

Board of Aldermen Agenda Setting Meeting
Town Hall Board Room, Maggie Valley Town Hall
Tuesday December 5, 2023, 10am

Members Present:

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

Members Absent:

Alderman Phillip Wight

Staff Present:

Town Manager Vickie Best, Town Clerk Kathy Johnson, Police Chief Matthew Boger, Public Works Director Mike Mehaffey, Senior WWTP Operator Seth Boyd, Town Planner Sam Cullen

Others Present:

No others present

Media Present:

No media present

1. Meeting Called to Order

Mayor Mike Eveland called the Agenda Setting Meeting to order at 9:59am on Tuesday December 5, 2023, in the Maggie Valley Town Hall Boardroom 3987 Soco Road, Maggie Valley, NC 28751.

2. Pledge of Allegiance

3. Approval of the Agenda/Conflict of Interest Declaration

4. Consent Agenda

- a. *Minutes to be Approved: November 8th & 14th, 2023,*
- b. *Budget to Actual*
- c. *A/R Report*

Mayor Eveland asked Planner Cullen to explain in the Board meeting his findings on the ten percent question of Satellite Annexation that was questioned at the last Board meeting. Mr. Cullen explained that Maggie Valley along with other local municipalities across the state are exempt from the ten percent rule regarding Satellite Annexations.

- d. *Call for Public Hearing: Request to be Rezoned from C1 to MU4 for Luxury 1 Investments LLC PIN# 7676-88-8767 Located at 4521 Soco Road.*

Manager Best explained that this item is to call for Public Hearing for 4521 Soco Road (4.56 acre) to be rezoned from C1 to MU4. She said the property is beside the Shell station where two older houses are located. Planner Cullen and Public Works Director Mehaffey answered questions from

the Board about the property. Alderman Owens asked if staff recommended the rezoning. Mr. Cullen responded that the current C1 Zoning is consistent with the Comprehensive Land Use Plan and the Future Land Use Map. With MU4 some of the allowed uses are not consistent with the Comprehensive Land Use Plan and the Future Land Use Map, but most of those uses are subject to a special use permit. There was much discussion about rezoning the property and Alderman John Hinton asked how the Planning Board voted on it. Mr. Cullen said they voted to recommend approval of the rezoning, four to one.

Manager Best explained to Alderman Wise that when there is a Public Hearing called for Zoning, NC General Statute requires the Town to advertise in the paper of local circulation for two consecutive weeks.

- e. Resolution No. 23-23 Directing the Town Clerk to Check for Sufficiency of the Petition lot 14 Valley View Drive (Hughes Drive)*

Manager Best said Resolution 23-23 under the consent Agenda is directing the Clerk to check for sufficiency of the Petition of lot 14 Valley View Drive (Hughes Drive). Planner Cullen said this lot is contiguous and the owner is aware he will receive Town services. The property will need to be oriented with Valley View Drive and not Hughes Drive.

- f. Resolution No. 23-24 Directing Clerk to Check Sufficiency of the Petition to Annex 126 Clearview Drive.*

Manager Best said Resolution 23-24 is directing the Clerk to check for sufficiency of the Petition to Annex 126 Clearview Drive. She said this property is between the Dollar Store and Clearview Drive and is contiguous. She said the land would not perk for a septic tank and therefore, will need Town sewer.

5. Public Comment

Manager Best said Public Comment that is required at every Regularly Scheduled Board of Aldermen Meeting.

- 6. Action on the Conditional Zoning for 8608-79-5334: Leatherwood Property
 - a. Planner Cullen's Presentation on the Conditional Zoning of the Leatherwood Property.
 - b. Motion on Conditional Zoning of Leatherwood Property 8608-79-5334, Ordinance #1061, R3 Zoning with Conditions
 - c. Motion on The Consistency and Reasonableness Statement

Mayor Eveland said he would remind everyone at the meeting that there would not be Public Comment about the Conditional Zoning.

Manager Best said the Board has already conducted the Public Hearing and that is why we waited a month, so that any comment made during that meeting could be taken into consideration. She said Planner Cullen will give his presentation and it will then go to the Board for a vote on Zoning the Leatherwood property under Ordinance 1061. Then there will need to be a motion on the Consistency and Reasonableness Statement.

Planner Cullen said the only update to the site plan is the addition of vegetative buffering along the Sorrells property, the CO-OP and along US-276. Mr. Cullen explained even without clustering, the developer is well below the density requirements. He answered question about setbacks.

Alderman Wise asked if Mr. Cullen could make it clear during his presentation that there are going to be 155 houses, which is under the number of homes that could be constructed. The houses are clustered to preserve green space. The alternative is to have 155 houses spread out and lose the hilltop.

Aldermen Jim Owens said the developer has the capacity to build 220 houses. He said they are nowhere near the allowed density. Mr. Cullen said there is approximately 4.17 acres of open space.

7. Public Hearing for Text Amendment to the Town of Maggie Valley Subdivision Ordinance for Zero Lot Lines
 - a. Planner Cullen's Presentation
 - b. Open and Close Public Hearing
 - c. Motion on Text Amendment to the Town of Maggie Valley Subdivision Ordinance #1060
 - d. Motion on the Consistency and Reasonableness Statement

Maggie Valley currently allows zero lot lines, but this amendment will clarify the subdivision ordinance.

8. Budget Amendment: ABC Funds Dedicated to Alcohol Education: Ordinance #1064

Manager Best said this Budget amendment will allow Police Chief Boger to decide where the required ten percent of the ABC Funds are to be allocated for alcohol education. She said eighty percent of the ABC funds will go to General Fund and the remaining ten percent will go toward the ABC officer's salary.

9. Other Business

Manager Best explained this Board will need to acknowledge they have received the audit amendment. She said we have not had our yearly audit report from Erica Brown, because Maggie Valley has had three finance officers in two years. She said Ms. Brown has all that she needs from

Finance Director Gubernath, but Ms. Brown has to complete the larger counties clients before presenting to Maggie Valley.

10. Department Head Reports

- a. Seth Boyd, Senior WWTP Operator*
- b. Matthew Boger, Police Chief*
- c. Sam Cullen, Town Planner*

Manager Best said she, along with Alderman Jim Owens had attended an Ice Fest meeting. Cataloochee Ski Area will allow the Town to haul dump truck loads of snow down to the festival grounds for the event. If a tandem truck were rented, five loads of snow would be plenty of snow.

Alderman Jim Owens said it would be new and the kids would be excited. He updated the Board on some of the happenings that would be at the Ice Fest.

Manager Best said there were six food trucks and more interested and six crafters have registered. Maggie Valley has collected \$525 for crafters and \$600 for food trucks. Alderman Jim Owens said there would need to be a minimum of eight food trucks.

Manager Best spoke about an email she had received from HCTDA Executive Director Corrina Ruffieux. She said as of the end of the fiscal year, the confirmed Maggie Valley tourism fund balance stands at \$294,338. This amount is categorized into two segments: one for promotion and advertising and for tourist related projects. The available amount is \$294,338.

Public Works Director Mike Mehaffey questioned if they were going to make the funds available to the Town or save the funds to do what the master plan calls for. Alderman Jim Owens said they were going to hold the advertising part to go toward the master plan, but the infrastructure funds will be available. There was much discussion about the Festival Grounds and the parking lots.

Mayor Eveland asked Mr. Cullen for an update on Bethel Village and the delays on paving Bethel Village. Mr. Cullen said he has spoken with Haywood County Program Administrator David Francis. He said some of the funding has transferred over to HUD Funds, which requires an environmental study to be done. Planner Cullen said the County will solicit bids. He said it would possibly be another two years before paving. Mayor Eveland expressed concern on the length of time it is taking and said he would speak to David Francis about it.

Manager Best referenced an email she had sent out to Board members about the Chamber using the Civic building for storage. It was determined Town Manager Best should draw up an agreement.


Manager Best said January 17, 2024 has been set for the Festival Ground workshop at 10:00 am. The Visioning Session has been set for January 23rd at 9:00 am.

A motion was made by Alderman Tim Wise to adjourn the meeting at 11:21 am. The motion carried unanimously.


Attest:



Mayor Mike Eveland



Vickie Best, Town Manager



Kathy Johnson, Town Clerk

