

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
October 7, 2008

MINUTES

**A RESOLUTION REQUIRED TO MEET THE INTERNAL REVENUE CODE
UNDER FEDERAL ACTS AND OTHER CONDITIONS AFFECTING
EMPLOYEES**

WHEREAS, Section 61(a) (1) of the Internal Revenue Code provides that gross income means all income from whatever source derived, including (but not limited to) compensation for services, including fees, commissions, fringe benefits, and similar items and;

WHEREAS, Employer may elect not to withhold income taxes on the taxable use of employer's vehicle that is includible in wages if: (1) the employer notifies the employee, and (2) the employer includes the benefit in the employee's wages on the W-2 and withholds required social security/Medicare and;

WHEREAS, it is necessary from time to time to amend Administrative Policy to conform to State and Federal agencies requirements:

Article IX Federal Acts and Other Conditions Affecting Employees

NOW THEREFORE, BE IT RESOLVED that the Town of Maggie Valley Board of Aldermen do hereby adopt and implement the following change:

- 1. The Town of Maggie Valley provides take home vehicles to certain emergency responders i.e. police. These vehicles are provided to individuals who are on call at all times.**
- 2. The Town Manager is provided a vehicle to drive to and from work and to meetings after normal working hours. The employee has been notified that this will be included as a benefit in the employee's wages on the W-2.**
- 3. No personal use of these vehicles is allowed other than to travel to and from the work site and for de minimis personal use, such as a stop for lunch on the way between two work sites.**

**ALDERMAN EDWARDS MADE A MOTION TO ADOPT RESOLUTION
NUMBER 08-42.**

MOTION CARRIED UNANIMOUSLY.

6. Discussion concerning meeting schedule for November and December.

Due to the 2008 Election Day, the following motion was made.

**ALDERMAN ALDRIDGE MADE A MOTION TO CHANGE THE NOVEMBER
4TH REGULAR ALDERMEN MEETING TO NOVEMBER 5 AT 3:30 P.M.
MOTION CARRIED UNANIMOUSLY.**

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7. **Manager's Report.**

- ▶ Ms. Ernestine UpChurch and the Maggie Valley Bicentennial Committee will be at the October 21 meeting to accept the attached resolution thanking them for their hard work.

- ▶ The North Carolina League of Municipalities Conference will be held October 12-14 in Charlotte.

- ▶ Director Clark reported that he would be meeting with Ron Hancock on Friday to see if the Division of Community Assistance could help with the Public Forum to be held October 23, 2008 from 5:30 until 7:30 p.m. in the Town Hall Boardroom to gather public feedback on what should be the allowed uses in the Community Attraction District. The district is from Mountaineer Crafts to Ghost Town.

- ▶ Several of the council members had asked about the Jim Newland project. Director Clark reported that Mr. Newland had been approved by unanimous vote at the October Planning Board meeting for his mixed-use project. There will be 30 condominium units and 5800 square feet of new retail area not including the existing restaurant (Garlic Knots). Mr. Newland will have 90-days to present his preliminary plat and then up to one year to begin construction. A bond for 125% the cost will be obtained.

8. **Other Business.**

◀ Patrick Bradshaw, the engineer for the Dellwood ABC Store will amend the driveway permit to include a right turn lane. Council will be meeting with the ABC Board in the near future to discuss this issue. NCDOT will not commit to paying 50% of the cost of a right turn lane. If the project is done to NCDOT specifications, the project could cost as much as \$80,000. If the NCDOT District Engineer approves the turn lane as part of the driveway permit the cost would decrease considerably.

Alderman Aldridge questioned why the Town was helping the ABC Store with a turn lane when the Town has not help other businesses along the same stretch of road.

The ABC Store will pay the Town back and by State Law is suppose to pay annual payments to the Town anyway. The Town Council appoints the ABC Board.

◀ The winterizing of the pavilion will begin soon, now that the season is almost over for the year.

◀ The Town staff is waiting to hear from the engineering firm on the cost of putting sidewalks down Moody Farm Road. There is an issue with the bridge and NCDOT requires curb and guttering thereby requiring drainage to the creek for surface water run off. In certain areas along Moody Farm Road, the distance can be significant.

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◀ The Tractor Club will be providing hayrides before and after the 2008 Christmas Parade.

9. **Meeting Adjourned.**

**ON MOTION OF ALDERMAN DEMEOLA, WITH ALL IN FAVOR THE
MEETING ADJOURNED AT 4:04 P.M.**

Mayor Roger McElroy

Seal

Vickie Best, CMC, Town Clerk