

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

Members Present: Mayor Roger McElroy, Aldermen: Phil Aldridge, Saralyn Price, Colin Edwards, and Mark DeMeola
Staff Present: Manager Tim Barth, Attorney Chuck Dickson, Chief Scott Sutton, Mike Mehaffey, and Clerk Vickie Best
Others Present: Four people

1. **Meeting Called to Order.**

Mayor McElroy called the meeting to order at 5:32 in the Town Hall Boardroom.

Manager Barth asked that Resolution 09-26 be added to the consent agenda. The action to purchase the vehicles and tractor was previously approved; this is a resolution needed for the financing process.

Council agreed to add Resolution 09-26 to the consent agenda.

2. **Consent Agenda**

- a. Petition for Annexation: Gene Rowe, Maggie Valley Country Club Estates (parts of lot 7 & 8), Parcel #7696-49-8340, (1.629 acres): Resolution No. 09-28, Directing Clerk to investigate an annexation petition.
- b. Correction and Approval of Minutes for the August 19, 2009 meeting.

ALDERMAN EDWARDS MADE A MOTION TO APPROVE THE CONSENT AGENDA AND THE ADDITIONAL ITEM. MOTION CARRIED UNANIMOUSLY.

3. **Appearance of Sonja Michels regarding her sign.**

Ms. Michels addressed Council requesting to move her sign located at the turn to Creek Wood Village off Wade Reece Way. Ms. Michels stated that during events people have a hard time finding her business. "People think it is a gated community." Ms. Michels feels she is losing road (traffic) business because of this. If the sign were located in a more visible location, it would be easier to find the road leading to the rental cabins.

Council directed Ms. Michels to meet with Public Works Director Mike Mehaffey and Chief Scott Sutton to determine a more desirable location for the Creek Wood Village sign.

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Ms. Michels also asked that Council consider paving the road because more and more events are using the back gate. The Parks, Recreation, Festival Advisory Committee recommended paving the road. Ms. Michels stated that she would pay the cost to bring the pavement around to her business.

Mayor McElroy responded that Council would need to look at the finances of the Town before making any decisions.

4. **Consideration of the Old Still Road sewer improvement project.**

ORDINANCE NO. 666

CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE GOVERNING BOARD OF THE TOWN OF MAGGIE VALLEY, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is to remove a sewer lift station at Old Still Road to be financed by Rural Center Supplemental grant funds and Town funds.

Section 2. The officers of this unit are hereby directed to precede with the capital project within the terms grant documents, and the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Construction	\$ 63,900
Construction Administration	\$ 4,500
Grant Administration	\$ 4,000
Easement Acquisition	\$ 1,900
Engineering	\$ 5,100
Construction Contingency	\$ 6,400
Testing during Construction	\$ 1,500

Section 4. The following revenues are anticipated to be available to complete this project:

Grant Funds from Rural Center	\$ 43,650
Town Funds	\$ 43,650

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and the federal regulations. The terms of the bond resolution also shall be met.

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Section 6. Funds may be advanced from the Sewer Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9. Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for direction in carrying out this project.

5. Consideration of Ordinance No. 666 to adopt a project ordinance for the Old Still Road project.

**ALDERMAN ALDRIDGE MADE A MOTION TO APPROVE ORDINANCE 666
 AS PRESENTED.
 MOTION CARRIED UNANIMOUSLY.**

6. Consideration of Resolution 09-27 affirming that water and sewer rates result in bills in excess of 1.5% of median household income.

The Rural Center did the study and has determined that Maggie Valley sewer rates are where they should be.

**ALDERMAN PRICE MADE A MOTION TO APPROVE RESOLUTION
 NUMBER 09-27.
 MOTION CARRIED UNANIMOUSLY.**

7. Consideration of writing off the debt the Festival Grounds owes the General Fund regarding the purchase of the Festival Grounds property.

During the 2008-2009 audit the question has arose as to how to handle the debt the Festival fund owes the General Fund. As of June 30, 2009 the Festival Fund owes the General Fund \$238,310. This is accumulative since purchasing the property in 2002. Council has a couple of options:

1. Do you want to leave the debt accumulating, meaning the Board feels that the Festival fund will repay the General Fund?

Or:

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2. Forgive the Debt owed as of June 30, 2009. If the debt is forgiven it will only be the amount as of June 30, 2009 and at the end of each fiscal year Council will look at the debt and make a determination as to how to handle it on an annual basis.

The Finance Officer and Manager Barth both recommend Option #2, because they do not believe that the Festival Grounds Fund will be able to repay the General Fund the money it is owed.

**ALDERMAN DEMEOLA MADE A MOTION TO FORGIVE THE DEBT AS OF
JUNE 30, 2009.**

MOTION CARRIED UNANIMOUSLY.

8. **Budget Amendment.**

The Town recently received notification that the Safe Routes to School application had not been approved. The project was going to be a \$318,700 project to extend sidewalk from near the Maggie Valley Inn and Conference Center to Jonathan Valley Elementary School.

The Safe Routes to School program was going to provide \$300,000 for the project and the Town was going to provide \$18,700. Since the project was not awarded, the funds that had been appropriated need to be removed from the budget, and the \$18,700 that the Town had included in the budget needs to be transferred to the Contingency Fund. Ordinance 667 amends the budget to remove the revenue and expenditure and shifts the \$18,700 to the Contingency Fund.

**ALDERMAN PRICE MADE A MOTION TO APPROVE ORDINANCE 667.
MOTION CARRIED UNANIMOUSLY.**

9. **Manager's Report.**

Manager Barth reminded Council that the Region A meeting will be held September 28 and the Council of Government meeting will be held September 29.

Manager Barth reported that staff is advertising for a Festival/Events Coordinator. Manager Barth has received several applications.

Parks, Recreation, Festival Advisory Committee Chairman Brown recommended Council talk with Mark Perthel, an expert/consultant in the entertainment industry.

Alderman Aldridge felt that another year has gone by without anything being accomplished. It is Aldermen Price and Aldridge's hope that Mr. Perthel will be able to offer a direction.

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**ALDERMAN ALDRIDGE MADE A MOTION TO SET UP A MEETING WITH
MR. PERTHEL TO TALK WITH THE BOARD OF ALDERMEN.
MOTION CARRIED UNANIMOUSLY.**

10. **Other Business.**

Alderman Price congratulated Mayor McElroy on the arrival of his new grandson.

Alderman Price went on to invite everyone to participate in the Lion's Club Walk-A-Thon September 26. The money raised will be donated to the Town of Maggie Valley to be used for improvements to Parham Park.

11. **Public Comment.**

Ms. Kathleen Klawitter addressed Council asking that they take their time in making any decisions pertaining to the lease, sell, or relinquishing any rights to the Maggie Valley Festival Grounds. Ms. Klawitter sees the Festival Grounds "as a gathering place of many venues that involve our schools, local businesses, and citizens". "There is so much more opportunity right in our own back yard, if we are looking in that direction." See attachment 1 Letter from Ms. Klawitter.

12. **Closed Session – Land Acquisition.**

**ALDERMAN EDWARDS MADE A MOTION TO ENTER CLOSED SESSION
FOR THE PURPOSE OF DISCUSSING LAND ACQUISITION.
MOTION CARRIED UNANIMOUSLY.**

Council entered closed session at 6:03 p.m.

**ALDERMAN EDWARDS MADE A MOTION TO COME OUT OF CLOSED
SESSION AT 6:24 P.M.
MOTION CARRIED UNANIMOUSLY.**

Alderman Aldridge asked that Manager Barth talk with Building Inspector Ron Mercier about his weekly reports. "The numbers just don't add up." Alderman Aldridge would like to see more of a detailed report, rather than just numbers.

Alderman Edwards asked that a special called meeting be scheduled to discuss public safety. There was an accident in front of the festival grounds this weekend during an event. Some promoters pay for traffic officers and other promoters will not. It is costly to place traffic officers at the festival grounds. Council needs to make a decision on the best way to handle the situation.

Alderman Price suggested talking with our representatives in Raleigh about getting a red light installed in front of the festival grounds.

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Alderman Edwards stated that he talked with representatives from NCDOT. During the repaving of Soco Road, NCDOT is going to fix some of the entrances and resolve any drainage problems along Soco Road. The work will be done during the day-light hours.

13. **Meeting Adjourned.**

**ALDERMAN EDWARDS MADE A MOTION TO ADJOURN AT 6:22 P.M.
MOTION CARRIED UNANIMOUSLY.**

Roger McElroy, Mayor

Vickie Best, CMC, Town Clerk

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