

Town of Maggie Valley
Annexation Informational Meeting
May 13, 2008

MINUTES

Council Present: Mayor Roger McElroy, Aldermen: Saralyn Price, Phil Aldridge, and Colin Edwards
Council Absent: Alderman Mark DeMeola
Staff Present: Manager Tim Barth, Planning Director Nathan Clark, Public Works Director Mike Mehaffey, and Town Clerk Vickie Best
Others Present: Approximately 42 people

Mayor McElroy opened the meeting at 5:38 p.m. in the Flossy White Room of Town Hall. After opening the meeting, Mayor McElroy turned the meeting over to John McHenry with Benchmark Inc., the annexation study firm.

Mr. McHenry went over the procedural and technical schedules.

- The resolution of intent was adopted March 25, 2008.
- The public hearing will take place on May 27, 2008.
- The annexations, if adopted, will become effective July 1, 2009

Mr. McHenry added that the Town Council was not legally required to be present at the information meeting. They are present to take note of people's concerns. Mr. McHenry then reviewed the service plan.

The entire annexation (areas A through G) will tie 12 satellite annexations to the corporate limits. This annexation will include residents that are connected or have access to municipal sewer. Property lines and streets were used as boundary lines.

A map of the proposed annexation areas will remain on display in the Clerk's office. Each property owner was notified about the proposed annexation by first class mail at the address listed on the Haywood County Tax Scroll.

Planning Director Clark explained the road maintenance policy. The roads must meet town standards in order for the Town to take over maintenance. The Public Works Department attempts to do snow and ice removal when the road grade allows. A majority of the proposed newly annexed roads will be eligible for road maintenance. The two gated areas of the proposed annexation will not be entitled to road maintenance unless a means to handle the gate is arranged. The homeowners can partner with the town and bring the roads up to town standards then dedicate them to the town for maintenance.

After reviewing the rules set by general statutes for municipalities under 5,000 in population annexing (160A-36), Mr. McHenry opened the floor for questions.

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Dale Walksler, owner of Wheels Through Time Motorcycle Museum, addressed Mr. McHenry questioning how he determined what areas adjacent to the corporate limits were picked for annexation.

Mr. McHenry was directed to review certain areas that have sewer or access to sewer that would meet the state mandated formula for annexation. Wheels Through Time has city sewer.

Deb Schaefer, 14 Bellwood Drive, questioned if fire hydrants would be installed.

The Maggie Valley Sanitary District provides water. The MVSD is responsible along with the Maggie Valley Volunteer Fire Department to determine if there is enough water pressure to install fire hydrants. The Maggie Valley Fire Department has more tank storage as well as the lowest fire tax in all of Haywood County.

Stan Naplen, 532 Henry Dingus Way, explained that Mr. Paxton, the developer, is over the gate. Most of the residents in Campbell Woods Subdivision do not care about the gate.

There are no provisions for the homeowners taking over the roads. In 2010 the roads are suppose to be upgraded through HOA fees. The Town could possibly partner with Campbell Woods.

Leonard Rice, 375 Riddle Cove Road questioned if he could still subdivide his lot that was purchased one and half years ago.

Mr. Rice's parcel is large enough that he may divide it and still remain within the zoning districts.

Steve Williams, 712 Creekside Drive, questioned if the Horseshoe Cove area would remain private and allow golf carts to still travel the roads. The homeowners in the area have spent a tremendous amount of money fixing the roads.

Mr. Mehaffey responded that it would destroy the roads if anyone tried to widen some of them. All property owners would have to dedicate the road frontage for public use.

Restrictive covenants prohibit streetlights in the Horseshoe Cove area.

Hally Grant, 3552 Dellwood Road, explained that the lot in front of his home is useless. The drain lines dump onto his property; there are underground streams that run through a culvert. The state right-of-way goes back 60-feet into the property from US-19. The Dollar General Store faces his home. "The land will lay there as long as I am alive". Mr. Grant requested his lots be removed from the proposed annexation due to the lot in front not being useable land.

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Melody Rawski, 924 Creekside Drive, stated that most residents within her area are seasonal or rental homes. Ms. Rawski stated that she has never seen a police car in the area and that she sees no benefit to being in the town.

Mayor McElroy responded that it is not fair for some to pay, while others, receiving the same benefits, do not pay. The sewer user fee will be cut almost in half once the annexation is complete. The largest single component the town has to offer is sewer. Without municipal sewer a lot of these areas could not be developed. Any new development will be required to meet the zoning, subdivision, and road standards. The Town will then be able to take over road maintenance.

Sharon Donahoe 19 Reuben Branch Road, stated the house next to her does not have sewer.

The sewer will be installed this winter. The impact fees must be paid prior to connection. The cost of being in town and connecting to municipal sewer (impact fee) is approximately \$700 cheaper than the outside rate. The proposed effective date of the annexation is July 1, 2009.

The town services will begin July 1, 2009. Trash service includes recycling; yard debris and white goods will be removed if set at the curb. The brush to be chipped cannot be more than 4-inches in diameter.

The areas that have sewer and are not in this annexation plan will be annexed at a later date.

Al Marian, of Nottingham Lake stated that he already has sewer and a newly paved road. He does not need to be annexed into the city. Mr. Marian went on to question if the town destroyed the newly paved road extending the sewer in his area would the town repair the road.

The road would be repaired to the same condition as before or better.

Elizabeth Corbin, 505 Henry Dingus Way, stated that the homeowners in Campbell Woods Subdivision already pay a yearly fee (\$432) to the developer for road maintenance and street lighting.

Manager Barth explained that if the Town of Maggie Valley takes over the streets, the developer could not continue to charge for road maintenance.

Several homeowners within the Campbell Woods Development echoed their concerns that the developer not taking down the gate. The homeowners in Campbell Woods do not have a voice; Mr. Paxton just imposes what ever fees he feels he needs.

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Connie Shelton asked when the next round of annexation would take place.

Due to the amount of time it takes to complete an annexation study it would probably be two years.

No one will be forced to connect to municipal sewer if their septic tank is working properly, but once you have connected to municipal sewer you cannot disconnect and return to a septic tank (State Law).

David Trance, of Edgewater Lane, stated that he has 30-years experience in state government. Mr. Trance stated that he had rather pay the higher sewer bill than be annexed and pay taxes. In his opinion this was taxation without representation. Mr. Trance was not interested in any of the town services.

Kip Scharlon, 456 Henry Dingus Way stated that the people did not get to vote on the annexation issue but they will be voting in the next local election!

The public hearing on the proposed annexations will be held on May 27, 2008 in the Town Hall Boardroom. Taxes for vacant lots as well as residential properties will be based on the Haywood County tax appraisals. Again, the annexation, if approved, will become effective July 1, 2009.

Alice Rice, of Riddle Cove, stated that the North Carolina General Assembly house committee is doing a study about placing a moratorium on annexations. Ms. Rice asked that Council wait to see the results of the study and to give people time to get their affairs in order.

There being no further comments from the floor, the meeting ended at 7:10 p.m.

Mayor Roger McElroy

ATTEST:

Vickie Best, CMC, Town Clerk

Attachment: Signup Sheet

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