

Town of Maggie Valley  
Special Called Board of Aldermen Meeting  
August 23, 2011

MINUTES

Members Present: Mayor Roger McElroy, Aldermen: Saralyn Price and Phil Aldridge  
Members Absent: Aldermen: Scott Pauley and Danya Vanhook  
Staff Present: Manager Tim Barth, Planning Director Nathan Clark, Public Works Director Mike Mehaffey, Town Clerk Vickie Best, and Attorney Chuck Dickson  
Others Present: Dan Massey, Ron DeSimone, Shirley Pinto, Lyndia Massey, the Weinstein Family, and Phil Wight

**Meeting Called to Order**

Mayor McElroy called the meeting to order at 5:32 p.m. in the Town Hall Boardroom. Mayor McElroy explained the reason for the Special Called Board of Aldermen Meeting. A special meeting had previously been scheduled to hear testimony on a Conditional Use Permit for a grocery store then the discussion and possible award of the design bid for Parham Park was added at the August 16 meeting.

**Award Bid for Parham Park/ Restrooms**

Manager Barth, Public Works Director Mike Mehaffey, and Planning Director Nathan Clark met with Mr. DeSimone to discuss past projects, experience, and the Parham Park project. Manager Barth stated that Mr. DeSimone understands all the parts that are needed to get the plans to a point that they can be bid by the Town. Because the property is within the 100-year flood plain an engineer would need to sign off on the plans. Staff felt comfortable with the Mr. DeSimone's ability to complete the needed plans for the Parham Park pavilion and restrooms.

Alderman Price had reservations about awarding the design contract to Mr. DeSimone due to him being a general contractor and not an architect as well as the proposal coming in after the deadline for submission.

Mr. DeSimone addressed Council stating that State Law may not require advertising through the sunshine list, "but you did, and there was no cut-off date". Considering bids was on the agenda for discussion. "I came to save the town money. If you want to spend that kind of money then that is up to you."

**ALDERMAN ALDRIDGE MADE A MOTION TO AWARD THE BID TO MR. DESIMONE AND THAT COUNCIL SHOULD CONTINUE TO USE AS MUCH LOCAL HELP AS POSSIBLE.**

**ALDERMAN PRICE OPPOSED.**

**MAYOR MCELROY VOTED IN THE AFFIRMATIVE.**

**MOTION CARRIED BY MAJORITY.**

**Conditional Use Hearing for a Grocery Store to locate at 3434 Soco Road formerly the Bear's Den Restaurant**

Director Clark explained that the building meets the Maggie Valley Architectural Standards with the high pitch roof, wrap around porch, and the building materials. The parking lot meets the Town's parking standards. No outside work is needed.

Ms. Bari-Lynn Weinstein, owner of the property stated that she just wants to provide a service that has long been needed in Maggie Valley.

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A woman spoke from the floor (45 Bonus Court) stating that she wanted a grocery store in Maggie Valley.

If approved, Ms. Weinstein would like to open by the end of September.

**ALDERMAN PRICE MADE A MOTION TO APPROVE THE CONDITIONAL USE PERMIT FOR THE GROCERY STORE TO LOCATE AT 3434 SOCO ROAD.  
MOTION CARRIED UNANIMOUSLY.**

**Other Business**

Manager Barth reported that Alderman Scott Pauley turned in his letter of resignation today. Ms. Pauley resigned from the Planning Board as well. The Clerk will advertise the vacancy in the newspaper and through the sunshine list.

Alderman Price stated that Council should look at the applications from the last time a Councilman's seat became empty.

Alderman Aldridge felt the people have spoken during the last election and the appointment should go to the next highest vote getter, Phil Wight.

Mayor McElroy felt that precedence has been set. Council has always accepted applications for a council member vacancy.

Alderman Aldridge suggested waiting until the new board is in place after the election to make the selection.

The remaining council members felt the vacant position should be advertised and applications accepted, as in the past.

**ALDERMAN PRICE MADE A MOTION TO ADJOURN AT 5:52 P.M.  
MOTION CARRIED UNANIMOUSLY.**

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Mayor Roger McElroy

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Vickie Best, CMC, Town Clerk

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