

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
August 8, 2023
MINUTES

Members Present:

Mayor Mike Eveland
Mayor Pro-Tem Jim Owens
Alderman John Hinton
Alderwoman Tammy Wight
Alderman Phillip Wight

Members Absent:

None

Staff Present:

Vickie Best, Town Manager
Kathy Johnson, Town Clerk
Matthew Boger, Police Chief
Mike Mehaffey, Public Works Director
Tasha Gubernath, Finance Director
Sam Cullen, Interim Town Planner
Seth Boyd, Senior WWTP Operator
Haley Crocker, Detective
Ryan Flowers, Police Sergeant
Rodney Riddle, Police Officer
Jeff Mackey, Police Sergeant
Michael Herbertson, Police Officer
Brian Gulden, Attorney

Others Present:

Nineteen others Present

Media Present:

Aarik Long, Waynesville Mountaineer

MEETING CALL TO ORDER

Mayor Eveland called the Meeting to order at 6:28 pm on Tuesday August 8, 2023, 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 THE AGENDA/CONFLICT OF INTEREST DECLARATION

There were no changes to the agenda and no conflict of interest stated.

CONSENT AGENDA

- a) *Minutes to be Approved: June 6, 2023, and June 20, 2023, Presentation*
- b) *Budget to Actual*
- c) *A/R Report*
- d) *Tax Release*
- e) *Surplus a 2006 Ford Mustang: Gov Deals*
- f) *Direct Clerk to check for Sufficiency of Parcels 8608-78-4922 (22.12 acres) and 8608-79-5760 (19.53 acres) off Jonathan Creek Road.*

Manager Best said there has been an addition to the consent agenda, adding directing the clerk to check for sufficiency on two parcels.

A motion was made by Alderwoman Tammy Wight to approve the consent agenda with the changes presented. The motion carried unanimously.

LIFE SAVING AWARD RYAN FLOWERS & RODNEY RIDDLE

Police Chief Matthew Boger addressed the Board, staff and the community with an emotional award ceremony for heroic actions that took place on June 18th 2023. Sergeant Flowers and Officer Riddle were the embodiment of courage and selflessness. Responding to a distress call, they arrived at the scene to find a person in cardiac arrest facing a life-threatening situation. Without hesitation, they sprang into action, working tirelessly to save a life hanging in the balance.

Mr. Boger said may this recognition stand as a testament to their exceptional character and commitment to making our world safer and better. Their actions not only saved a life, but they have inspired us all to strive for excellence in our own pursuits.

The survivor of the incident was very thankful and presented the awards to Sergeant Flowers and Officer Riddle. He also presented each of them with a prayer quilt from his church.

PUBLIC COMMENT

Mayor Eveland asked if anyone would like to make public comment. No one came forward to speak.

PUBLIC HEARING: CLOSING FOR R-O-W

Planner Sam Cullen asked the Hearing on the R-O-W be continued to the September 12, 2023 Board of Aldermen meeting. He explained that since the Agenda Setting meeting, he has received information from the developer of the lot, Mr. Hughes, showing the sewer easement.

Mayor Eveland said if there was no objection the Hearing will be continued to the September 12, 2023 meeting. No one objected.

RESOLUTION 23-09 AND 23-10 DIRECTING CLERK TO INVESTIGATE THE SUFFICIENCY OF THE PETITIONS FOR ANNEXATIONS OF 102 AND 106 SAGE COURT. BOTH PARCELS ARE IN NEED OF MUNICIPAL SEWER

A motion was made by Alderman John Hinton to approve Resolution 23-09 and 23-10 directing the clerk to investigate the sufficiency of the petitions for annexations of 102 and 106 Sage Court. The motion carried unanimously.

APPROVAL OF CONTRACT FOR A SCHOOL RESOURCE OFFICER AT JONATHAN VALLEY ELEMENTARY SCHOOL

Manager Best said Sergeant Jeff Mackey will be serving in the SRO position. She said the county will be reimbursing the Town for the cost of him serving at Jonathan Valley Elementary.

A motion was made by Alderman John Hinton to approve the contract for Jeff Mackey for school resource officer at Jonathan Valley Elementary School. The motion passed unanimously.

APPROVAL OF THE 2024 ICE FEST

Manager Best thanked Alderman Jim Owens for all of his help with the TDA and his encouragement to her. She said he was now the chairman of the TDA and she is proud of that. With his guidance there is now a committee together and she feels it will be a successful event.

Mayor Eveland confirmed with Manager Best the vote at this meeting was to only approve having the Ice Fest event and not the budget. Ms. Best said the Ice Fest would be January 27, 2024 from 4:00 pm to 9:00 pm. She said the Budget for the Ice Fest would be approved at a later date. There was continued discussion on the Ice Fest, expense, and the volunteers needed.

Ms. Best congratulated Alderwoman Tammy Wight in being chairman of the HCTDA Marketing Committee.

A motion was made by Alderwoman Tammy Wight to approve the 2024 Ice Fest. The motion carried unanimously.

BUDGET AMENDMENT ORDINANCE #1048 REPLACEMENT OF THE 2018 DODGE CHARGER THAT HYDROPLANED

Ms. Best said Budget Amendment Ordinance # 1048-A is the amount the Town will have to add to what was received from the insurance company to replace the wrecked car. Police Chief Boger answered questions from the Board.

Alderwoman Tammy Wight made a motion to approve Budget Amendment Ordinance #1048-A replacement of the 2018 Dodge Charger. The motion carried unanimously.

SEWER APPROVAL: OUT OF TOWN RATE

Ms. Best stated there was nothing under this line item this month but this item will remain on every agenda.

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PURCHASE OF LAND FOR A MAINTENANCE STORAGE BUILDING (\$200,000) IS INCLUDED IN BUDGET

Ms. Best stated the due diligence for this property will now be August 19, 2023, with the settlement date of August 30, 2023. This has been included in the budget. Ms. Best said Alderman Phillip Wight asked for a breakdown of the \$200,000.

Ms. Best provided:

The following terms and conditions shall apply to the Offer to Purchase and Contract to which this exhibit is attached.

1. This Offer to Purchase and Contract is subject to the prior approval for the purchase of the subject property by Board of Aldermen for the Town of Maggie Valley.
2. Seller shall convey the rights of way for ingress, egress and regress and installation of utilities and drainage from Soco Road to the subject property as set forth on the attached survey. Maintenance of the right of way shall be shared equally between buyer and seller. This shall be appurtenant to and run with the title of the lands of both parties hereto.
3. Seller shall prepare and make ready the subject property for construction of a building. Pad area and parking area will be filled and leveled to ninety five percent compaction in preparation for a concrete pad. This does not include any gravel.
4. Seller shall open and close a ditch for installation of utilities for the subject property but shall not be responsible for the installation of said utilities. This ditch shall be on left side of easement looking from Highway 19.
5. Seller shall construct a road from the existing private road to the concrete pad to be located on the subject property in the location agreed upon by parties. Road shall be ABC stone compacted to ninety five percent.
6. Seller shall be responsible for all closing costs and survey costs for this sale.
7. All work to be performed by Seller shall be completed within seventy days of the closing of this sale transaction.

Ms. Best said we are getting the land, easement, right-of-way and the pad being prepared as part of the \$200,000. Public Works Director Mike Mehaffey confirmed this does not include the price of the building. Mr. Mehaffey answered questions from Board Member.

A motion was made by Alderman Phillip Wight to approve the purchase of the land for a maintenance storage building for \$200,000. The motion carried unanimously.

OTHER BUSINESS

Ms. Best explained Auditor Erica Brown was on site all last week performing the annual audit. Ms. Brown has suggested creating a line item specifically for the Levee project. She said it would be a cleaner process. Ordinance # 1049 is moving those funds to their own line item.

A motion was made by Alderman Phillip Wight to adopt Capital Project Ordinance # 1049. The motion carried unanimously.

DEPARTMENT HEAD REPORTS

- a) Mike Mehaffey, Public Works Director

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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. 12 tons.
- Monthly Solid Waste approx. 63 tons.
- Monthly White Goods/Electronics 14 pick-ups.
- Picked up miscellaneous residential brush and debris. 311 brush pick-ups that totaled 21 loads of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners and Spring Banners and Flag Banners.
- Perform ditch, culvert, shoulder and road maintenance along streets. Both private and Town streets.
- Service and/or repaired 5 Public Works vehicles/equipment 0 Administration and 3 Police vehicles.
- Picked up bagged trash and debris along Highway 19 and Highway 276 from Fie Top Road to the Wastewater Treatment Plant.
- The Highway 19 Pedestrian Safety project continues to progress on a more regular schedule. We work with the DOT inspector to take care of issues.
- We continue to do spraying to control weeds and grass along sidewalks, roads and parking areas.
- Public works oversaw the preparation of the site, the festival grounds prop and cleanup for a very successful fourth of July fireworks event.
- Public Works worked with residents, DOT and others to cleanup from the early July storm. We cut and hauled trees and brush from several sites. We also removed gravel and rocks that washed into highway 19.
- Public Works staffed four very successful events during July at the Festival Grounds.

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.
- We worked with NC Rural Water to do an I&I study of the sewer lines in the Campbell Creek watershed. We found approximately 30 deficiencies in the sewer system. We continue to repair these problems.
- Installed/repaired 7 sewer services issues, cleaned and videoed approximately 480' feet of sewer line, inspected 15 sewer connections/installations, repaired/leak stopped 0 damaged manhole and inspected 1 manhole as we continue to work on I&I issues.
- Dewatered 172,000 gallons of digester sludge. Lime Stabilized 0 tons of dewatered sludge. Also, we hauled 21 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 eighty-two locate request 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 7 grease trap inspections. Of these 1 was 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.
- J-Creek Development has started installing the utilities for the project. We inspect the sewer, stormwater and the roads as they are being installed. This will continue through the summer.
- Reviewed plans and permits for new developments and projects.

b) Matthew Boger, Interim Police Chief

Incidents

- During the month of July, the Maggie Valley Police Department investigated thirty-one incidents which include: Aggravated Assault, Simple Assault, Trespassing, Criminal Damage to Property, Larceny, Wire and Credit Card Fraud, Narcotics Violations, Disorderly Conduct, and Breaking and Entering.

Arrests

- Maggie Valley police officers arrested ten individuals resulting in thirteen charges which include: Assault, Identity Theft, Larceny, Disorderly Conduct, Narcotics Violations, Weapon Law Violations, and Trespassing.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated five motor vehicle accidents for the reporting period and issued one hundred and seven traffic-related charges. Thirty-four percent of citations were for speeding.

Officer Activities

- There were nineteen Officer Activity Logs for the month, including: Assist Other Agencies, Civil Disturbances, Business Checks, Animal Complaints, and Unlock Motor Vehicles.
- Sgt Mackey took a report of a stolen motor vehicle. The vehicle was later located in the Asheville area. Charges pending further investigation.

- Sgt. Mackey took a report on a worthless felony check. This incident turned into a squatter-type incident of failure to pay for the room they were staying in.
- Officers Wood and Herbertson arrested an individual for impeding traffic, interfering with an investigation, and disorderly conduct.
- Officer Herbertson arrested a suspect after the suspect identified himself as another person to avoid prosecution in a criminal matter.
- Officers gave several verbal warnings to eventgoers during the Hillbilly Jam. Most of the warnings were for minor alcohol-related offenses.
- Sgt. Flowers and K-9 Officer Bellows responded to domestic call for service. The suspect was arrested and charged with several weapons-related charges.
- K-9 Officer Bellows has been training for the United States Police Canine Association Certification event hosted locally in August. This is an annual certification event.
- Officer Riddle responded to a death scene at a local hotel. The scene was turned over to CID for processing.
- Patrol Officers Herbertson and Wood took an initial call for service for an arson case at a local store. Patrol secured the scene and CID was called in to process the scene.
- Alcohol Beverage Control receipts were acquired from our ABC stores. Two ABC inspection was initiated at local ABC businesses. No BARS classes were requested for this reporting period.

Evidence Processing (E/P)

- E/P technician processed 26 items for the month. Evidence items include narcotics, narcotic paraphernalia, blood evidence, weapons, firearms, and ammunition.
- NCIC and DCI Agency Audit has been completed. The MVPD was found to be in compliance in all fields of the audit.

Investigations (CID)

- Detective Crocker conducted one death investigation at a local hotel. The case appears to be overdose-related however; the cause of death will be determined with by toxicology.
- Detective Crocker completed an arson investigation, charging a juvenile with arson-related charges.
- Detective Crocker and Interim Chief Boger continue to work on a robbery case. The case is nearing its end with a high potential for felony charges.

K9 Program

- K9 Officer Shanna Bellows and Charlie participated in the monthly narcotics training exercises.
- K9 Officer Bellows and Charlie conducted four training exercises in the month of June.

Community Patrol and Interactions

- Maggie Valley Officers patrolled through our residential neighborhoods 171 times during the month.
- Maggie Valley Officers performed their monthly business visitations.
- Maggie Valley Officers responded to 313 Calls for Service in this reporting period.

Events, Schools, and Meetings

- The Maggie Valley Police Department Officers worked two events at the festival grounds. (July 4th event and Hillbilly Jam). Special thanks to the WPD volunteer group and to all the MVPD officers who worked extra shifts and long hours to support the towns needs with these larger events.
- Sgt. Mackey has completed his SRO training and is now a certified SRO. He will be assuming the SRO duty at Jonathan Valley Elementary School.

c) Sam Cullen, Planner

Mr. Cullen read through his monthly Planning report as follows:

There were eight residential permits: Single family home off Tuxedo Ridge, single family home at 49 Twinbrook Lane, retaining wall off Braeburn Way, retaining wall renovation at 343 Riddle Cove Rd, accessory structure at 404 Travelers Point, deck addition on 96 Rockin' Chair Lane, two single-family homes in Maris Meadow.

There were 0 commercial permits:

There was one Flood Plain permit: Lot line request off Soco Road

There were two zoning compliance letters: Single Family Home at 96 Havenwood Drive. and 515 Twinbrook Lane.

There were four notices of violations for Grass: Off Henry Dingus, off Soco Road, 325 Caldwell Drive.

Permitting and Zoning Compliance request continue to stay steady. We are seeing an influx of calls from real estate agents with clients interested in the Maggie Valley area.

I recently attended a Building Outdoor Communities Meeting and the NC SPOT 7.0 meeting to discuss major accessibility/transportation projects that will be commencing this year throughout Haywood County.

I will also be attending the NCAZO Zoning Officials Conference in Charlotte, August 13-16, to obtain my con-ed hours for CZO.

We had our Planning Board meeting on Tuesday the 18th and our Zoning Board of Adjustment meeting on the 20th. I will be reviewing policy and procedures with both boards in the coming months.

I am working with the Haywood County Planning Department/Land Records to review our online maps and keep them consistent and up to date.

Lastly, we have received the necessary items to move forward with preliminary plat approval of phase one of Mountain View Estates and will be discussing the approval at the next Planning Board meeting.

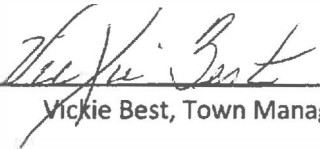
ADJOURNMENT

A motion was made by Alderman Jim Owens to adjourn the meeting at 7:03 pm. The motion carried unanimously.

Attest:



Mayor Mike Eveland



Vickie Best, Town Manager



Kathy Johnson, Town Clerk



