

Town of Maggie Valley  
Regularly Scheduled Board of Aldermen Meeting  
November 17, 2009  
5:30 p.m.

**MINUTES**

Members Present: Mayor Roger McElroy, Aldermen: Saralyn Price, Colin Edwards, Phil Aldridge, and Mark DeMeola  
Staff Present: Manager Tim Barth, Attorney Chuck Dickson, Public Works Director Mike Mehaffey, Police Chief Scott Sutton, Police Captain Jason Moody, and Town Clerk Vickie Best  
Others Present: Newly elected Alderman Scott Pauley, Reporter Beth Fleming, and four other people

**1. Meeting Called to Order.**

Mayor McElroy opened the meeting at 5:30 p.m. in the Town Hall Boardroom. Mayor McElroy asked that an item be added under other business. The Maggie Valley Tourist Development Authority 1% Committee member's terms are ending. Mayor McElroy asked that Council consider reappointing the current board members.

Council agreed to add the item under other business for discussion.

Alderman Edwards asked that item 11 entitled "Consideration of award of a contract to purchase a pickup truck" be removed from the agenda. It would be a savings to the town to simply move some vehicles around for everyone's use.

Council agreed to remove agenda item number 11.

**2. Consent Agenda**

- a. Petition for Annexation: Deutsche Bank/National Trust, 44 Golfview Drive, Parcel #7697-80-2620, (0.5193 acres):  
Resolution No. 09-31,  
Directing Clerk to investigate an annexation petition.
- b. Petition for Annexation: Traveler's Rest, Inc. Bruce Rouse, Parent Parcel #8606-63-9529 and all parcels therein, (49.67 acres):  
Resolution No. 09-32,  
Directing Clerk to investigate an annexation petition.
- c. Year to Date revenues and Expenditures.
- d. Quarterly Investment Report.

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- e. FY 2009-10 Schedule of Ad Valorem Taxes Receivable..
- f. Tax Releases and Refund.
- g. Correction and Approval of Minutes for the October 20, 2009 and November 6, 2009 meetings.

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

3. a. **Public Hearing on Annexation of Gene Rowe, Maggie Valley Country Estates (parts of lots 7 & 8), Parcel #7696-49-8340 (1.629 acres).**

**b. Consideration of Ordinance No. 675 to annex Gene Rowe, Maggie Valley Country Estates (parts of lots 7 & 8), Parcel #7696-49-8340 (1.629 acres).**

Mayor McElroy opened the floor for public comment at 5:35 p.m. There being no comments from the floor, the public hearing was closed at 5:35 p.m.

**ALDERMAN PRICE MADE A MOTION TO ADOPT ORDINANCE NUMBER 675 ANNEXING THE REMAINING PORTIONS OF THE PARCEL.  
MOTION CARRIED UNANIMOUSLY.**

4. **Consideration of allowing Scotty Ward to use the pavilion at a reduced rate to provide a practice place for his children's clogging team.**

Mr. Ward had already gone before the PRFAC for a recommendation. The Committee members recommended that Mr. Ward be allowed to use the pavilion for practice and to charge a minimal charge of \$15 per month. Mr. Ward agreed to work around any other events that may be taking place in the pavilion. Mr. Ward also agreed to bring his team (ages K through 5<sup>th</sup> grade) to any of the events that they are invited to at the festival grounds.

All Council members want to embrace and maintain the Appalachian Mountain Heritage i.e. song, dance, and crafts. Alderman Aldridge concurred. He has always felt that people come to Maggie Valley for that purpose. Mountain people should maintain the mountain ways of dance and song.

Mr. Ward stated that there are only four teams in the area and those folks are getting up in age.

Mayor McElroy recommended approval.

**ALDERMAN ALDRIDGE MADE A MOTION TO ALLOW SCOTTY WARD TO USE THE PAVILION FOR HIS DANCE TEAM TO PRACTICE ONCE WEEKLY FREE OF CHARGE.**

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**MOTION CARRIED UNANIMOUSLY.**

**5. Consideration of sanctioning the Relay for Life event to be held at the Festival Grounds on May 21 & 22.**

The Relay for Life wants to move the annual event from Waynesville to Maggie Valley.

*Excerpt from the Parks, Recreation, Festival Advisory Committee Meeting held 10/12/09. Keith Beck with Relay for Life is requesting to use the Festival Grounds. Relay for Life donates all funds to the research of cancer, to help cancer patients, and to celebrate survival. A lot of the money stays in Haywood County. Last year the chapter raised \$70,120. The committee would like to hold the relay on May 21 and 22. The annual event has been held at the Waynesville Recreation Park for 26-years. Now the committee would like to move the event to the Maggie Valley Festival Grounds. There would be more parking available and the area is fenced and well lit. If approved, the Relay for Life Committee is going to change the name of their chapter to better reflect the move to Maggie Valley.*

*The event will last from 7 p.m. until 7 a.m. There are several booths that will be set up near the stage area. The walking track is not very long and is outlined with luminaries. The theme is give a night to support the fight against cancer. The event will be held at the west end of the grounds. The low-amplified music will end according to the noise ordinance (10:00 p.m.). There are normally close to 1,000 people that attend the event some time during the early evening hours. Normally 200 to 300 people stay overnight.*

*The concession stand will not be used. They will use the stage and lighting in that area. Tuscola High School students clean the facility after Relay for Life leaves. Relay for Life is insured.*

*Vice-Chairman Wight felt the organization was outstanding and the Town should sanction the event.*

**MS. BURRELL MADE A MOTION TO RECOMMEND THE EVENT BE TOWN SANCTIONED BASED ON THE PRESENTATION GIVEN BY KEITH BECK, AND THE POLICE WOULD PROVIDE TRAFFIC CONTROL AS NEEDED.**

**MS. MICHELS SECONDED THE MOTION.**

**MOTION CARRIED UNANIMOUSLY.**

**ALDERMAN DEMEOLA MADE A MOTION THAT MAGGIE VALLEY SANCTIONS THE RELAY FOR LIFE EVENT.**

**MOTION CARRIED UNANIMOUSLY.**

**6. Consideration of a proposal from Nexsen/Pruet for legal advice regarding economic development.**

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During the League Convention in Greenville, the Mayor, Manager and Town Clerk had the opportunity to have a personal meeting with Rocky Lane and Ernie Pearson to discuss economic development in Maggie Valley. The company has an outstanding record across the State of North Carolina. The consulting firm agreed to be on retainer for \$850 per year. The retainer would allow the Town unlimited opportunities to contact the firm if there were questions or a need for advice. A representative with the firm would meet with representatives of the Town one time per year in Maggie Valley. The firm's representatives and connections relating to economic development were impressive.

Alderman Aldridge questioned hiring another firm; Alderman Aldridge felt that the town has already purchased two "sitting ducks" i.e. Driving Miss Maggie and the Buxton Study.

The Clerk reported that during the League Convention Mayor McElroy spoke with representatives of the Buxton Study and clearly stated that the Town was disappointed with the Buxton Study. The study was provided to the town without direction or assistance. Representatives will be in Maggie Valley in January to address Council's concerns.

Alderman Aldridge did not want to "throw good money after bad". If this firm can assist with economic development in Maggie Valley or along Jonathan Creek then it would be a worthwhile venture.

**ALDERMAN ALDRIDGE MADE A MOTION TO APPROVE THE CONTRACT  
RETAINING NEXSEN/ PRUET TO ASSIST WITH ECONOMIC  
DEVELOPMENT.  
MOTION CARRIED UNANIMOUSLY.**

**7. Consideration of a grant agreement with the North Carolina Rural Center to do the Old Still Road Sewer Project.**

The NC Rural Center has sent an agreement to fund \$43,650 of an \$87,300 sewer project to take the Old Still Road lift station out of service. Council must approve the agreement before work can begin on extending the gravity line and taking the lift station out of service.

**ALDERMAN EDWARDS MADE A MOTION TO ENTER INTO THE GRANT  
AGREEMENT WITH THE RURAL CENTER FOR OLD STILL ROAD.  
MOTION CARRIED UNANIMOUSLY.**

**8. Consideration of adopting a policy where the Town does not carry Comprehensive and Collision coverage for vehicles more than eight (8) years old.**

The NC League of Municipalities provides insurance coverage to the Town through its Risk Management Services division. Representatives annually visit and inspect the town as part of risk management. During the last inspection it was recommended that the town

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drop the comprehensive and collision coverage for any vehicle that is eight years or older. Staff recommends that Council adopt a policy that would authorize staff to drop Comprehensive and Collision coverage for vehicles exceeding eight years of age.

**ALDERMAN PRICE MADE A MOTION TO AUTHORIZE STAFF TO DROP COMPREHENSIVE AND COLLISION COVERAGE FOR ANY VEHICLE EIGHT YEARS OR OLDER AS RECOMMENDED BY THE NC LEAGUE OF MUNICIPALITIES.  
MOTION CARRIED UNANIMOUSLY.**

**9. Consideration of dropping insurance coverage on inland marine equipment items less than \$5,000.**

As earlier stated, while the representative from the Risk Management was inspecting the town it was suggested that the town drop coverage on small equipment that is less than \$5,000 in value. At this time those items would be a 2004 mower, 2000 tractor, and a 2001 traffic control arrow board. As stated before, it is staff's recommendation that Council authorize the staff to drop the coverage for items less than \$5,000 in value.

**ALDERMAN PRICE MADE A MOTION TO AUTHORIZE STAFF TO DROP INSURANCE COVERAGE FOR SMALL EQUIPMENT UNDER \$5,000 IN VALUE.  
MOTION CARRIED UNANIMOUSLY.**

**10. Consideration of moving forward with the items from the Red-I Productions contract to provide promotional material for the Festival Grounds.**

The DVD that Council authorized Cathead Biscuit Productions to create at the October regular Aldermen meeting will be ready for board review at the December regularly scheduled meeting.

Additional information needs to accompany the DVD when sending to potential promoters. Red-I-Productions created a promotional packet several months ago, which was previously approved by Council. At the time of approval, staff took the promotional packet before the Maggie Valley Tourist Development Authority 1% Committee for funding. The members of the MVTDA 1% committee decided that a festival director needed to be in place before finalizing a promotional packet. The packet without the Festival Grounds DVD Tour will consist of Festival Grounds Site Map, Festival Grounds Stand Alone Map, Festival Grounds Informational Brochure, Festival Grounds Logo, Festival Grounds Presentation Folder, and update the website for a total cost of \$3,400.

**ALDERMAN EDWARDS MADE A MOTION TO APPROVE THE PROMOTIONAL PACKET WITH ALL ITEMS EXCEPT THE FESTIVAL GROUND DVD TOUR BY RED-I-PRODUCTIONS  
MOTION CARRIED UNANIMOUSLY.**

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11. **Consideration of award of a contract to purchase a pickup truck.**

This item was removed from the agenda at the beginning of the meeting.

12. **Discussion regarding sewer impact fees.**

A list of impact fees were prepared for Council's review.

<b><u>Name of Town</u></b>	<b><u>Sewer Tap Impact Fee for a 40 seat expansion in an existing restaurant</u></b>
Tuckaseegee Water and Sewer Authority	\$10,800
Banner Elk	\$8,056
Orange Water and Sewer Authority	\$9,296
Waynesville	\$4,000
Blowing Rock	\$7,600
Maggie Valley	\$12,336

Maggie Valley is slightly higher than some of the towns. Waynesville is cheaper because of the loss of industry (Dayco & Lee's) leaving them with an abundance of capacity. Alderman Aldridge reported that a local business owner that runs a good business, and helps the town whenever possible, would like a reduction in sewer fees when expanding an established business.

Mayor McElroy felt that it would be unfair to others that have paid the current fees.

Alderman Aldridge understood, but reminded Council that over the years the fees have continually risen. Alderman Aldridge felt that the high impact fees are keeping businesses from locating to Maggie Valley.

Alderman Edwards added that the Town would be glad to work up a payment plan for anyone wanting to expand or locate in Maggie Valley.

**ALDERMAN PRICE MADE A MOTION TO TABLE THE ISSUE UNTIL THE NEW BOARD IS IN PLACE AND THEN THERE COULD BE THE POSSIBILITY OF TABLING THE DISCUSSION PERMANENTLY. MOTION CARRIED UNANIMOUSLY.**

13. **Budget Amendments.**

Ordinance No. 670 is an amendment that recognizes the amounts needed for the vehicle acquisitions that were made this year, including two Explorers, and F-350 truck and a Tractor. After all the vehicles were purchased and the expenses calculated to make payments to the end of the year, there was \$12,137 left that is applied against the Fund Balance.

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**ALDERMAN EDWARDS MADE A MOTION TO APPROVE ORDINANCE  
NUMBER 670.  
MAYOR MCELROY, ALDERMEN PRICE AND DEMEOLA VOTED IN THE  
AFFIRMATIVE.  
ALDERMAN ALDRIDGE VOTED NEY.  
MOTION CARRIED BY MAJORITY.**

Ordinance No. 671 is an amendment that recognizes the funds received from the Lions Club, which were proceeds from their fundraising activities.

**ALDERMAN ALDRIDGE MADE A MOTION TO APPROVE ORDINANCE  
NUMBER 671.  
MOTION CARRIED UNANIMOUSLY.**

Alderman Price reported that the Lion's Club has more money to donate to the Town but would like to make sure where the funds are being spent. The Lion's Club money is in a separate line item and everything is being documented. The Town has been awarded a grant from the Pigeon River Grant Agency. Manager Barth should be able to report on Parham Park at the next regularly scheduled meeting. A plaque will be placed in the park acknowledging the Lion's Club's contributions.

Ordinance No. 672 is an amendment for the additional funds needed to get the sidewalk plans in place and ready to bid. Because this is a federal stimulus project there is much more information that has to be provided than if the Town were doing it without federal stimulus funds. The project will be going to bid beginning next week. Monday it will be posted on the DOT website.

**ALDERMAN PRICE MADE A MOTION TO APPROVE ORDINANCE NUMBER  
672.  
MOTION CARRIED UNANIMOUSLY.**

Ordinance No. 673 is an amendment to transfer the funds from the Police Department and Public Works Department to Debt Service in order to have the money available to begin to make monthly payments.

**ALDERMAN DEMEOLA MADE A MOTION TO APPROVE ORDINANCE  
NUMBER 673.  
MOTION CARRIED UNANIMOUSLY.**

Ordinance No. 674 is an amendment to recognize the purchase of the McCracken property at the intersection of Moody Farm Road and Soco Road at the traffic light. That land has been purchased and is now Town owned property.

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**ALDERMAN EDWARDS MADE A MOTION TO APPROVE ORDINANCE  
NUMBER 674.**

**MOTION CARRIED UNANIMOUSLY.**

14. **Manager's Report.**

☞ The Region A meeting will be held November 23 at 6:30 p.m. at the Holiday Inn in Cherokee.

☞ On November 24 the NCDOT representatives will conduct a pre-bid opening. The Moody Farm sidewalk project was advertised on the NCDOT's website on November 16. The bid opening for the sidewalk project will be December 7 at 2 p.m.

☞ Interviews for the Event's Coordinator will be held Wednesday November 25 beginning at 1:00 p.m.

**ALDERMAN DEMEOLA MADE A MOTION TO HAVE NEWLY ELECTED  
SCOTT PAULEY SIT IN ON THE INTERVIEWS.  
MOTION CARRIED UNANIMOUSLY.**

☞ There will be a special called meeting on December 1, 2009 at 5:30 p.m. to approve the November 17, 2009 minutes, administer the oath of office to the newly elected officials, elect a Mayor Pro-Tem and then have a small reception in the cafeteria.

☞ The regularly scheduled meeting will still be held December 15, 2009 at 5:30 p.m.

15. **Other Business.**

☐ The terms for the MVTDA 1% committee are up for appointment. There has been a learning curve to being on this committee with all of the rules and regulations that are involved. Ms. Collins, the HCTDA Director suggested Council consider reappointing the same members. They are doing an excellent job and have the rules and regulations down to an art. Alderman Price agreed, adding that it is often difficult to get people to volunteer for boards.

**ALDERMAN EDWARDS MADE A MOTION TO KEEP THE SAME MVTDA  
1% COMMITTEE MEMBERS.  
MOTION CARRIED UNANIMOUSLY.**

☐ It is also time to appoint someone to sit on the HCTDA board to represent Maggie Valley. Ms. Marion Hamel has been representing Maggie Valley and has done an tremendous job.

**ALDERMAN EDWARDS MADE A MOTION TO SUBMIT MARION HAMEL'S  
NAME TO SIT ON THE HAYWOOD COUNTY TDA ON BEHALF OF MAGGIE  
VALLEY.**

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**MOTION CARRIED UNANIMOUSLY.**

▣ Alderman Aldridge's home burned last night. Alderman Aldridge thanked the Maggie Valley Fire Department, Police Department, and the First Responders for providing superior service during his time of need.

16. **Public Comment**

There were no comments from the floor.

17. **Meeting Adjourned.**

**ALDERMAN DEMEOLA MADE A MOTION TO ADJOURN AT 6:20 P.M.  
MOTION CARRIED UNANIMOUSLY.**

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**Vickie Best, Town Clerk ,CMC**

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**Mayor Roger McElroy**

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