ Manager Barth will be at a Manager's conference at Research Triangle Park February 4th through the 6th.
- ▶ The Planning Board and Board of Aldermen will have a joint meeting on February 12, 2009 from 3 to 5:00 p.m. to discuss design elements of the Land Use Plan.
- ▶ The Town is trying to move forward with the installation of sidewalks along Moody Farm Road. The Town is currently looking for assistance for infrastructure funding.

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**RESOLUTION IN SUPPORT OF
THE MOODY FARM ROAD SIDEWALK PROJECT**

WHEREAS, the Board of Aldermen for the Town of Maggie Valley (the “Board) has determined that because of the residential nature of the areas along and near Moody Farm Road there needs to be a safe place for people to walk; and

WHEREAS, the Town has an extensive sidewalk system along both sides of Highway 19 that serves the commercial area of the Town; and

WHEREAS, the residential areas of Town need to have sidewalks to connect to the commercial areas of Town where there are sidewalks in place.

WHEREAS, the Board recognizes the need for a sidewalk along Moody Farm Road.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Alderman of the Town of Maggie Valley hereby support the construction of a sidewalk along Moody Farm Road

**ALDERMAN EDWARDS MADE A MOTION TO ADOPT THE RESOLUTION
OF SUPPORT FOR THE MOODY FARM ROAD SIDEWALK PROJECT.
MOTION CARRIED UNANIMOUSLY.**

14. **Other Business.**

None

15. **Public Comment.**

None

16. **Meeting Adjourned.**

**ALDERMAN DEMEOLA MADE A MOTION TO CONTINUE THE MEETING
UNTIL JANUARY 22, 2009 AT 3:00 P.M. TO CONDUCT INTERVIEWS FOR A
FESTIVAL DIRECTOR.
MOTION CARRIED UNANIMOUSLY.**

Mayor Roger McElroy

Vickie Best, CMC, Town Clerk

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