

Ordinance 544
AN ORDINANCE AMENDING ORDINANCE 497 OF THE TOWN OF MAGGIE VALLEY DECREASING THE ALTERNATE MEMBERS FROM THREE (3) ALTERNATE MEMBERS TO ONE (1) ALTERNATE MEMBER ON THE PARKS, RECREATION AND FESTIVALS ADVISORY COMMISSION.

I. Creation; Membership.

There is hereby created a parks, recreation and festivals advisory commission composed of eight (8) members, to be known as the Maggie Valley Parks, Recreation and Festivals Advisory Commission. Seven (7) of the members shall be designated as “regular” members that shall have authority to vote and participate on all issues brought before the commission. One (1) member shall be designated as an “alternate” member of the commission and shall have authority to vote only in the absence of one or more “regular” members to maintain a total number of voting members at a level of seven (7). The “Alternate” member shall have and exercise all the powers and duties of such regular member so absent.

II. Appointment of Members.

Each member of the parks, recreation and festivals advisory commission shall be appointed by the Town Board of Aldermen. Initial appointment of the members shall be as follows: two (2) members for terms of three (3) years, two (2) members for terms of two (2) years, and one (1) member for a term of one (1) year. Alternate members shall initially be appointed for one (1) year terms. All subsequent appointments shall be made for three (3) year terms. Any vacancy in the membership shall be filled for the un-expired term in the same manner as the initial appointment.

III. Ex officio Members.

The Maggie Valley Town Manager and a Town staff member designated by the Town Manager shall be ex officio members of the commission. The ex officio members will not have a vote on items coming before the parks, recreation and festivals advisory commission.

IV. Terms of Members.

Each member of the parks, recreation and festivals advisory commission shall be appointed for a three-year term. Appointments shall be arranged so that approximately one-third of the terms will expire each year. Members of the Commission shall serve at the pleasure of the Town Board without compensation. Any vacancies will be filled, as needed, by the Town Board. All terms shall expire on June 30 of the appropriate term of appointment.

V. Meetings; Quorum.

Meetings of the parks, recreation and festivals advisory commission shall be held on a monthly basis, unless determined otherwise by the board. The chairmen or the vice-chairman may call a special meeting of the board by giving each member forty-eight (48) hours notice. A quorum of the board shall be in attendance before action of an official nature can be taken. All provisions of the North Carolina Open Meetings Law shall apply to this Commission.

VI. Attendance of Members.

Members who miss more than three (3) consecutive regular meetings without notifying the chairperson or the Parks, Recreation and Festivals Director shall be automatically removed from the Advisory Commission and a request submitted to the Board of Aldermen to reappoint the position. Absences due to sickness, death or emergencies shall not affect a member’s status on the Commission provided notification is given. The Commission reserves the right to review reasons for absence and determine whether the absence is excused or unexcused.

VII. Compensations of Members.

Members of the parks, recreation and festivals advisory commission shall serve without monetary compensation. Members may be reimbursed for travel and subsistence relating to professional meetings, conferences and workshops, with such reimbursement being made in compliance with the general policies of the Town.

VIII. Officers Generally.

There shall be a chairman and vice-chairman of the parks, recreation and festivals advisory commission. An annual election of the chairman and vice-chairman shall be held by the board members, and shall occur at the regular monthly meeting in July. Officers shall serve for one (1) year from election with eligibility for reelection. New officers shall take office at the subsequent regular meeting in August. If an officer's appointment to the board is terminated, the board shall elect a replacement to this office from its membership, at the meeting following the termination.

IX. Duties of Officers.

- (a) The chairman of the parks, recreation and festivals advisory commission shall preside at all meetings and sign all documents relative to actions taken by the board. The chairman shall appoint all subcommittees including a nominating committee composed of three (3) board members. A nominating committee shall be appointed at or before the May meeting and shall report at or before the June meeting of the commission.
- (b) When the chairman is absent, the vice-chairman shall perform the duties of the chairman. When both the chairman and vice-chairman are absent, those members present shall select a temporary chairman.
- (c) A Town staff member designated by the Town Manager shall serve as secretary to the board, and shall be held responsible for the satisfactory accomplishment of the secretarial duties. The secretary shall deliver to all members' copies of official reports and the official minutes of all regular and special meetings, prior to the next scheduled meeting.

X. Duties and Responsibilities.

- (a) The parks, recreation and festivals advisory commission shall serve as the advisory body for the town's parks, recreation and festivals activities. The commission shall suggest policies to the Town Manager and the Town Board, within its powers and responsibilities as stated in this article. The commission shall serve as a liaison between the department, the town and citizens of the community. The commission shall consult with and advise the Town Manager and the Town Board on matters affecting parks, recreation and festivals policies, program, personnel, finances, and the acquisition and disposal of lands and properties related to the total community parks and recreation program, and to its long-range projected programs.
- (b) The parks, recreation and festivals advisory commission shall assume duties for parks and recreation purposes as follows. The commission shall:
 - (1) Make recommendations for the establishment of a system of supervised parks and recreation for the city.
 - (2) Advise in the acceptance by the town of any grant, gift, bequest or donation or any personal or real property offered or made available for recreation purposes and which is judged to be of present or possible future use for recreation. Any gift, bequest of money or other property or any grant or devise of real or personal property so acquired shall be held by the town, used and finally disposed of in accordance with the terms under which such grant, gift or devise is made and accepted.
 - (3) Advise in the construction, equipping, operation and maintenance of parks, playgrounds, recreation centers and all buildings and structures necessary or useful to department function, and advice in regard to other recreation facilities which are owned or controlled by the town or leased or loaned to the town.
- (c) The parks, recreation and festivals advisory commission shall assume duties for festivals purposes as follows. The commission shall:
 - (1) Recommend changes in policies and fees for use of the Festival Grounds for approval By the Town Board.
 - (2) Review event applications and make recommendations to the town board as to whether such applications should be approved or disapproved and the terms of any

approval. (Optional as replacement for this duty. "Review event applications and approve or disapprove them and the terms for each usage in accord with policies approved by the Town Board.)

(3) Assist in monitoring events for compliance with town rules and regulations.

(4) Advise and assist in recruiting new or additional events that may be beneficial to the community.

(d) Other necessary and proper activities as may be needed from time to time.

XI. Effective Date.

June 27, 2007

This Ordinance shall be in full force and effect from and after June 27, 2007.

Roger McElroy, Mayor

ATTEST:

Vickie Best, Town Clerk