

If yes, one ORIGINAL ATTACHMENT, and 14 copies, copied front and back side of pages, stapled and three-hole punched must accompany the agenda request

PowerPoint Presentation: YES _____ NO X _____

PERSON MAKING PRESENTATION AT MEETING: Kathy Hoglen/Tom Benoit

TITLE: Address Coordinator

PHONE NUMBER: 452-6729

E-MAIL: _____

THIS SECTION FOR OFFICE USE ONLY

Received (Date/Time): _____

County Manager / Clerk to the Board Comments: _____

In an effort to save paper, attachments should be copied on both front and back sides.

Haywood County Commissioners
215 N. Main Street
Waynesville, NC 28786

Date: September 10, 2012

Subject: Campbell Woods Property Owners Association request to rename Henry Dingus Way

Dear Commissioners and Chairman,

I represent the Campbell Woods Property Owner's Association, a small neighborhood located in Maggie Valley consisting of 23 single-family homes and 7 villas. The main road leading to our homes is a private street – Henry Dingus Way. I am writing to you today to request your consideration in favor of allowing the road to be re-named to Ridgeway Trail.

Working with Cathy Hoglen in the county addressing office, we completed all of the necessary steps to request this change. We paid all necessary fees and obtained the needed percentage of approvals in a petition sent to the property owners under the county ordinance (65% +).

I addressed the Commissioners at your May 7, 2012 meeting and you advised that because the Board received two letters of protest from property owners, we should extend our request to the Maggie Valley Board of Alderman. I complied and addressed the Aldermen as well as the Planning Board. No actions were taken either for or against the road name change as they have no ordinance covering this. When I attempted to get back on the Commissioner's agenda for your September 10, 2012 meeting, Kathy advised me that the road name change will NOT be on the agenda. I hope we can get placed on the October 1, 2012 agenda to properly address our request.

We followed the process for a road name change to the letter, and request that the Board consider approval of our road name change. The petition results were 26 owners in favor, 5 opposed and 5 that did not respond.

The neighbors and property owners of the Campbell Woods subdivision are committed to maintaining a wonderful living experience in our neighborhood. Thank you for your consideration.

Sincerely,

Thomas Benoit
President, Campbell Woods Property Owner's Association
(828) 944-0488

Kathy Hoglen

From: Tim Barth [mvmanager@charter.net]
Sent: Friday, August 03, 2012 2:21 PM
To: Kathy Hoglen
Cc: Tom Benoit
Subject: Request to rename Henry Dingus Way
Attachments: Excerpt from Town Board minutes.pdf; Excerpt from Planning Board minutes.pdf

Dear Ms. Hoglen:

I apologize for taking so long to get back to you on this matter. Unfortunately, I will probably not be adding much more clarity to the situation, however, the following is what I have.

Tom Benoit approached the Town Board of Aldermen at their May 14 meeting to request changing the street name in the Campbel Woods Subdivision from Henry Dingus Way to Ridgeway Trail. After a good bit of discussion a motion was adopted to refer the matter to the planning Board. Please see the attached "Excerpt from Town Board minutes".

On May 17 the Planning Board met and after some discussion they adopted a motion to put the item aside for right now, investigate the issue, and see if the Planning Board wants to have an ordinance for street naming. Please see the attached "Excerpt from Planning Board minutes".

The item has not yet been brought back before the Planning Board.

I will say that the general consensus on the Town Board was that they did not want to see the street renamed, and several members of the Planning Board seemed not in favor of changing the name, however, no action was really taken. You can gather what was said at these meetings by reading the excerpts.

I wish that I had more to give you on this matter, however, this is all that has transpired. If you have any questions please do not hesitate to contact me.

Sincerely,

Timothy J. Barth
Town Manger
Town of Maggie Valley
3987 Soco Road
Maggie Valley, NC 28751
email: mvmanager@townofmaggievalley.com
Phone: (828) 926-0866
Fax: (828) 926-3576

Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
Monday May 14, 2012
6:00 p.m.
MINUTES

6. Appearance of Greg Snyder and/or Lyndon Lowe from Twinbrook regarding sewer tap fees

Manager Barth received a request to place this item on the June agenda.

7. Appearance of Charlie Meadows regarding the first two street lights on Linson Ridge
Mr. Meadows asked that this agenda item be placed on the June agenda.

8. Appearance of Tom Benoit regarding a proposal to change the name of Henry Dingus Way to Ridgeway Trail

Mr. Benoit, President of the Campbell Wood Subdivision Property Owners Association, addressed Council explaining that there have been many discussions over the past few years among the residents to have a more desirable name for Henry Dingus Way. The POA has been working hard to upgrade the road and beautify the grounds since the POA was turned over to the residents from the developer, Jim Paxton. The obligations of the developer were not met such as road maintenance, etc.

The POA made the request to Kathy Hoglen at the Haywood County Addressing Office. The normal procedures were followed; Ms. Hoglen sent out petitions to all of the property owners and adjacent property owners. Twenty-six (26) responded in favor of the name change, five (5) opposed, and five (5) did not respond. It came to a surprise to Ms. Hoglen when the county commissioners asked for the Town of Maggie Valley's opinion. Normally these decisions are made by the County. If 100% of the property owners' petitions for a name change the issue is handled administratively and does not go before the commissioners. The POA was looking for a more attractive name. Ridgeway Trail has a beautiful ring to it and would be more appealing to people in other states wanting to buy a home in the mountains.

Jim Blyth addressed Council on behalf of the Henry dingus family stating that a letter was included in the agenda packet explaining how the name was derived.

Haywood County has always approved street names due to 911 addressing.

Council asked that this issue be turned over to the Planning Board to draft a policy for naming streets inside the corporate limits. Haywood County addressing has agreed to work with Maggie Valley. The Planning Board members will work with Jim Blyth regarding the matter.

Connie Dennis, Chairman of the Planning Board stated that she had spoken with several members of the planning board and they would like to address the issue. The members are in favor of keeping historical names in place.

Steve Cox spoke from the floor on behalf of the Dingus family. The Dingus family has ties with Maggie Valley dating back to the 1930's. Campbell Woods was the last project Mr. Dingus

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worked on. The reason for the name Campbell Woods was to maintain the Campbell name because it was Campbell property.

Mr. Benoit stated that under the POA covenant's article 8, the roads were to be maintained and they have not. Now that the POA is in charge rather than the developer, the residents are putting in a lot of hard work and money to bring the roads up to town standards. If there had been civic pride, the developer would have maintained the roads.

Mayor DeSimone asked that this matter be referred to the Planning Board.

Alderman Price added that she too agrees with keeping historical names and that if Mr. Dingus were alive the road would not be in disrepair.

Mr. Blyth stated from the floor that 911 Addressing requires that the entire that road have only one name.

Attorney Dickson stated that the issue could be referred back to the county or a policy could be drafted that works within the confines of the county ordinances, and Maggie Valley preserves their ability to approve names.

ALDERMAN WIGHT MADE A MOTION TO REFER THE MATTER TO THE PLANNING BOARD. THE MOTION CARRIED UNANIMOUSLY.

9. Consideration of banking proposals

The Town sent out Banking Request for Proposal (RFP) to BB&T, The Bank of North Carolina, and HomeTrust Bank. The RFP stated we would commit to a five (5) year contract beginning on September 4, 2012.

Below is a summarization of the RFP's.

The Town sent out Banking Request for Proposal (RFP) to BB&T, The Bank of North Carolina, and HomeTrust Bank. The RFP stated we would commit to a five (5) year contract beginning on September 4, 2012.

Below is a summarization of the RFP's.

Banks	General Services	ACH Services	Remote Deposit	Total
BB&T	130.95	104.17	59.72	294.84
Bank of NC	62.5	48	50	160.5
Home Trust	0	0	43.86	43.86

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to sweepstake machines that spend their rent money, etc. and even kids that use their lunch money to play these machines.

Ms. Pinter assured Ms. Young that there would be no loitering or anyone allowed inside under the age of eighteen (18). Ms. Young's concerns were about the rest of the Commercial 1 District that runs along Soco Road.

Ms. Pinter responded that the average age for people playing the sweepstakes machines are sixty-five (65) years old.

MR. ALSBROOKS MADE A MOTION TO TABLE THE ISSUE UNTIL THE NEXT MEETING. MR. SEIFERT SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

5) Text Amendment: Street Names

Mr. Tom Benoit, a resident of Henry Dingus Road since 2008, and the current President of the Campbell Woods Subdivision Properties Owners Association addressed the Board stating that there are forty-two (42) improved lots in the development. The commercial property is in the front of the subdivision leading into Campbell Woods Subdivision and the parcels to the rear [up the mountain] do not have an access point. The discussions about changing the name of Henry Dingus Way began in the earlier part of the year after the homeowners began talking about a more enticing name that would hopefully induce interest in the remaining vacant lots.

As President of the POA, Mr. Benoit went to Haywood County Addressing and talked with Kathy Hogan. Ms. Hogan sent out a petition to all of the property owners. The results were twenty-six (26) approved the change of name, five (5) opposed, and five (5) property owners did not respond. When Ms. Hogan attended the Haywood County Commissioners Meeting to discuss the issue, she too was confused when the commissioners sent the issue back to Maggie Valley for their opinion due to receiving letters objecting to the name change and that Maggie Valley is involved. Maggie Valley has no ordinance regarding changing street names, "but within the five property owners that objected there must be a strong pull from somewhere". The property owners have had issues with the developer because the roads were not maintained as was established in the in the 1989 covenants. The POA has contacted Raleigh and a lawyer and was informed there was little that could be done. The subdivision was annexed in 2008. The roads have potholes and are sinking. The POA members, with assistance from the town, have been tackling the road repairs a little at a time each year.

Reiterating the reason for the desire to change the street name is to induce the thought of a mountain side trail. "The subdivision has been grossly under marketed and under maintained. This is about marketing the remaining lots." Mr. Benoit ended his presentation asking that the Planning Board let the democratic process lead.

Ms. Young asked if Mr. Benoit knew the name of the road when he purchased his land. Mr. Benoit did. Ms. Young went on to add that the name did not stop him from purchasing his property.

Mr. Alsbrooks felt this would open a "can of worms". What if someone wanted to change Maggie's name, would we do that?

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Chairman Dennis felt this was an issue that needs to be addressed in the future.

Director Clark explained that the county approves new road names due to the 911 emergency calls. Any group wanting to change their road name must submit three (3) names to Haywood County Addressing for approval. If 100% of the people are in-favor of the name, the process is completed at the administration level. Road names are not allowed to be named after living people. It is undetermined if Henry Dingus was an historical name.

Council sent the issue to the Planning Board for their input.

Manager Barth explained that part of the issue revolves around Haywood County doing the 911 dispatching. Manager Barth was uncertain how Maggie Valley would have a say in road names. If the town adopts the County's ordinance, the issue would go before the County Commissioners anyway.

Director Clark concurred adding that at the end of the day the county has the final say. At this point it is too late to "get into the game" with the Campbell Woods Subdivision request.

Mr. Case asked if this issue could be addressed while reviewing the subdivision ordinance. The Planning Board could have a breakout session to discuss street names.

Mr. Benoit was uncertain if the petition sent out by the county has an expiration date.

Mr. Case questioned what the liability to the town would be changing the name of a street and the opposing property owners. Mr. Benoit responded that the county requires sixty-five percent (65%) of the property owners approve a new name.

Chairman Dennis stated that she has lived on Susan Drive, Snapdragon Trail, and then moved to Yarbrough Street. Mr. Yarbrough lived at the end of the street and was able to name the street. The Planning board will discuss the issue and work on drafting an amendment/Ordinance.

Mr. Benoit explained that he is not asking for approval or an ordinance, only consideration. The letter sent to the town was vague. The intent was to see what Maggie Valley thought about the street name change.

MR. ALSBROOKS MADE A MOTION TO PUT THE ISSUE ASIDE RIGHT NOW, INVESTIGATE THE ISSUE, AND SEE IF THE PLANNING BOARD WANTS TO HAVE AN ORDINANCE FOR STREET NAMING. MR. CASE SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

6) Subcommittee Reports

Mr. Seifert explained that they are looking at all uses in the commercial 1 district. Some of the uses are proposed to be deleted and some uses will be added. The subcommittee is concentrating on each zone proposed for the commercial district.

Chairman Dennis questioned what area would gaming be allowed if gaming were added.

Kathy Hoglen

From: jimbyth@elkcountryrealty.com
Sent: Monday, May 07, 2012 1:35 PM
To: Kathy Hoglen
Subject: [FWD: Henry Dingus Way, Maggie Valley, NC. UPDATED DRAFT FOR YOUR REVIEW]

Kathy,

This is the email from Jim Paxton.

Regards,

Jim

----- Original Message -----

Subject: Fwd: Henry Dingus Way, Maggie Valley, NC. UPDATED DRAFT FOR YOUR REVIEW

From: James Paxton <jnp6909@aol.com>

Date: Sun, May 06, 2012 7:29 pm

To: jimbyth@elkcountryrealty.com

Henry Dingus Way, Maggie Valley, NC.

County Commissioner, Haywood County, NC.

This letter is in response to the request to change the name of the roadway into the Commercial Property located in Maggie Valley, NC. at the intersection of Soco Rd. (US Hwy. 19) and Henry Dingus Way which also provides access to the Campbell Woods Subdivision. The road was named Henry Dingus Way in 1989 in memory of the Developer of the Campbell Woods Subdivision and a name that provides historical significance to the Haywood County Community. The intersection of Soco Rd. and Henry Dingus Way is a recognized intersection and important in identifying one of the largest commercial parcels (17 AL) of real estate in the area.

Henry Dingus began visiting Haywood County as a child in the mid 1930's. Henry continued to be involved in Haywood County the remainder of his life. Numerous developments, Commercial buildings and independent businesses in this area are a result of the involvement of Henry Dingus. You will recognize the names of the developments Apple Creek Acres, located on Mauney Cove Road, Shadow Woods, located on Ratcliff Cove Rd. and Campbell Woods along with residential and commercial projects, the Market Square Shops in Maggie Valley, the Villas and warehouses located behind the Market Square Shops, warehouses located at Jones Cove Road, and the mini warehouses located on Dellwood Rd. across from Ammons Drive In.

Henry Dingus was also instrumental in the expansion of the Maggie Valley Water District, providing property for the water storage tank which is located the Campbell Woods Subdivision, numerous water pump stations for the Water District and cash funds to the Water District for additional water and sewer line expansion.

Henry Dingus a successful Developer in both Pasco and Pinellas County, FL is one of the primary reasons you will recognize the numerous residents in Haywood County, NC from these areas in Florida.

You will find that Haywood County business people, such as Jim Freders a Realtor and Developer and the late Rich Riddle, a local attorney and the first drug Czar for the State of NC were located in the area due to their relationships with Henry Dingus.

I realize that the residents of Campbell Woods Subdivision may be new to the community and not have known Henry Dingus; however, I am optimistic that you, the Commissioners and today's leaders of Haywood County, will recognize the value in remembering these individuals who appreciated and loved Waynesville, Maggie Valley and all of Haywood community and were dedicated in their efforts to create the Community that we enjoy today.

Thank you for reviewing this letter and I am hopeful that you will vote in favor of allowing this road to remain Henry Dingus Way .

James N. Paxton

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

Kathy Hoglen

From: jimblyth@elkcountryrealty.com
Sent: Monday, May 07, 2012 1:07 PM
To: Kathy Hoglen
Subject: [FWD: Campbell woods Name Change]

Kathy,

Please find a copy of Paula's email attached here to. Best of luck this week getting you Mom situated.

Regards,

Jim

----- Original Message -----

Subject: Fwd: Campbell woods Name Change
From: James Paxton <jnp6909@aol.com>
Date: Mon, May 07, 2012 8:28 am
To: jimblyth@elkcountryrealty.com

Haywood county Commissioners:

I am writing to you regarding the name change request concerning Henry Dingus Way. I implore you to take care in your review and to understand the origin of the name.

I am the only child of Henry Dingus and worked with him on the early stages of the Campbell Woods Development; sadly my father did not live to see the completion of his vision. This roadway was named in his honor out of love and respect to his memory and the area he so dearly loved (Haywood County). He believed in the future but never forgot how we arrived there. The Campbell Woods name was coined to salute the long time historical home place of the Campbell family, a founding family of Haywood County. My father was not native to North Carolina but began his affinity for this area and its people as a child. In the 1960's my dad was able to purchase land and became involved in the business community. He developed Shadow Woods, Apple Creek Acres, Market Square Shops and Villas along with storage and warehouse facilities. These endeavors created work in the grading and construction sector as well as life long relationships and partnerships with local businesses.

Please allow this roadway to continue in the name of Henry Dingus Way which has its roots in family and community. I am hopeful that your decision will not result in a change simply for change sake.

I am proud of the integrity and contributions Henry Dingus has made to this community. My family and I continue to invest, support and donate to the area and look forward to many years of continued involvement.

Thank You for your consideration,

Paula Dingus Paxton