

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
February 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, Planning Director Nathan Clark, Events Director Bill Cody, Public Works Director Mike Mehaffey and Town Clerk Vickie Best
Others Present: Ten people attended

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

Lynn and Sharon Bartley, 66 Airish Lane, Parcel #7697-75-5464 (0.757 acres);

Jay and Cheryl Eichorn, 528 Brannon Forest Drive, Parcel # 7697-76-0034 (0.3 acres);

Marion Lord, 83 Turn-A-Bout Court, Parcel #7697-86-8073 (0.372 acres);

Kathryn and Paul Tucker, Cripple Creek Drive, Parcel #7697-75-9359 (0.743 acres);

Frank and Tracy Zayas, Turn-A-Bout Court, Parcel #7697-86-6234 (1.0 acres);

Resolution No. 09-08, Directing Clerk to investigate an annexation petition.

b. Certificate of Sufficiency: 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):

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
February 17, 2009

MINUTES

Resolution No. 09-09, Setting a date for a
Public Hearing on March 17, 2009 at 5:30 p.m.

c. Certificate of Sufficiency: Stephen Suggs: #21 Maggie Valley
Estates, 83 Lady Bug Lane, Parcel #7686-46-3403, (0.6454 acres):

Resolution No. 09-10, Setting a date for a
Public Hearing on March 17, 2009 at 5:30 p.m.

c. 2008 Tax Lien List. Board must order Tax Collector to post
and advertise these tax liens.

d. Tax Releases and Refund.

e. Correction and Approval of Minutes for the
January 20, 2009 meeting.

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

**3. Appearance of Great Smoky Mountains National Park Public Affairs Officer
Bob Miller.**

Mr. Miller addressed the board distributing literature detailing the 75th anniversary of the Great Smoky Mountains National Park. The kickoff ceremony will be the Governors' Proclamation Ceremony scheduled for April 24, 2009, which will focus on North Carolina and Tennessee's involvement in the park's establishment and its future protection. The Governors of both states will be invited to present proclamations. Other State and local dignitaries are expected.

The Aldermen were encouraged to participate in the many events recognizing the anniversary and the Elk Release Program. **SEE ATTACHMENTS 1-3**

4. Consideration of releasing Wolf Creek Subdivision to create more lots.

Alderman Edwards asked to be excused from the vote due to having done work for the new owners.

**ALDERMAN PRICE MADE A MOTION TO EXCUSE ALDERMAN EDWARDS
FROM THE DISCUSSION DUE TO FINANCIAL INTEREST.
MOTION CARRIED UNANIMOUSLY.**

Manager Barth distributed plats of the property. The Board of Aldermen approved a road deviation in November 2006. There are 2.93 acres of land that was to remain vacant due to the narrow entrance requiring a road deviation. **SEE ATTACHMENT 4**

The manholes have been raised and Driftwood Loop has been widened between 16 & 18-feet. The bridge does narrow down to 14-feet, but the owners have no other options. A fire hydrant will be installed at the corner of Soco Road; there will be two large turning radius areas along the looping road. Approximately one-third of an acre will be allocated

Town of Maggie Valley
 Regularly Scheduled Board of Aldermen Meeting
 February 17, 2009
 MINUTES

as open space for the community to enjoy. Sewer has been installed. The new owners would like to develop the 2.93 acres.

The Planning Board recommended approval with the following stipulations: *CHAIRMAN BREDE MADE A MOTION TO MOVE THE WATERLINE ALONG LOT 13 INTO THE UTILITY EASEMENT, SOFTEN THE TURN AT THE INTERSECTION OF DRIFTWOOD AND ACORN STREET ALONG LOT 10, SIGNAGE AND ARROWS SHOULD BE PLACED ALONG THE ONE-WAY STREETS (TRAFFIC WILL FLOW CLOCKWISE), RECOMMEND THAT THE ALDERMEN APPROVE LOTS 13 THROUGH 19 WITH THE CORRECTIONS MENTIONED ON MAP DATED 8/21/06. MR. EDWARDS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.*

ALDERMAN DEMEOLA MADE A MOTION TO APPROVE THE PLAN AS DISCUSSED AND FOR THE DEVELOPERS TO WORK WITH THE PLANNING BOARD AND TOWN STAFF. MOTION CARRIED UNANIMOUSLY.

5. Consideration of creating two additional permanent part-time (30 hours per week) patrol officer positions in the Police Department, and authorizing the Chief to fill those positions anytime after March 8.

Council previously discussed the cost of adding two permanent part-time patrol officers. Chief Sutton has money in the budget (\$14,219.17) to fund the positions from now until June 30.

ALDERMAN DEMEOLA MADE A MOTION TO AUTHORIZE CHIEF SUTTON TO FILL THESE POSITIONS. MOTION CARRIED UNANIMOUSLY.

6. Consideration of purchasing an ad in the Disabled American Veterans Convention Book.

The Town has purchased ads in the past for Disabled American Veterans. The cost of the advertisement is \$135.

ALDERMAN ALDRIDGE MADE A MOTION TO APPROVE THE FUNDING TO PURCHASE AN AD. MOTION CARRIED UNANIMOUSLY.

7. Consideration of an agreement to cut down some trees on a Town street right-of-way.

The Town has tried to get the 23 pine trees along Riverside Villa Drive removed for several years. The Town would like to repair the road. Mr. James Bennett has agreed to pay for one-half of the cost of removal, to include the removal of brush, but not stumpage. Staff bid the project and received the lowest quote of \$3,475. An agreement

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
February 17, 2009
MINUTES

will be drafted to assure the Town receives half of the cost of the tree removal from James Bennett.

**ALDERMAN PRICE MADE A MOTION TO AUTHORIZE THE REMOVAL OF THE TREES ON THE CONDITION THAT THE TOWN IS GUARANTEED THE MONEY FROM THE BENNETT'S.
MOTION CARRIED UNANIMOUSLY.**

8. **Budget Amendments.**

Ordinance 648 recognizes sponsorship funds that the Town received for the 2008 fireworks from Ghost Town (\$4,000) and the sponsorship funds from the Christmas Parade (Cataloochee \$1,000 and Scott Pauley \$250). The funds are recognized on both the revenue side and expenditure side.

**ALDERMAN DEMEOLA MADE A MOTION TO APPROVE ORDINANCE 648
MOTION CARRIED UNANIMOUSLY.**

Ordinance 649 recognizes the \$1,000 Wellness Grant the Town received from the North Carolina League of Municipalities. The Wellness Grant has allowed the Wellness Committee to provide several wellness related activities for the employees. The funds are recognized on both the revenue side and expenditure side.

**ALDERMAN PRICE MADE A MOTION TO APPROVE ORDINANCE 649.
MOTION CARRIED UNANIMOUSLY.**

Ordinance 650 is for the bricks that were sold years ago. The bricks were finally ordered and are currently at the Public Works building. They will be installed at the Festival Grounds after the current work there is complete. Because most of the brick sales came from years ago, the funds in the amendment come from appropriated Fund Balance. The revenue is recognized as Appropriated Fund Balance and the expenditure is Contracted Services.

Alderman Aldridge was instrumental in getting this program started. There was a delay in getting the brick in 2008 due to the ACME Company being backlogged. The brick will be in place in time for the festival season. Alderman Aldridge asked that the town continue with the project.

**ALDERMAN ALDRIDGE MADE A MOTION TO APPROVE THE ORDINANCE
AS PRESENTED.
MOTION CARRIED UNANIMOUSLY.**

Ordinance 651 is to account for the funds to renovate the Pavilion. There will be a \$5,000 donation from the Civic Association that will help offset some of the expense. Installing the gas and heater are the only items left in order to finish this project. The

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
February 17, 2009
MINUTES

revenue for this comes from Fund Balance and the expense is in Capital Outlay-Building.

The gas heater will be delivered February 22. The gas piping will be completed this week. A separate gas tank was installed for the heater. The civic association pays for gas for the kitchen.

Mayor McElroy recognized Alderman Edwards because winterizing the pavilion was his idea. Alderman Edwards had donated a heater, but staff found that it would be more economical to purchase an energy efficient heater.

Alderman Edwards commended the Public Works Department for doing a good job on the pavilion renovations.

**ALDERMAN EDWARDS MADE A MOTION TO APPROVE ORDINANCE 651.
MOTION CARRIED UNANIMOUSLY.**

Ordinance 652 accounts for a \$500 Safety Grant that the Town got through the North Carolina League of Municipalities. The grant helps pay for safety equipment. The funds are recognized on both the revenue and expenditure sides.

**ALDERMAN PRICE MADE A MOTION TO APPROVE ORDINANCE 652.
MOTION CARRIED UNANIMOUSLY.**

Ordinance 653 is to put the funds in place to pay for the sidewalk plans for Moody Farm Road. Those plans are complete except for the approval from DOT, which should come next week. This is a Powell Bill eligible expense so the revenue will come from Powell Bill Funds and the expenditure is in the Sidewalks account.

Alderman Aldridge felt that the residents in the Moody Farm area definitely need a sidewalk, but additional street lighting will be needed in the future.

**ALDERMAN ALDRIDGE MADE A MOTION TO APPROVE ORDINANCE NO.
653.
MOTION CARRIED UNANIMOUSLY.**

9. **Discussion concerning several events normally held at the Festival Grounds.** Chamber President Teresa Smith addressed Council explaining that due to the BBQ Festival not being a moneymaking event, the Chamber will not be able to sponsor the event this year. The 2008 BBQ festival was down 6,000 visitors due to the economy and gas situation. The Executive Board felt the festivals should break even, if not making a profit. The Board would like to pass the BBQ Festival on to people better equipped for the event. Sponsorship money was difficult to get last year. As it stands now, the

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
February 17, 2009
MINUTES

Chamber will sponsor the two craft shows, help with the Trout Festival, and do beer sales at other events.

Mayor McElroy asked that the Town be involved in any discussions regarding the festival grounds. Bill Cody, the newly hired Events Director, will be meeting with the Chamber members in the near future to introduce himself, and see how more events can be brought to Maggie Valley.

Alderman Aldridge asked if the Chamber members and the Town could join forces to keep from losing any more events.

Ms. Smith stated that there had been several conversations with the Town. The Chamber would love to see the BBQ Festival remain in Maggie Valley and move forward. The Chamber members are attempting to find promoters for the festival.

Mayor McElroy asked that the Board of Aldermen and staff be kept "in the loop".

Alderman Price will be the direct line of communication between the two entities. The reason the Chamber began doing events was to supplement the Chamber and to put "heads in beds".

Alderman Price will begin providing annual reports.

10. Consideration of restarting the Maggie Valley Greenway Advisory Committee.

Mayor McElroy sat as Chairman, for several years, on the last Greenway Advisory Committee. A committee needs to be reestablished and the Town needs to begin applying for grant funding to further extend the greenways system. Mayor McElroy does not have the available time to dedicate to chairing another committee; but felt the town should reestablish a committee to continue the project.

The first goal for the committee should be to obtain rights-of-way along Jonathan Creek.

**ALDERMAN EDWARDS MADE A MOTION TO RESTART THE GREENWAYS
ADVISORY COMMITTEE AND TO APPOINT ALDERMAN DEMEOLA TO
CHAIR THE COMMITTEE.
MOTION CARRIED UNANIMOUSLY.**

11. Manager's Report.

■ The Festival Ground lighting project is coming along well. Haynes Electric has some wiring yet to complete. The Public Works Department will back-fill the remaining portion of the field and then hydro-seed as soon as weather permits.

Alderman Edwards asked that a soil sample be taken, so the town can get the best grass seed possible.

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
February 17, 2009
MINUTES

Public Work's Director Mehaffey explained the reason for installing the load centers in the field was for the BBQ Festival. The cost of putting on the festival should decrease significantly due to not having to rent generators. The Town has put a substantial amount of money into the festival grounds with the ultimate purpose being to increase tourism.

Alderman Price questioned if the policy of requiring the bills to be paid prior to being reimbursed from the Haywood County TDA could be addressed.

The guidelines cannot be changed.

■ Mayor McElroy and Manager Barth will attend a workshop on the Federal Stimulus package on Thursday February 19 in Asheville.

12. **Other Business.**

● Alderman Price asked if additional lighting could be installed at the crosswalks.

Additional lighting and reflective pedestrian crossing signs were installed. All lighting must be NCDOT approved and would be very expensive.

● Alderman Aldridge stated that having a sewer impact fee of \$385 per seat for a restaurant was ridiculous. He asked to see a report on what other towns are charging. These types of fees discourage new business or the upgrade/expansion of existing businesses.

Mayor McElroy explained that a study was done on the cost of replacing sewer capacity and those rates would be based on the state's flow rate.

Alderman Aldridge asked that he be provided more information. Alderman Aldridge would like to provide incentives to bring people to Maggie Valley rather than discouraging growth. Alderman Aldridge went on to question the benefits the Buxton Study brought to town. There have been no new businesses; instead, businesses are up for sale.

Manager Barth will provide Alderman Aldridge additional information on sewer rates and flow.

13. **Public Comment.**

■ Mr. Philip Wight stated that he would like to see a copy of the sewer department's budget. The sewer for Maggie Valley is much higher than other municipalities. Mr. Wight also stated that the Chamber is doing a better job since Ms. Collins' departure.

All budgets are open for inspection.

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
February 17, 2009
MINUTES

☐ Mr. Joe Moody will provide an update on the Haywood County Greenways at the next meeting.

14. **Meeting Adjourned.**

**ON MOTION OF ALDERMAN EDWARDS, WITH ALL MEMBERS IN FAVOR
THE MEETING ADJOURNED AT 6:43 P.M.**

Mayor Roger McElroy

Vickie Best, CMC, Town Clerk

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
February 17, 2009
MINUTES