

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
May 19, 2009
5:30 p.m.
MINUTES

Members Present: Mayor Roger McElroy, Aldermen: Colin Edwards, Saralyn Price, Phil Aldridge and Mark DeMeola
Staff Present: Manager Tim Barth, Attorney Chuck Dickson, Officer Tim Henson, Public Works Director Mike Mehaffey, and Administrative Assistant Karen Batick
Others Present: Four 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. Wastewater Treatment Plant Project – Statement of Revenues and Expenditures
- b. Investment of Idle Funds Report.
- c. Budget vs Actual for year-to-date revenues and expenditures.
- d. Correction and Approval of Minutes for the April 21, 2009 meeting.

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

3. **Consideration of Resolution No. 09-18 to accept and endorse the Haywood County Solid Waste Management Plan Update for 2009 – 2019.**

RESOLUTION NO 09-18

RESOLUTION ACCEPTING AND ENDORSING THE SOLID WASTE MANAGEMENT PLAN OF 2009 FOR HAYWOOD COUNTY.

WHEREAS, it is a priority of this community to protect human health and the environment through safe and effective management of municipal solid waste;

WHEREAS, the reduction of the amount and toxicity of the local waste stream is a goal of this community;

WHEREAS, equitable and efficient delivery of solid waste management services is an essential characteristic of the local solid waste management system;

WHEREAS, it is a goal of the community to maintain and improve its physical appearance and reduce the adverse effects of illegal disposal and littering;

WHEREAS, Haywood County recognizes its role in the encouragement of recycling markets by purchasing recycled products;

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WHEREAS, involvement and education of the citizenry is critical to the establishment of an effective local solid waste program;

WHEREAS, the State of North Carolina has placed planning responsibility on local government for the management of solid waste;

WHEREAS, NC General Statute 120A-309-09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to update the Ten year Comprehensive Solid Waste Management Plan at least every three years;

WHEREAS, the Haywood County Solid Waste Management Department and Citizens Solid Waste Advisory Council have undertaken and completed a long-range planning effort to evaluate the appropriate technologies and strategies available to manage solid waste effectively;

NO, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE TOWN OF MAGGIE VALLEY:

That Haywood County’s 2009 Ten Year Comprehensive Solid Waste Management Plan is accepted and endorsed and placed on file with the Clerk to the Board on this day 19th of May 2009.

**ALDERMAN PRICE MADE A MOTION TO APPROVE RESOLUTION NUMBER 09-18.
MOTION CARRIED UNANIMOUSLY.**

- 4. **Consideration of Resolution No. 09-19 to oppose certain proposed legislation that would shift road maintenance responsibility from the state to cities and counties.**

RESOLUTION 09-19

**A RESOLUTION OF THE TOWN OF MAGGIE VALLEY EXPRESSING OPPOSITION
TO PENDING LEGISLATION TRANSFERRING RESPONSIBILITY
FOR STATE ROADS TO LOCAL GOVERNMENTS**

WHEREAS, Senate Bill 1001, identical House Bill 881, and Senate Bill 758 are pending in the North Carolina General Assembly; and

WHEREAS, these bills are an attempt by the North Carolina Department of Transportation to shift the financial responsibility for thousands of miles of state roads from the State of North Carolina to local governments, reversing the state policy adopted by the General Assembly in the 1930s under which the State assumed control of the state highway system from local governments and North Carolina became known as the “Good Roads State”; and

WHEREAS, under this proposed legislation, the Town of Maggie Valley would be forced to assume maintenance of additional roads, this legislation will affect 548 municipalities in the State of North Carolina; and

WHEREAS, the current effort to divest the State from its responsibility for large portions of the state’s road system represents a shortsighted abdication of responsibility caused by the State’s inability or refusal to finance

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and manage it effectively, and merely shifts the responsibility back to local governments which lack the capacity to maintain the system; and

WHEREAS, the efforts to shift the State's responsibility to local governments as set out in these bills include:

- transferring tens of thousands of miles of state roads from NCDOT to local governments for improvement and maintenance without sufficient resources, essentially insuring the acceleration and degree of deterioration of the existing road system;
- delaying payment of Powell Bill Funds to municipalities next year in order to cover State budget deficiencies, which will lead to deterioration of municipal streets and is contrary to national efforts to spur construction activity;
- eviscerating the 50 year old Powell Bill municipal road maintenance support system by making payments under it optional by the State and therefore illusory, even as the State shifts its road responsibilities to local governments; and

WHEREAS, local governments face their own daunting challenges in providing existing essential services with strained revenue sources without this attempted new unfunded mandate; and

WHEREAS, the state's road system is fundamental and critical to the economic health of the State and the well being of its citizens, and it should not be sacrificed or abandoned for lack of determination by the State to continue to maintain its historical responsibility and stewardship;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MAGGIE VALLEY that the North Carolina General Assembly is respectfully and urgently requested to reject proposals such as those in Senate Bill 1001, House Bill 881, and Senate Bill 758 which would transfer responsibility for large portions of the state's road system to local governments, and weaken or dismantle municipal Powell Bill street maintenance funding.

BE IT FURTHER RESOLVED that the Town of Maggie Valley recognizes and respects the challenges facing the General Assembly in its responsibility for the state's road system, and pledges its support for leadership leading to solutions for the benefit of all the citizens

**ALDERMAN ALDRIDGE MADE A MOTION TO APPROVE RESOLUTION NUMBER 09-19
 OPPOSING THE TRANSFERRING OF STATE ROADS TO LOCAL GOVERNMENTS.
 MOTION CARRIED UNANIMOUSLY.**

5. **Budget Amendment.**

Ordinance 659

An Ordinance Amending the FY 2008/09 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 2008/09 is amended as follows:

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General Fund – Street Sweeper

	<u>Description</u>	Previous	Increase (Decrease)	Amended
Appropriations	Capital Outlay Equipment 05-98-4550	\$11,138	\$28,514	\$39,652
Appropriations	Capital Outlay Equipment 05-42-4550	\$121,989	(\$28,514)	\$93,475

**ALDERMAN EDWARDS MADE A MOTION TO APPROVE THE BUDGET AMENDMENT.
 MOTION CARRIED UNANIMOUSLY.**

6. Distribution of the FY 2009-10 Proposed Budget.

Manager Barth distributed the budget packets.

Council questioned Director Mehaffey on how Public Works was coming along.

- The streets are being swept to prepare for the Vetts in the Valley event.
- The new mower is working well.
- Ralph Stanley and the Blue Grass band IIIrd Tyme Out were very impressed with the festival grounds and the stage.
- The electric project is completed at the festival grounds.
- A brief discussion followed regarding placing an ice box (like the ones at convenient stores) on the front porch of the concession stand to sell bagged ice.
- Budget workshops were scheduled for May 26 and 28 from 3 p.m. until 5 p.m.

7. Request to change the date of the regular June meeting from June 16 to June 23.

**ALDERMAN EDWARDS MADE A MOTION TO CHANGE THE DATE OF THE NEXT
 REGULARLY SCHEDULED BOARD OF ALDERMEN MEETING FROM JUNE 16 TO JUNE 23 AT
 5:30 P.M.
 MOTION CARRIED UNANIMOUSLY.**

8. Manager's Report.

The Town of Maggie Valley has been awarded \$10,000 for decking at Parham Park.

9. Other Business.

Alderman Edwards questioned the status of the Waste Water Treatment Plant Expansion.

The project is going well. The plant will be at full treatment capacity (one million gallons) by mid-June.

Public Works Director Mehaffey reported that the Maggie Valley Sanitary District has been awarded stimulus money to extend waterlines.

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10. **Public Comment.**

Ms. Linda Bennett addressed Council stating that she has heard rumors of the Town of Maggie Valley having idle funds. "How much are they and what percentage is in the current budget?"

Manager Barth reported that Maggie Valley has a fund balance of 51% while the State average is 64%.

Ms. Bennett asked that the proposed budget be put online for people to review. She also questioned how the economy had impacted the Town's funds. Real Estate sales are down 50%. Ms. Bennett asked that the property taxes be lowered and that the Town cut all unnecessary spending and/or employees.

11. **Meeting Adjourned.**

**ALDERMAN PRICE MADE A MOTION TO ADJOURN AT 6:23 P.M.
MOTION CARRIED UNANIMOUSLY.**

Roger McElroy, Mayor

Vickie Best, CMC, Town Clerk

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MEMO

To: Mayor and Aldermen

From: Timothy J. Barth, Town Manager

Subject: Consideration of Resolution No. 09-18 to accept and endorse the Haywood County Solid Waste Management Plan Update for 2009 – 2019.

Date: May 19, 2009

Every three (3) years the Haywood County Solid Waste Management Plan has to be updated. Each municipality in the County, as well as Haywood County, must adopt a resolution accepting and endorsing the plan.

Resolution 09-18, which is attached will accept and endorse the update. I have copied page 3, which is the Table of Contents, and I have copied page 35 which is the Executive Summary. The complete report is 35 pages long. If you would like to see the complete report, let me know and I will get a copy to you or you can come by and look at our copy in Town Hall.

If you have any questions or concerns, please do not hesitate to contact me.

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MEMO

To: Mayor and Aldermen

From: Timothy J. Barth, Town Manager

Subject: Consideration of Resolution No. 09-19 to oppose certain proposed legislation that would shift road maintenance responsibility from the state to cities and counties

Date: May 19, 2009

There is certain legislation that has been proposed in the General Assembly that would shift the responsibility for roads from the state to municipalities and counties. Most local governments are not set up to handle major road maintenance work. Resolution 09-19, which is attached, urges the General Assembly not to adopt these proposed pieces of legislation. The Specific pieces of legislation are mentioned at the top and again at the bottom of the resolution.

If you have any questions or concerns, please do not hesitate to contact me.

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MEMO

To: Mayor and Aldermen
From: Timothy J. Barth, Town Manager
Subject: Budget Amendment
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Ordinance 659, which is attached, is a budget amendment. The amendment recognizes the total cost of the street sweeper on both the revenue and expenditure side. For accounting purposes the complete cost of the item must be shown in the budget, even though the Town is financing the equipment over five years.

If you have any questions or concerns, please do not hesitate to contact me.

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MEMO

To: Mayor and Aldermen
From: Timothy J. Barth, Town Manager
Subject: Distribution of the FY 2009-10 Proposed Budget
Date: May 19, 2009

The FY 2009-10 Budget is complete and will be distributed. In order to allow the Town Board a chance to look over the budget, I suggest that budget workshops be held on Tuesday May 26 and Thursday May 28 at whatever time is most convenient for the Board.

If you have any questions or concerns, please do not hesitate to contact me.

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MEMO

To: Mayor and Aldermen
From: Timothy J. Barth, Town Manager
Subject: Request to change the date of the regular June meeting from June 16 to June 23
Date: May 19, 2009

The Mayor has requested that the regularly scheduled meeting for June 16 be delayed by a week to June 23, if this does not cause a hardship for anyone else.

If you have any questions or concerns, please do not hesitate to contact me.