

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
September 10, 2024
MINUTES

Members Present:

Mayor Mike Eveland
Mayor Pro-Tem Jim Owens
Alderman John Hinton
Alderman Tim Wise

Members Absent:

Alderman Phillip Wight

Staff Present:

Vickie Best, Town Manager
Kathy Johnson, Town Clerk
Sam Cullen, Town Planner
Mike Mehaffey, Public Works Director
Michael Herbertson, Police Officer
Craig Justus, Attorney

Others Present:

Five others were present.

Media Present:

Brionna Dellara, The Mountaineer

Meeting Call to Order

Mayor Eveland called the Meeting to order at 6:29 pm on Tuesday September 10, 2024, in the Maggie Valley Town Hall Boardroom, 3987 Soco Road, Maggie Valley, NC 28751.

Pledge of Allegiance

The Pledge of Allegiance was repeated by all followed by prayer led by Sam Cullen.

Approval of Agenda/Conflict of Interest Declaration

Mayor Eveland said Item 7-a (Adoption of Resolution 24-12, supporting Southern Appalachian Highlands Conservancy's application for EPA Community Change Grant) has been removed from the agenda.

Consent Agenda

- a. *Budget to Actual*
- b. *A/R Report*
- c. *Tax Releases*
- d. *Minutes to be Approved: August 6th and 10th.*
- e. *Call for a Public Hearing for October 8th, 2024, for Private Road Update to the UDO.*
- f. *Proclamation for Constitution Week for September 17-23,*

A motion was made by Alderman John Hinton to approve the consent agenda as presented. The motion carried unanimously.

Public Comment

Mayor Eveland asked if anyone would like to make a public comment.

Joyan Hearn, spoke about the progress that has been made regarding noise radiating from the festival grounds. A set decibel level is non-discriminatory and treats everyone the same. She spoke about past experiences with the noise at the festival ground and commended Town staff along with Board Members for working together. She questioned if there was a process in place to periodically monitor the decibel levels when Manager Best retires or Board Members leave. Last weekend at the “Thunder in the Smokies Festival” the decibel level reached 57-58, 60 decibels and above can be heard inside the house. She made suggestions on how to control the sound with the wattage on the speakers. She expressed gratitude that the “Hillbilly Jam Festival” stopped thirty minutes earlier this year.

Referring to House Bill 184: Ms. Hearn said she did not understand how an Ordinance can get to the state and be turned into a Statute that only applies to Maggie Valley. She said “I have never heard of that, usually it would apply to everybody. Its kind of idiotic to me.” She said “In terms of zoning; just because you down zone something, doesn’t mean you devalue it.”

Ms. Hearn addressed the Board and said, “Whatever y’all are doing, just keep doing it.”

Stan Davis said he has lived in North Carolina thirty-two years and just recently moved to Maggie Valley. He stepped foot in Maggie Valley in 1992 by accident and he has been trying to “get here ever since.” He referenced a letter that he had written thanking the Public Works employees that helped him.

Manager Best thanked Mr. Davis for coming to the meeting. She addressed the Board and said she had received another e-mail of gratitude and appreciation from another Town resident thanking the Town of Maggie Valley Public Works employees.

Department Head Reports

Mike Mehaffey, Public Works Director

Public Works

- Monthly maintenance, general cleaning and repairs at Town Hall, Pavilion, Parham Park, Rathbone/Rich Park, Festival Grounds, Public Works buildings and Police Department.
- Monthly Recyclables approx. 11 tons.
- Monthly Solid Waste approx. 49 tons.
- Monthly White Goods/Electronics 3 pick-ups.
- Picked up miscellaneous residential brush and debris. 276 brush pick-ups that totaled 23 loads of brush.

- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners and Spring banners.
- Public Works continues upkeep of all Town facilities.
- Perform ditch, culvert, shoulder and road maintenance along streets. Both private and Town streets.
- Service and/or repaired 4 Public Works vehicles/equipment 0 Administration and 4 Police vehicles.
- Picked up bagged trash and debris along Highway 19 and Highway 276 from Fie Top Road to the Wastewater Treatment Plant.
- Public Works continues inspections and testing of roads, paving and other infrastructure at Mountain View Estates.
- Valley View subdivision on Jonathan Creek behind the CO-OP has started grading and installing infrastructure. We inspect their progress daily.
- Sweet Brier Parking Lot sign has been installed.
- The new windows in the Town Hall Cafeteria have been installed.
- Public works continues working on employee safety training.
- We are continuing construction of the Public Works 50x100 storage building. This work should continue through early September, and we will start work inside the building.
- Public Works installed the Paperman Plaques on the rocks in Canton.
- Public Works staffed 2 successful events at the Festival Grounds in August.
- We delivered the town's yearly Solid Waste Report to DENR.
- Public Works placed 4 tons of asphalt on town and private streets. Spring Lakes Road, Wade Reece Way, Silverleaf circle, Caldwell Drive and Linsonwood Drive.

WWTP

- Daily and Monthly testing, monitoring and analysis; Monthly cleaning and repairs.
- Monthly Road, Levee, equipment and building maintenance.
- Continued yearly sewer line, manhole, easement spraying and creek crossing inspections as required by DENR.
- Installed/repaired 6 sewer services issues, cleaned and videoed approximately 150' feet of sewer line, inspected 11 sewer connections/installations, repaired/leak stopped 0 damaged manhole and inspected 0 manholes as we continue to work on I&I issues.
- Dewatered 000 gallons of digester sludge. Lime Stabilized 0 tons of dewatered sludge. Also, we hauled 0 tons of dewatered sludge to landfill.
- Worked with business owners, homeowners, contractors and others to help resolve sewer related issues such as rainwater getting into sewer lines, back-ups, video inspection, private line or service locations and damage to lines.
- Continue monthly sewer easement maintenance. Bush hogging, tree cutting, spraying and debris removal.
- This month we received one hundred eighteen locate requests for NC811. These were all marked in a timely manner.
- Continue monitoring Johnathan Creek and stream banks for fallen and dead trees that could impact the Town's sewer creek crossings. This is now required by NCDEQ.

- Removed fallen trees and debris from Jonathan's Creek on Moody Farm Road, Stonebridge Campground, Valley Creek and Campbell Creek.
- Grease in the Towns sewer collection system and in the Wastewater Treatment Plant is an ongoing and time-consuming problem. Regular grease trap pumping and maintenance is the key to keeping these problems to a minimum. All food handling businesses are required to have grease-removing equipment installed and to maintain records of cleaning and maintaining their equipment. The sewer department staff regularly inspects this equipment and looks at records and logs of this maintenance. This month we performed forty-three grease trap inspections. Of these eleven were found to be non-compliant. We continue to work with all businesses on their grease issues. We provide assistance and education in hopes of reducing the amount of grease in our sewer system.
- Reviewed plans and permits for new developments and projects.
- We received the town's new Wastewater Residuals Permit from DENR. It will expire in December of 2032.

There was continued discussion about the grease traps and Mr. Mehaffey said the Board may be hearing from business owners about the grease trap inspections.

Sam Cullen, Town Planner

- Five Residential Permits: New Structures at 35 Donald Circle, Havenwood Drive, Trout Lily Lane, 211 Sweet Birch Drive, and Filly Lane
- Five Commercial Permits RV at 1915 Soco Road, 28 Julia Drive. New Business at 2761 Soco Road. Food Truck; D W's. Renovations; Sign Permit.
- No Floodplain Permits
- Eight In person consultations: DOT, Land of Sky, two MPO, Greenway, two grants, Southwestern Home Consortium.
- Eight Final Zoning Compliance: 25, 31 and 39 Clear Creek Lane, 85 Sophie Road, 122 Wildbrook Drive, 1939 Soco Road, 2749 Jonathan Creek Road, 2961 Soco Road.
- No Misc. requests.
- No Notice of Violations.
- One Resolved Violations: Grass Soco Road.

Planner Cullen spoke with the developer of Wild Brook Village and they plan on having the final permits pulled by March and completion of the remainder of the homes by May 2025.

Police Chief Matthew Boger was not present at the meeting, but his department report has been included in these minutes.

Matthew Boger, Police Chief

Incidents

- During this reporting month (August), the Maggie Valley Police Department (MVPD) investigated thirty-five incidents, which included Breaking and Entering, Larceny,

Property Damage, Drug Violations, Simple Assault, Aggravated Assault, Motor Vehicle Theft, Disorderly Conduct, Trespassing, Fraud, DWI, and Fondling.

Arrests

- Maggie Valley Police Officers arrested thirteen (13) individuals, resulting in nineteen (19) charges, which included Property Damage, Driving While Impaired, Trespassing, Drug Violation, and Disorderly Conduct, Fraud, Assault, and Non-Violent Family Offenses.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated four (4) motor vehicle accidents for the reporting period and issued one-hundred and thirty-five (135) traffic-related charges. Forty-three (43) percent of charges were for speeding (8 citations and 51 written warnings).

Officer Activities

- THIS LIST IS NOT A COMPREHENSIVE LIST OF ALL THE INCIDENTS FOR THE REPORTING PERIOD. SOME CASES, DUE TO THE INTEGERGY OF THE CASE, CAN NOT BE PUBLICLY DISCLOSED AT THIS TIME.
- Sergeant Flowers responded to a domestic with Officer Riddle. Initially, the female was advising that she had been assaulted. The officers made the determination that the injuries were self-inflicted due to impairment.
- Sergeant Wood continued FTO with Officer Kelley. As of the beginning of September, Officer Kelley has moved to the final portion of his training.
- Officer Bellows and Officer Crowe responded to a property damage call for service. Upon investigation, a suspect was interviewed and placed under arrest for damages.
- Officer Herbertson conducted multiple traffic stops resulting in arrests for narcotics.
- Officer Herbertson located a driving complaint. Upon investigation, the driver was arrested for DWI and the vehicle was seized.
- Officer Riddle provided life-saving measures for a subject who had overdosed.
- Officer Greene responded to a civil disturbance call for service. Upon investigation, an arrest was made for assault.
- Officer Greene responded to a traffic accident. The accident consisted of property damage only. No injuries were reported.
- Officer Crowe initiated a traffic stop after observing the driver and knowing the driver to be suspended. The driver also had a warrant for arrest and was transported to the Detention Facility.
- Officer Crowe investigated a vehicle hit and run. After speaking with the owner and reviewing the security footage, all leads were exhausted.
- Officer Kelley responded to a domestic assault. The female had obvious signs of assault, and the male was placed under arrest.
- Officer Kelley responded to an assault and property damage call for service. The female had video footage of part of the incident and obvious signs of assault. Officer Kelley went to the magistrate's office and took warrants for the suspect.

Evidence Processing (E/P)

- Evidence Technicians O. Murphy and S. Justice processed sixty-seven (67) items for the month. Evidence includes narcotics, paraphernalia, electronics, biological specimens, personal property, firearms, firearm materials and other weapons.
- Evidence Technicians checked items out to the NCSBI Crime Lab for testing.
- Sydney Justice assisted Detective Crocker with the homicide investigation.

Investigations (CID)

- Detective Crocker continued to follow up on leads with the homicide investigation.
- Detective Crocker continuing to follow up on a potential human trafficking case.
- Detective Crocker is investigating an overdose death.
- Detective Crocker attended a forensic interview in Sylva. The case was closed with no findings.
- Detective Crocker attended MDT twice this month.
- Detective Crocker conducted an interview with a family member involved in the human trafficking case.
- Detective Crocker attended Grand Jury.
- Detective Crocker assisted with a parade security.
- Detective Crocker responded to a routine death on Jonathan Creek.
- Detective Crocker assisted with a larceny case of a motor vehicle. Detective Crocker arrested the male suspect in the case. The vehicle was located in Buncombe County and was returned to the victim.

K9 Program

- The K9 teams logged thirteen (13) training events and three (3) deployment.
- K-9 Officer Wood and K-9 Karma conducted a vehicle search where they located drug paraphernalia. Great Work!

Community Patrol and Interactions

- Maggie Valley Officers patrolled through our residential neighborhoods several times this month.
- Maggie Valley Officers performed their monthly business visits.
- Maggie Valley Officers responded to 339 Calls for Service (CFS) in this reporting period. The average number of calls for service per day has been consistently around 10 for the last several months.

Events, Schools, and Meetings

- Chief Boger, Officer Greene and Officer Herbertson attended the National Night Out event in Canton.

CLOSED SESSION


A motion was made by Alderman Tim Wise to enter closed session at 6:48pm under NCGS 143-318.11.5 to discuss possible acquisition of land. PIN # 7696-17-5805 Moody Real Property investment, for a possible park.

A motion was made by Alderman Tim Wise to reconvene into open session at 7:08 pm. The motion carried unanimously.

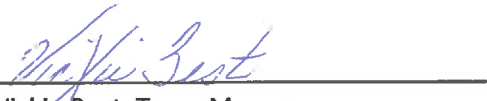
A motion was made by Alderman Tim Wise to engage Tom Mallette for the possible acquisition of PIN # 7696-17-5805. The motion carried unanimously. Alderman Phillip Wight was absent.

Adjournment

A motion was made by Alderman Tim Wise to adjourn the meeting at 7:11pm. The motion carried unanimously.

Attest: 

Mayor Mike Eveland



Vickie Best, Town Manager



Kathy Johnson, Town Clerk

