

**Town of Maggie Valley**  
**Regularly Scheduled Board of Aldermen Meeting**  
**April 19, 2010**  
**MINUTES**

Members Present: Mayor Roger McElroy, Aldermen: Colin Edwards, Saralyn Price, and Scott Pauley  
Staff Present: Manager Tim Barth, Festival Director Audrey Hagar, Public Works Director Mike Mehaffey, Chief Scott Sutton, and Town Clerk Vickie Best  
Others Present: Five people were in attendance

**1. Meeting Called to Order.**

Mayor McElroy called the meeting to order at 5:40 p.m. in the Maggie Valley Town Hall Boardroom.

**2. Consent Agenda**

- a. Supplemental Agreement to extend deadline for Moody Farm Road sidewalk project.
- b. Petition for Annexation: 0.304 acres of Parcel #7697-65-596 belonging to Brannon Forest, LLC to be added to Parcel #7697-65 3492 belonging to Myles Jeffrey Ross, 137 Ladderback Ridge. Resolution No. 10-8, Directing Clerk to investigate an annexation petition.
- c. Year to Date Revenues and Expenditures.
- d. FY 2009-2010 Schedule of Ad Valorem Taxes Receivable.
- e. Quarterly Report on Investment of Idle Funds.
- f. Correction and Approval of Minutes for the March 16, 2010 meeting.

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

**3. Appearance of Billy Brede regarding a food drive for Manna Food Bank**

Mr. Brede addressed Council asking that they deem May 13, 2010 RED Day. It is astounding the number of children in Haywood County that their only meal, for the day, is school lunch. The goal is to provide food to the families of children that receive free school lunch during the summer months.

**Town of Maggie Valley Proclamation**

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**WHEREAS,** Keller Williams Realty Intl. has established RED Day, which stands for Renew, Energize, Donate; and

**WHEREAS,** RED Day encourages people to get involved in their communities through the Renewed enthusiasm, to Energize community members to volunteer, and Donate their time to help others; and

**WHEREAS,** with over 76,000 associates participating in various volunteer efforts all on the same day, Keller Williams will unite its regional office to make an international impact; and

**WHEREAS,** locally, the Keller Williams Waynesville/ Maggie Valley Business Center has chosen to volunteer with Manna Food Bank to support their new Summer Sacks Program to feed the school children of Haywood County.

**NOW, THEREFORE, I, ROGER MCELROY, MAYOR OF THE TOWN OF MAGGIE VALLEY DO HEREBY PROCLAIM THURSDAY, MAY 13, 2010 AS**

**KELLER WILLIAMS “RED” DAY**

in the Town of Maggie Valley and to call on all citizens to join in Renewing, Energizing, and Donating help to the community and to express my appreciation for the work Keller Williams Realty is doing in organizing RED Day and for being ambassadors of goodwill to the Town and Citizens of Haywood County.

**ALDERMAN PRICE MADE A MOTION THAT MAYOR MCELROY DECLARE  
MAY 13 KELLER WILLIAMS RED DAY.  
MOTION CARRIED UNANIMOUSLY.**

The staff will make provision to receive donations at the Police Department and Town Hall.

**4. Appearance of Terry Audette regarding having a plaque made for Ed Hendry, who was instrumental in the development of the Pavilion**

Ms. Audette addressed Council requesting that a plaque be made honoring Ed Hendry. Mr. Hendry is 98 years old; therefore time is of the essence. Ms. Audette went on to provide the history of the construction of the pavilion. The cost of the plaque Ms. Audette had priced was \$578.

Council appreciates all that Mr. Hendry has done for the community but had concerns about slighting the other volunteers that worked so diligently on the construction of the pavilion. Ms. Audette would like to present the plaque to Mr. Hendry at the June 20 band concert held in the pavilion.

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Ms. Ernestine UpChurch addressed Council after Ms. Audette's presentation. She too provided the history of the dedication of the pavilion in 1995 and what the Civic Association has contributed to Maggie Valley.

**ALDERMAN PRICE MADE A MOTION FOR STAFF TO WORK ON A  
 PLAQUE HONORING ED HENDRY AND THE VOLUNTEERS TO BE  
 PRESENTED TO COUNCIL FOR FINAL APPROVAL.  
 MOTION CARRIED UNANIMOUSLY.**

Due to time being limited and the funds not being allocated, Council would like to have a plaque recognizing all of the volunteers in the near future.

**5. Consideration of a snow removal policy**

Council had previously reviewed the proposed policy.

**ALDERMAN EDWARDS MADE A MOTION TO APPROVE THE SNOW  
 REMOVAL POLICY AFTER AMENDING THE ROAD WIDTH FROM 14-FEET  
 TO 12-FEET.  
 MOTION CARRIED UNANIMOUSLY.**

**SNOW REMOVAL POLICY TOWN OF MAGGIE VALLEY**

**Purpose**

The goal and intent of the Town of Maggie Valley Public Works Department is to maintain a safe road network by providing an efficient and effective snow and ice removal program. The weather in Western North Carolina is unpredictable, and the unique nature of each storm event may dictate variations to this policy. The purpose of this information is to outline the general snow removal procedures of the town in addition to providing suggestions to how you, as a resident of Town of Maggie Valley, can help the Public Works Department in this effort. It is our hope that the town's efforts, along with the cooperation and assistance of an informed public, will result in a safe winter season with minimal disruptions to ongoing daily activities.

**Snow & Ice Control Plan**

**Town Streets:**

The Town of Maggie Valley maintains approximately 4.4 miles of residential streets. These streets are built to the highest possible construction standards and meet the North Carolina Department of Transportation Powell Bill Street Standards. These streets automatically receive snow plowing and deicing material from the Public Works Department. The following streets are part of the Town Maintained Street System:

Altitude Terrace	Bonus Court	Airish Lane	Brannon Forest Dr. to Ladderback Rdg
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Contentment Place	Deer Run Road	Cripple Creek Dr	Destination Drive to #166
Windswept Drive	Destiny Trail	Elm Drive	Hawthorne Drive
Gibson Drive	Lewis Lane to Three Pines Motel	Hemlock Loop	Linsonwood Drive
Meandering Way	Panoramic Loop	Riddle Cove Road to Sam's Branch Drive	Rocking Chair Lane
Placid Cove	Riverside Villa Dr.	Summit Drive to "Y"	Turn-a-bout Court
Springlake Road to Nottingham Lane	Twinbrook Lane to Springlake Road	Whipporwill Drive	Appalachian Trail to Cheyenne Court

**Private Streets:**

In addition to providing snow plowing and deicing material to Town Maintained Streets the Town of Maggie Valley also provides this service to some private streets located throughout the corporate limits. These roads are built to high standards and have some elements that Town Maintained Streets possess making them eligible for this service. Elements that private streets must possess before the Town will consider providing this service include:

- Road grades that do not exceed 18%
- Paved streets that are a minimum of 16 feet wide
- Paved One Way looping streets that are minimum of 12 feet wide
- Streets that terminate in a cul-de-sac or T/Y Turn
- Streets that possess more than four dwelling units

Home/property owners associations that would like to receive snow plowing and deicing services from the Town must submit a complete request application by May 1. This annual application will be reviewed based upon the conditions that exist each year on your particular street by the Town Manager and Public Works Director. You will be notified of your street's acceptance into the service program by the Town Manager by July 1. Requests submitted for private driveways, parking lots and individual residences will not be considered. The following private streets have been accepted into the snow and ice removal service for winter 2009-2010:

Old Still Road to the Gate	Spy Rock Road	Constitution Avenue	Stoney Ridge
Henry Dingus Way to newly installed T Turn	Valley Creek Drive to Black Bear Ridge Entrance	Rocky Top Road to Magnolia Drive	Raven Ridge
Creekside Drive	Paso Fino Drive to	Upper Hemlock	Clearview Drive to

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	Stable Drive	Loop	281
Remainder of Riddle Cove to Country Club Drive	Remaining Brannon Forest Paved Roads		

**State Roads:**

Roads indentified as “state” roads, will receive snow and ice removal services from the North Carolina Department of Transportation (NCDOT). In addition to the level of service NCDOT provides the Town of Maggie Valley Public Works Department will perform additional snow plowing to the following roads when time and materials allow because of their relationship to Town’s Corporate Limits and Town Maintained Streets:

Teague’s Loop	Moody Farm Road	Cardinal Drive
Melody Lane	Dogwood Drive Entrance	Rich Cove Road
Campbell Creek Road	Ketner Cove	Setzer Cove Road to Mountain Joy Cottages
Evans Cove Road to Bridge		

If you live on a state road that is not listed above please contact NCDOT at 456-0336 for more detailed information about their snow and ice removal policy on your road

**Snow Plowing & Deicing Procedures:**

Upcoming storm events are monitored and tracked using available data from the news media and internet resources. The Police Department also keeps the Public Works Department informed of road conditions and notifies the Public Works Director when action is needed. Snow removal from streets will begin when there is a minimum of one inch of surface snow with the probability of continued accumulation. Spreading of chat and/or salt will commence immediately upon evidence of snow or ice on road surfaces that does not show evidence of imminent melting.

**Material Handling & Application:**

The Town uses both abrasives (chat) and salt. The best use of these materials are subject to many variables such as traffic, temperature, sunshine, stored heat in the pavement and adequate forecasting of weather conditions and changes. How satisfactory and economically results are achieved depends on the staff’s skill on tailoring operations and concerns to these varied conditions.

Chat is cheap to buy, offers immediate traction on slippery surfaces and offers visible evidence of action by town crews (an important psychological advantage to the driver and to the town’s public relations program). Significant disadvantages are low miles of coverage per truck load (thus requiring much reloading and dead hauling of empty trucks), dirty, hard on car windshields and finishes and generation of an appreciable cleanup job following the storm’s end. The use of salt can damage nearby salt sensitive

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vegetation and infiltrate ground water. When applied as dry rock salt, it stays in place on loose slush but segregates, bounces off and slides wide on ice. Salt is dormant when applied and slow to embed at temperatures of 20 F or less. Therefore traffic may cause considerable loss. The use of abrasives and salt as a snow and ice control procedure is to be minimized to conserve the environment and control costs.

**Road Rights of Way:**

Please make every effort not to park vehicles on the road or along the road right of way when snow or ice is anticipated. Parked cars make the snow removal efforts very difficult and in some instances may prevent your street from being scraped.

**Trash Pickup:**

If you are on curbside trash pickup, please do not place your trash receptacle out on the road over night if a snow storm is anticipated. The Town's subcontracted trash hauler will make every effort to pick up your trash in the event of a storm. However, if road conditions are dangerous or the snow/ice makes it impossible for the trucks to do their routes, GDS Solid Waste Company may decide to pull their trucks off the roads. In that event, your trash will be picked up as soon as a majority of Town streets are deemed passable. You can check the status of trash pickup by calling the Town Hall at 926-0866.

**Driveway Clearing:**

Homeowners are responsible for clearing their own driveways. To avoid extra shoveling, wait until the road has been plowed to the curb before removing the snow at the entrance of your driveway. When removing snow from your driveway, place the snow on the right side of the driveway (facing the road). This will prevent the added snow from being plowed back into your driveway during the Town's plowing operation. Do not snow blow, plow or shovel snow into the roadway when clearing your driveway.

**Fire Hydrant Clearing:**

Any effort to aid the Fire Department with keeping a hydrant in front of your house cleared of snow is appreciated. Clearing around the hydrant with a path to the road helps protect the safety of you and your neighbors.

**6. Consideration of Resolution No. 10-6 in support of the Town's Main Street Application**

**RESOLUTION NUMBER 10-6  
 IN SUPPORT OF AN APPLICATION TO PARTICIPATE IN THE  
 NORTH CAROLINA SMALL TOWN MAIN STREET PROGRAM  
 2010-2011**

**WHEREAS;** the North Carolina Department of Commerce, Division of Community Assistance, Office of Urban Development has established a Small Town Main Street Program to provide technical assistance in

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downtown revitalization, utilizing the "Main Street Four-Point Approach" of Organization, Design, Promotion and Economic Restructuring, to selected small towns in North Carolina; **and**

**WHEREAS;** several additional towns will be selected as "Small Town Main Street Communities" and will receive a more detailed level of service incorporating all of the "Main Street Four Points"; **and**

**WHEREAS;** the Town of Maggie Valley wishes to apply to participate in the program; **and**

**WHEREAS;** The Town understands that to the extent feasible, the technical assistance and expenses for the Program technical staff will be provided by the Department of Commerce at no charge to the Town with the exception of reimbursement for travel related expenses and an economic data report; **and**

**WHEREAS;** the Town understands that a high level of community participation and commitment is required on the part of the Town and community in order to ensure that the program is as successful as possible:

**THEREFORE, BE IT RESOLVED;** that the Town agrees to apply to participate in the Small Town Main Street Program and if selected will abide by the following conditions:

1. The Town will actively participate in the Small Town Main Street Program for an initial period of no less than twelve (12) months beginning July 1, 2010.
2. The Town will designate a contact person in the community for the technical assistance team to coordinate with in order to provide continuity and leadership for the effort.
3. The Town will assist in organizing a volunteer committee and working subcommittees that are representative of the entire community, to provide focus for the program.
4. The Town will support the volunteer committee and will assist the committee and team in conducting a community assessment and community projects and any other necessary activities.
5. The Town will cooperate with the technical assistance team and committee to develop a community vision and plan of action.
6. The Town will implement the plan of action to the fullest extent possible.
7. The Town will develop and actively participate in local and regional partnerships and networks, and share resources and information gained through the program with other communities in the region.
8. The Town agrees to pay for an economic data report (the report expense is generally between \$150-\$200)
9. The Town agrees to reimburse the State of North Carolina monthly for staff travel related expenses (mileage & meals) estimated at \$3,000 to \$5,000 annually.

The Main Street program has been in place since the early 1990's. The Town of Waynesville is one of the success stories. The program focused on towns that have a full time staff member that is devoted to preservation and development of downtown areas. The program has now opened up to include the western part of North Carolina without a staff member being required. April 6 Planning Director Clark attended a pre-application meeting. The Division of Community Assistance will be working with Maggie Valley to help implement the program. The only cost is reimbursement for meals and travel. The money can be allocated in the 2010/11 fiscal year budget.

**ALDERMAN PRICE MADE A MOTION TO ADOPT RESOLUTION NUMBER  
10-6.  
MOTION CARRIED UNANIMOUSLY.**

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**7. Consideration of Resolution No. 10-7 requesting funds to erect brown signs for Wheels Through Time Museum**

Senator Joe Sam Queen has talked with NCDOT Officials in Raleigh to get funding to erect the brown sign for Wheels Through Time Motorcycle Museum.

Mr. Walksler thanked Council for their consideration and support.

**ALDERMAN PRICE MADE A MOTION TO APPROVE RESOLUTION 10-7.  
MOTION CARRIED UNANIMOUSLY.**

**RESOLUTION NUMBER 10-7  
TOWN OF MAGGIE VALLEY  
A RESOLUTION REQUESTING BROWN SIGNS FROM THE NORTH  
CAROLINA DEPARTMENT OF TRANSPORTATION.**

**WHEREAS,** The Town of Maggie Valley is a tourist town in the western part of North Carolina; and

**WHEREAS,** Due to the climate of these economic times, the tourism industry has experienced a great decline in visitors; and

**WHEREAS,** The Town of Maggie Valley has experienced a great hardship with the mudslides affecting Ghost Town, a locally renown theme park; and

**WHEREAS,** The Town of Maggie Valley has other venues/attractions for visitors to enjoy; and

**WHEREAS,** Wheels Through Time Motorcycle Museum is a one-of-a-kind museum showing the entire history of the motorcycle industry and the associated items with motorcycle riding.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF MAGGIE VALLEY THAT:**

1. Cultural attractions and recreational signs commonly referred to as Brown State signs similar to those for Ghost Town are respectfully requested for Wheels Through Time Motorcycle Museum.
2. The Town of Maggie Valley reverently request \$50,000 from the North Carolina Department of Transportation to erect said State Brown Signs.

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8. **Consideration of a grant to get 3 mobile data terminals for the Police Department**

The mobile data terminals will be used throughout Haywood County. The Sheriff's Department will be submitting the application on behalf of the multi-jurisdictions. The commitment will be month by month.

The system will allow officers to run tags, citations, and pull up warrants that are yet to be served. The warrant can be printed from the police car and served on the spot.

All of the Maggie Valley Police Officers are certified to use the mobile data terminals.

**ALDERMAN EDWARDS MADE A MOTION FOR MAGGIE VALLEY POLICE DEPARTMENT TO ENTER INTO THE AGENCY GRANT WITH THE HAYWOOD COUNTY SHERIFF'S DEPARTMENT.  
MOTION CARRIED UNANIMOUSLY.**

9. **Consideration of a proposal for a new audio system for the Town Board Meeting Room**

Bids were submitted for an audio system for the Town Hall Boardroom. The audience has difficulty hearing the meeting, and the recordings from the meeting are difficult to hear. Real World Audio from Asheville had the lowest bid. The turn-around time for installation is two to three weeks. The system will have a self adjusting auto-mixer, mute buttons, and a digital format. The sound will be much better as well as the recordings.

**ALDERMAN EDWARDS MADE A MOTION TO BUY THE NEW AUDIO SYSTEM AS SOON AS POSSIBLE.  
MOTION CARRIED UNANIMOUSLY.**

10. **Consideration of a contract with McGill & Associates and Bunnell-Lammons Engineering, Inc. to do engineering and project management work regarding the landslide**

Mayor McElroy had concerns about who was going to supervise the removal of the debris. Mayor McElroy understood that Bunnell-Lammons will provide the engineering but not the supervision of the removal.

Manager Barth informed Council that he had received a memo from Randy Heinz with McGill Associates that \$20,000 should be allocated for this purpose.

Council did not want the issue to remain open-ended. Mayor McElroy asked that it be included in the contract that the cost will not exceed \$20,000.

**ALDERMAN EDWARDS MADE A MOTION TO APPROVE THE CONTRACT WITH MCGILL ASSOCIATES TO CLEAN UP RICH COVE MUDSLIDE.  
MOTION CARRIED UNANIMOUSLY.**

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**MAYOR MCELROY MADE A MOTION TO APPROVE THE CONTRACT WITH BUNNELL-LAMMONS ENGINEERING INC. IF IT IS STATED IN THE CONTRACT THAT THE SUPERVISION OF THE CLEAN UP WORK WILL NOT EXCEED \$20,000.  
MOTION CARRIED UNANIMOUSLY.**

**11. Consideration of donations**

**ALDERMAN PRICE MADE A MOTION TO APPROVE THE FOLLOWING REQUESTS FOR DONATIONS FROM THE TOWN:**

Haywood County Veterans Council	\$1,000
Commission for a Clean County	\$1,000
Haywood Community Connections	\$1,500
Haywood County Economic Development Commission	\$1,500

**MOTION CARRIED UNANIMOUSLY.**

**12. Consideration of an appointment to the Planning Board**

**ALDERMAN EDWARDS MADE A MOTION TO EXCUSE ALDERMAN PAULEY FROM THE VOTING.  
MOTION CARRIED UNANIMOUSLY.**

**ALDERMAN EDWARDS MADE A MOTION TO APPOINT DORENE PAULEY TO THE PLANNING BOARD.  
MOTION CARRIED UNANIMOUSLY.**

**13. Consideration of two appointments to the Zoning Board of Adjustments**

**ALDERMAN PRICE MADE A MOTION TO APPOINT MARION HAMEL AND JIM HASSELER TO THE ZONING BOARD OF ADJUSTMENTS.  
MOTION CARRIED UNANIMOUSLY.**

**14. Consideration of an alternate date for the May Town Board meeting**

**ALDERMAN EDWARDS MADE A MOTION TO RESCHEDULE THE MAY BOARD OF ALDERMEN MEETING TO MONDAY MAY 17, 2010 AT 5:30 P.M.  
MOTION CARRIED UNANIMOUSLY.**

**15. Manager's Report.**

The bid opening for the Old Still Road Sewer Project will be held April 20, 2010 at 10:00 a.m.

There will be a NCLM Legislative Update held in Asheville from 4 to 6 p.m. April 20, 2010

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There will be a joint meeting with the Town of Clyde and Haywood County representatives on April 21, 2010 at 3:00 p.m. to discuss the County enforcing Erosion Control and slope ordinance enforcement.

The final Appearance and Design Workshop will be held April 22, 2010 at 5:30 p.m.

The final Public Input Session on the Jonathan Creek Park will be held at Town Hall on Tuesday April 27 at 6 p.m.

Bunnell-Lammons Engineering Inc. will begin boring tomorrow.

Council will conduct ABC Board interviews on April 26, 2010 at 5 p.m.

16. **Other Business.**

Audrey Hagar, the Maggie Valley Festival and Events Coordinator, received funding from the Maggie Valley TDA1% subcommittee for advertising the festival grounds in trade magazines, DVD development, and the creation of promotional packets.

Ms. Unchurch addressed Council stating that she misunderstood and in no way was she in favor of naming the pavilion after one certain volunteer, there were many. Mr. Hendry should be honored with a plaque for his leadership only.

17. **Public Comment.**

None

18. **Closed Session – Attorney-Client Privilege.**

**ALDERMAN EDWARDS MADE A MOTION TO GO INTO CLOSED SESSION  
AT 7:12 P.M. UNDER ATTORNEY-CLIENT PRIVILEGE.  
MOTION CARRIED UNANIMOUSLY.**

**ALDERMAN EDWARDS MADE A MOTION TO COME OUT OF CLOSED  
SESSION AT 7:31 P.M.**

19. **Meeting Adjourned**

**ALDERMAN PAULEY MADE A MOTION TO ADJOURN AT 7:32 P.M.  
MOTION CARRIED UNANIMOUSLY.**

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Roger McElroy, Mayor

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Vickie Best, CMC, Town Clerk

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