

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
December 15, 2009
5:30 p.m.

MINUTES

Members Present: Mayor Roger McElroy, Aldermen: Colin Edwards, Saralyn Price, and Scott Pauley
Members Absent: Alderman Phil Aldridge
Staff Present: Manager Tim Barth, Attorney Chuck Dickson, Planning Director Nathan Clark, Chief Scott Sutton, Captain Jason Moody, Festival Director Audrey Hagar, Building Inspector Ron Mercier, and Town Clerk Vickie Best
Others Present: Ten People

1. **Meeting Called to Order.**

Mayor McElroy called the meeting to order at 5:34 p.m. in the Town Hall Boardroom.

2. **Consent Agenda**

- a. Certificate of Sufficiency: Deutsche Bank/National Trust, 44 Golfview Drive, Parcel #7697-80-2620, (0.5193 acres):
Resolution No. 09-33,
Setting a date for a Public Hearing on January 19, 2010 at 5:30 p.m.
- b. Certificate of Sufficiency: Traveler's Rest, Inc. Bruce Rouse, , Parent Parcel #8606-63-9529 and all parcels therein, (49.67 acres):
Resolution No. 09-34,
Setting a date for a Public Hearing on January 19, 2010 at 5:30 p.m.
- c. Setting 5:30 p.m. on January 19, 2010 as a time for a Public Hearing regarding Electronic Gaming Devices.
- d. Setting 5:30 p.m. on January 19, 2010 as a time for a Public Hearing regarding Non-Conforming Uses.
- e. Correction and Approval of Minutes for the December 1, 2009 meeting.

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

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3. **Introduction of Audrey Hager as the Town's new Director of Special Events and Festivals.**

Ms. Hager addressed the audience explaining the qualification/experience she brings to the town. She has spent 23-years in the hospitality business and 15-years in special events. Ms. Hager has managed major concerts with attendance in excess of 6,000. Ms. Hager's goal is to get to know the people in town; and to work diligently to bring business to Maggie Valley.

4. **Appearance of Kyle Edwards regarding the Building Inspection program.**

Mr. Edwards asked that Burton Edwards be allowed to speak after him.

**ALDERMAN EDWARDS MADE A MOTION TO AMEND THE AGENDA TO
ALLOW BURTON EDWARDS TO ADDRESS COUNCIL.
MOTION CARRIED UNANIMOUSLY.**

Mr. Kyle Edwards addressed Council stating that Mr. Ron Mercier is a fair building inspector and the town is lucky to have him. He protects the town, the home buyer, and the builder. Mr. Mercier doesn't like smoking; personally Mr. Edwards stated he does not like cigarette smoke. It is not an issue for someone not to smoke while getting an inspection. Mr. Edwards went on to say that the Stompin Grounds did not do well this year but he is not closing up and going home. "The Stompin Grounds will remain open and hope for a better year." "Mr. Mercier upholds the building codes and he is a by the book kind of guy." Mr. Edwards felt Mr. Mercier is being railroaded by the town. Mr. Edwards asked that Council give this thought because Maggie Valley needs a building inspector and "we need to keep Ron".

Mr. Burton Edwards welcomed Ms. Hager to Maggie Valley.

Mr. Burton Edwards addressed Council stating that if the Town does away with Mr. Mercier's job the planning board and the zoning board's work would be in vain because there will be no one to look after Maggie Valley's interest. "Code enforcement will go out the window." Mr. Edwards stated that he was in favor of the town growing and of annexation; but not if "we cannot offer the basic services i.e. building inspections/code enforcement". Maggie Valley can provide a building inspection in one day. The county takes at least two days. Mr. Edwards went on to provide the following comparison. Preacher David Reeves, as told by Jack Heffner, was troubled because few people were attending prayer service. Preacher Reeves questioned if the church should continue with the weekly prayer service. Mr. Heffner told Preacher Reeves that if you own a fire truck and there is no fire, are you going to sell the fire truck? Mr. Edwards felt this was the same situation as with building inspections. The town worked hard to get a building inspector and now that there has been a slow down in building, the town is going to close building inspections. Mr. Edwards asked Council to do the right thing and keep Mr. Mercier, "keep building inspections".

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Mr. Torry Pinter asked if he could address Council.

**ALDERMAN PRICE MADE A MOTION TO ALLOW MR. PINTER TO
ADDRESS COUNCIL.
MOTION CARRIED UNANIMOUSLY.**

Mr. Pinter explained that he is a general contractor and a home inspector. There are a lot of building codes to understand and the codes continually change. Mr. Pinter agreed with the Edwards', the county will not provide the timely service that Maggie Valley currently provides. "If it is not broken, why try to fix it." Mr. Pinter has worked with the building inspector as well as the planner and "it makes Maggie Valley a better place to work and live. It is a bad idea to get rid of Ron." Mr. Pinter felt at ease to call Mr. Mercier with any question he may have. "Ron is always helpful."

Mr. Pinter has a model home that has gotten a lot of attention. "People want to build in the area they are just waiting for their other homes to sell. The building industry will return. The government says the recession is over. It is hard to find a good building inspector. Mr. Mercier is respected, fair, and greatly appreciated for his expertise. Service is the key issue."

5. Appearance of Lynn Collins to give an update on the TDA.

Ms. Collins addressed Council providing handouts on how the TDA Committee and the 1% subcommittee stand on occupancy tax received. Of course, the recession has affected tourism tremendously. Among other things, Cataloochee was not able to open until December; in 2008 they made snow in October. The rock slide on I-40 has had an incredible impact on room nights. With the negative predicaments hitting Western North Carolina, Haywood County still hasn't been hit as hard as some counties. Several counties have had a decrease in occupancy tax in the double digits.

News releases went out the day after the rock slide showing alternative routes. The press releases included maps. These releases have also gone onto the State's tourism site, face book, blogs, and tweeter. The TDA has been working with Representative Ray Rapp to get electronic signs placed on I-40 stating that Western North Carolina is accessible. The Haywood County TDA continues to work with NCDOT about signage. The staff continues to send out email blasts encouraging people to visit the area.

The Haywood County TDA allocated \$15,000 to be used to inform people that Haywood County is open for business. Asheville and Biltmore are spending \$150,000 to advertise that Buncombe County is accessible. Inn keepers are concerned about the Florida market.

Ms. Collins commended the Maggie Valley TDA 1% Subcommittee on doing a great job and looks forward to working with Ms. Hagar.

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6. Consideration of a resolution to allow the Town to be part of the Haywood County Hazard Mitigation Plan.

TOWN OF MAGGIE VALLEY BOARD OF ALDERMEN

RESOLUTION NUMBER 09-36

REQUESTING THAT HAYWOOD COUNTY BOARD OF COMMISSIONERS ALLOW THE TOWN OF MAGGIE VALLEY TO BE A PART OF THE HAYWOOD COUNTY HAZARD MITIGATION CONSOLIDATED PLAN.

WHEREAS, on October 30, 2000, the President of the United States signed into law the Disaster Mitigation Act of 2000 to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 to reinforce the importance of pre-disaster mitigation planning to help reduce disaster losses; and

WHEREAS, North Carolina Senate Bill 300 requires all local governments to have an approved Hazard Mitigation Plan in order to receive state public assistance funds; and

WHEREAS, the Town of Maggie Valley's Hazard Mitigation Plan (Plan) was approved in July of 2005 by the Federal Emergency Management Agency (FEMA) and the North Carolina Division of Emergency Management (NCEM) and includes the incorporated areas of the Town of Maggie Valley ; and

WHEREAS, at this time the Town of Maggie Valley is requesting to merge its Hazard Mitigation Plan with Haywood County's Hazard Mitigation Plan in accordance with guidance provided by FEMA and NCEM.

NOW, THEREFORE, BE IT RESOLVED that the Town of Maggie Valley requests Haywood County Commissioners to allow the Town of Maggie Valley to merge its Hazard Mitigation Plan with Haywood County's Hazard Mitigation Plan.

ALDERMAN EDWARDS MADE A MOTION TO ALLOW THE TOWN OF MAGGIE VALLEY TO BE PART OF THE HAYWOOD COUNTY MITIGATION PLAN.

MOTION CARRIED UNANIMOUSLY.

7. Consideration of whether the Town wants to be BB&T's featured Business of the Month.

The Town will be feature in March. Ms. Hagar will present a plan for Council approval.

ALDERMAN EDWARDS MADE A MOTION TO PARTICIPATE IN BB&T'S BUSINESS OF THE MONTH IN MARCH.

MOTION CARRIED UNANIMOUSLY.

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8. **Budget Amendment: Ordinances 672, 676, 677**

Ordinance 672

Ordinance 672 - revised

An Ordinance Amending the FY 2009/10 Budget Ordinance

Be It Hereby Ordained by the Town Board of Aldermen of the Town of Maggie Valley, North Carolina, that the Budget Ordinance for the year 2009/10 is amended as follows:

General Fund – Side walk Project – Powell Bill

	<u>Description</u>	Previous	Increase (Decrease)	Amended
Revenues	Powell Bill Street Aid 05-00-3451	\$35,879	\$2,353	\$38,232
	Powell Bill Reserve 05-00-3992	\$20,000	\$17,907	\$22,353
Appropriations	Sidewalks 05-98-4599	\$0	\$20,260	\$20,260

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

Ordinance 676

General Fund – Labor Day Fireworks

	<u>Description</u>	Previous	Increase (Decrease)	Amended
Revenues	Contribution & Donations 06-00-3840	\$0	\$6,325	\$6,325
	1% Occupancy Tax	\$40,000	\$593	\$40,593
Appropriations	Labor Day Fireworks 06-61-4481	\$0	\$6,918	\$6,918

Ordinance 677

General Fund – Wellness Grant

	<u>Description</u>	Previous	Increase (Decrease)	Amended
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Revenues	NCLM Wellness Grant 05-00-3428	\$0	\$500	\$500
Appropriations	Employee Wellness 05-40-4189	\$1,000	\$500	\$1500

9. **Award Sidewalk Project: Cooper Construction**

**ALDERMAN EDWARDS MADE A MOTION TO AWARD COOPER
CONSTRUCTION THE CONTRACT FOR BUILDING THE SIDEWALKS
ALONG MOODY FARM FOR \$795,903.55.
MOTION CARRIED UNANIMOUSLY.**

10. **Set Date for a Special Called Meeting to award the bridge portion of the Moody Farm Road sidewalk project (Possible dates: during the workday on Monday December 21, or anytime on Tuesday December 22.**

Council decided to have the Special Called Meeting to award the Bridge contract on Monday December 21 at 12:30 p.m.

Council will conduct interviews to fill the vacancies on the appointed boards after the Christmas holidays.

11. **Manager's Report.**

► Manager Barth distributed the Chamber Calendar of events.

► Additional blowers are needed in a couple of basins at the treatment plant. The prep work is underway and those blowers should be installed within the month. The reason for the needed blowers was due to the manufacturer's miscalculations rather than the contractor.

12. **Other Business.**

Alderman Price felt the Town should reimburse Ms. Thorsene for the cost of clearing her property due to a nuisance infraction. Alderman Price felt the Town was in error on the violation.

**ALDERMAN EDWARDS MADE A MOTION TO REFUND MS. THORSENE
\$300 FOR THE COST OF CLEANING UP HER PROPERTY.
MOTION CARRIED UNANIMOUSLY.**

Ms. Rose Mary Evans passed away this week in a car accident. Ms. Evans was very involved in the community as well as the Civic Association and the Quilters Guild. Ms. Evans was always ready to help the Town of Maggie Valley and her citizens anyway possible. Council felt that it was befitting to do a resolution or a plaque honoring Ms. Evans for her life-long dedication to Maggie Valley and her community.

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The Clerk will draft a resolution or wording for a plaque.

13. **Public Comment**

◆ John Way: Mr. Way addressed Council on behalf of Ron Mercier, the building inspector for Maggie Valley. Mr. Way asked that Council reconsider and allow Mr. Mercier to remain the building inspector for at least another year to see if the economy changes. When involved in construction, time is of the essence. The local contractors do not want to wait on the county inspections department. Mr. Way went on to talk about Mr. Mercier's knowledge of building and the many codes that he must enforce.

◆ Lynn Collins: Ms. Collins thanked the board for reappointing Ms. Marion Hamel as the liaison for the Maggie Valley TDA 1% Subcommittee.

◆ Harry Harmon: Mr. Harmon spoke on Mr. Mercier's behalf stating that Maggie Valley needs to keep the building inspections as they are.

◆ Chief Scott Sutton thanked everyone for helping with the Christmas Parade. Ms. Marion Hamel and the Knights of Columbus are very instrumental in organizing the line up of entries. All of the employees work very hard the day of the parade and it is greatly appreciated.

14. **Meeting Adjourned**

**ON MOTION OF ALDERMAN EDWARDS WITH ALL IN FAVOR THE
MEETING ADJOURNED AT 6:40 P.M.**

Mayor Roger McElroy

Vickie Best, CMC, Town Clerk