

Town of Maggie Valley  
Board of Aldermen Regularly Scheduled Meeting  
October 8, 2024  
MINUTES

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Members Present:

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

Members Absent:

None

Staff Present:

Vickie Best, Town Manager  
Misty Hagood, Finance Director  
Kathy Johnson, Town Clerk  
Sam Cullen, Town Planner  
Noah Taylor, Assistant Planner  
Mike Mehaffey, Public Works Director  
Seth Boyd, Senior WWTP Operator  
Matthew Boger, Police Chief  
Michael Herbertson, Police Officer  
No Attorney was present.

Others Present:

Joe Moody, Erick Helfers, Treasa Smith, Roger Dail, Russ Harris, Tammy Wight and three others were present.

Media Present:

Aarik Long, The Mountaineer

Meeting Call to Order

Mayor Eveland called the Meeting to order at 6:28 pm on Tuesday October 8, 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

Manager Best asked for Other Business to be moved to the top of the Agenda for Counsel to hear updates on Hurricane Helene clean up. She said the Department heads will be reporting on flood information. Maggie Valley is putting all important information, as it is received, on Facebook and the MV Website and the Sunshine List. MV is receiving hot meals daily from World Central Kitchen for the Volunteers and for the public in need.

Ms. Best expressed her appreciation for all the MV employees, saying they have gone above and beyond during this event to assist.

**Russ Harris** with the Southwestern Commission. He expressed the Support of the Southwest Commission for the Town of Maggie Valley. He spoke about the Dislocated Worker Grants that will pay for the first 6 months of salaries for dislocated workers to receive training. This grant can be applied to anyone that has lost their job because of this event. Anyone that has a business that they know is not coming back, can reach out the NC Works and be put into this program. He said “We are trying to get the program extended to include debris cleanup from the disaster. So, folks that need a job can be hired to do debris cleanup and things like that.” There have been funds released to help with the housing and rebuilding process. There are also staff available to help local government apply for FEMA assistance to recoup some of their cost.

Mr. Harris said he is also on the Board of the Haywood Advancement Foundation has grants for \$500 for any business that will be reopening. Anyone interested in this grant can contact the Chamber.

**Roger Dail** with Southern Disaster Recovery (SDR) said they have a state contract for debris removal. To get Maggie on-board, a Notice to Proceed will need to be signed. He answered questions from Board Members about possible time frame of debris removal from the flood. Mr. Dail said the debris will need to be separated and the vegetative debris will be incinerated, and the remainder will go to a licensed land field.

**Mr. Dail** said in order to be reimbursed by FEMA, a separate company that is not linked to SDR has to monitor everything “we” do. He explained the process used for the debris removal and how everything is electronically documented.

Manager Best said the Board of Aldermen will need to approve the Budget amendment first and then the Notice to Proceed. Manager Best expressed her appreciation for Finance Director Misty Hagood and her knowledge and experience of the disaster recovery process.

Alderman Phillip Wight confirmed with Ms. Hagood that everything that is being done now is for reimbursements.

Ms. Hagood explained Ordinance 1097 is allocating funds for the debris pickup and the monitoring services.

***A motion was made by Alderman Tim Wise to adopt Budget Amendment Ordinance 1097 Approval of Funds for Debris Removal and Monitoring from Hurricane Helene. The motion carried unanimously.***

***A motion was made by Alderman Jim Owens to approve the Notice to Proceed for Southern Disaster Recovery, LLC. The motion carried unanimously.***

***A motion was made by Alderman Jim Owens to approve the Notice to Proceed for Debris Tech. The motion carried unanimously.***

Mayor Eveland read Resolution 24-12 in its entirety.

***A motion was made by Alderman John Hinton to approve Resolution 24-12 Exempting Hurricane Helene Engineering Services. The motion carried unanimously.***

Mayor Eveland said Resolution 24-13 is to increase the Micro threshold. He asked Ms. Hagood to explain what that means. She explained that federal purchasing guidelines are different than state guidelines. This resolution will make purchasing a lot easier by increasing the Federal levels to the same as the State levels.

Alderman Jim Owens said we are very fortunate to have Finance Director Misty Hagood working for the Town. He expressed his thankfulness that she has worked with FEMA in the past.

Alderman Phillip Wight asked how long the resolution would be in effect if passed. Ms. Hagood said it would remain in effect for the remainder of this fiscal year and it would need to be reapproved next fiscal year if this is ongoing.

***A motion was made by Alderman Phillip Wight to approve Resolution 24-13 Increasing the micro purchasing threshold. The motion carried unanimously.***

#### Consent Agenda

- a. Budget to Actual
- b. A/R Report
- c. Tax Releases
- d. Minutes to be Approved: September 3<sup>rd</sup> and 10<sup>th</sup>.

***A motion was made by Alderman Tim Wise 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.

**Erick Helfers** came forward to thank Public Works Director Mike Mehaffey and all of the Public Works employees for clearing his road so quickly. He said there were neighbors that had health issues, and it is a blessing that the road was cleared so fast.

#### Public Hearing: Amendment to section 156.13 and 160.02 Definitions for Private Road Update to the UDO. Ordinance 1094.

Mayor Eveland opened the public hearing at 7:03 pm and invited Planner Sam Cullen to give his presentation.

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Planner Cullen said this is a text amendment to the UDO Sec. 156.13 (Street Standards) and 160.02 (Definitions) for all districts. He read the staff report as follows:

The Planning department has been investigating a text amendment to add language in the Unified Development Ordinance concerning the maintenance of privately owned streets within the municipal boundary. There are roads within the municipal boundary that are privately owned but do not have maintenance plans in place. These roads become a burden to the community and in some cases for the Town as well.

Recommended Text amendment changes are as follows:

#### 156.13 STREET STANDARDS

##### *A. General Provisions*

3. If private roads are approved, then a road maintenance agreement signed by the parties utilizing such private roads for access to their property or POA provisions outlining road maintenance responsibilities must be in place and recorded before recording of a final plat.

#### 160.02 DEFINITIONS

*PRIVATE ROAD* Roads that are owned, operated, or maintained by an individual, individuals, or property owners' association shall be considered a private road  
*PROPERTY OWNERS' ASSOCIATION (POA)* An organization that makes and enforces rules and guidelines for a subdivision, planned community, or condominium building.

The Town Planning Department believes this text amendment will provide an outlet for future homeowners when maintenance issues arise. The Planning Board unanimously recommend approval of the amendment at the September meeting.

The Comprehensive Land Use Plan states we should encourage well planned development that takes into consideration mobility throughout the valley. The Comprehensive Land Use Plan Steering Committee identified private drives and a lack of maintenance provisions as a threat to the community.

Alderman Phillip Wight asked Mr. Cullen if this was more about access or "Allowing access to the culverts?" Mr. Cullen said the property owners usually sign a "hold harmless" agreement to allow snow scraping and work that is done on private streets. This will put provisions in place for these communities to maintain their own road. Mr. Cullen said this does not affect any existing roads.

Mayor Eveland opened the hearing to public comment. No one came forward to speak, he closed the public hearing at 7:07 pm for Board discussion.

***A motion was made by Alderman John Hinton to adopt Ordinance 1094. Text Amendment to section 156.13 and 160.02 Definitions for Private Road Update to the UDO. The motion carried unanimously.***

***A motion was made by Alderman Tim Wise to adopt the Ordinance 1094 Consistency and Reasonableness statement. The motion carried unanimously.***

ABC Chairman Joe Moody's reappointment consideration.

Chairman Joe Moody thanked Chief Boger and said he went above and beyond helping ensure the staff's safety while making the deposits to the bank.

Planner Cullen said if Chairman Moody is reappointed, his term would be three years and three months. That would put Mr. Moody in until February 2028. The ABC staff have spoken to the auditors, and they recommend going ahead and adding the additional time to get the last member into February.

Mayor Eveland confirmed with Mr. Cullen that Mr. Moody is the last members term on the ABC Board that would need to be adjusted.

***A motion was made by Alderman Jim Owens to approve Joe Moody's reappointment to the ABC Board. The motion carried unanimously.***

Non-Powell Bill Streets- Tanner Trail

Mr. Mehaffey said the town's portion of the project would be roughly \$20,000. Mayor Eveland confirmed there was enough money in the Non-Powell Bill Streets Fund for the project.

***A motion was made by Alderman John Hinton to move forward with the Tanner Trail project with the non-Powell Bill streets fund. The motion carried unanimously.***

Order to collect and release taxes

- a. Order to collect 2024 taxes G.S. 105-321

***A motion was made by Alderman Jim Owens to approve the collection of 2024 taxes G.S. 105-321. The motion carried unanimously.***

- b. Order to collect delinquent taxes G.S. 105-321 & 105-373: 2015-2024 taxes.

***A motion was made by Alderman Tim Wise to approve the collection of 2015-2024 delinquent taxes G.S. 105-321 & 105-373. The motion carried unanimously.***

- c. Release of taxes under \$1.

***A motion was made by Alderman Jim Owens to approve the release of taxes under \$1. The motion carried unanimously.***

Budget Amendment: Ordinance 1095 transfer funds from the appropriated Fund Balance to the Capital Outlay-Festival Grounds sign- \$13,420.

Ms. Best said this is money that needs to be transferred over from last year.

***A motion was made by Alderman John Hinton to adopt Ordinance 1095 transferring funds from the appropriated Fund Balance to the Capital Outlay-Festival Grounds sign- \$13,420. The motion carried unanimously.***

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Mayor Eveland said over the next few months, there need to be a few things purchased to help in situations like Hurricane Helene. He suggested a possible purchase of a generator and walkie talkies in the event all communication is cut off again. Mr. Mehaffey used his personal walkie talkies to keep the Town staff in communication.

### Department Head Reports

#### Mike Mehaffey, Public Works Director

##### Public Works

- Storm work started at 5am on Friday 9-27-2024
- PW in the last four days worked 329-man hours on storm related issues. This number does not include regular PW duties.
- This is equivalent to 8.5 weeks.
- Storm work continues. Streets, sidewalks, bridges and other infrastructure have all been affected.
- Some Town streets were inundated with water, rocks, wood, debris and trees.
- PW continues to remove debris from these areas. Twinbrook- Spring lakes- Riddle Cove- Creekside.
- DOT/State roads have also been affected. PW continues work on these streets and Highways so they will be safe for travel.
- Private Streets are also affected. We have done some work on these for safety reasons and look at ways to help residents as time allows.

##### Sewer

- We continue sewer line Jetting for debris that entered through washed out lines.
- The Town has four sewer creek crossings damaged or destroyed during the flooding which carried vehicles, campers and other debris.
- One crossing has been repaired and three others have been temporarily repaired.
- We had Lines and Manhole's washed out by stream bank and Erosion in several places. One has been permanently repaired and one has been temporarily repaired.
- We continue to work on sewer issues and debris removal from these areas.
- WWTP had no damage inside the levee.
- The Bridge into the WWTP was damaged and the road from the bridge to the gate on the levee was damaged. We will continue to work in these areas with an engineer and contractor.
- Town Parks- All parks had some degree of damage. From minor to major. We will look at how we want to assign repairs.

#### Matthew Boger, Police Chief

Prior to the weather event, I went to the lower lying areas where flood waters had put structures and people in danger past and made sure they knew the potential of the storm headed to the

area. Collectively, with the fire department, we established an Emergency Operational Plan for the upcoming weather event, which evolved into a very well-managed and executed plan.

#### 9/27/24 Friday Morning

- Nearly all officers responded without notice to assist, which showed me the true dictation of our team of law enforcement officers.
- We started identifying areas of increasing risks and started rescue efforts in those areas. We requested swift water teams via incident command.
- We set up road closures and started directing traffic around the flooded areas while fire and rescue were conducting rescue missions.

#### 9/28/24 Saturday

- Road Closures were maintained around the clock, which we manned, and rescue missions were still being conducted.
- The fire department was able to get their communications running via Starlink.
- Welfare checks were started as the call volume became increasingly higher. (88 Total for PD) 176 Total.
- Our officers continued to work extra-long shifts to maintain the road closures while our public works department worked extremely hard to clear our streets for travel.

#### 9/29/24 Sunday

- We obtained a Starlink from Best Buy and started trying to get our communications back up and running. It took us until Tuesday to get the service going. However, on Monday 9/30, we were able to figure out a way to forward the incoming calls to Sydney Justice's cell phone.
- We continued working with MVFD, doing welfare checks around the clock and reporting back to the callers.

As the week went on, we established and manned the pavilion for donations and distributions. We continued to do welfare checks that were called into the FD and the PD. We kept the PD phone lines and the lobby open until 7 pm each night. We kept the phones forwarded to Sydney Justice and Ondrea Murphy's cell phones until we got the phone system up and running. We finally got ADNS on site, and they were able to route our Starlink into the server for access. Also, a big Thank you to the Town of Pikeville NC PD for assisting us with calls etc. while our staff took a rest break.

Today, the County announced that the Junaluska Valley Elementary School POD will be open only for limited hours tomorrow, which will be the last day open. The pavilion POD will remain open for a while longer. Outside agencies will assist in the security.

Total man hours from 9/27 through 10/8: 1003

#### Sam Cullen

- Fifteen Residential permits: New Structure for 123 Carsen Loop, 56 Branco Way, 315 Travelers Point, Major Subdivision at Playhouse Road and Moody Farm Road, Six at Clear Creek Lane, Four at Creek Walk Lane.
- Six In person consultations: LAPP, MPO, Subdivision, Commercial District, TDA, Land of Sky.

- Twelve Final Zoning Compliance: 44, 50, 54, 60 Clear Creek Lane, 89,90,101,102 Wildbrook Drive, 102 Reuben Branch Road, 390 Campbell Creek Road, 1437 Moody Farm Road and 2085 Soco Road.

Mr. Cullen said the Planning Department is getting ready to start work on Floodplain permitting. It is not going to be an easy process. The County has done some inspections for the significantly damaged structures. He said “We have a responsibility to visit every property within the Flood Plain and do an assessment of the damage.” No permits can be issued until these assessments are done.

Haywood County, the Town of Waynesville and Clyde have all waived their permitting fee. Mr. Cullen asked if the Board would be willing to do this for the Town of Maggie Valley. He said there would need to be a motion, and it would only apply to people affected by this event and permits related to work being done for recovery from this storm.

There was discussion between Board members and Ms. Best confirmed a motion would need to be made.

***A motion was made by Alderman Phillip Wight to waive Flood Plain related Inspections and permitting fees for Hurricane Helene cleanup. The motion carried unanimously.***

Mr. Cullen reiterated that this does not waive any sewer fees and structure permits. This is only Floodplain related inspections and permitting fees related to Hurricane Helene cleanup.

Adjournment

***A motion was made by Alderman Tim Wise to adjourn the meeting at 7:54 pm. The motion carried unanimously.***

*Attest:*

s/ Mayor Mike Eveland

s/ Vickie Best

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Mayor Mike Eveland

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Vickie Best, Town Manager

s/ Kathy Johnson

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Kathy Johnson, Town Clerk