

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
January 17, 2024
(Rescheduled from January 9, 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
Matthew Boger, Police Chief
Sam Cullen, Town Planner
Mike Mehaffey, Public Works Director
Seth Boyd, Senior WWTP Operator
Taylor Osborne, Attorney

Others Present:

Two others present

Media Present:

Aarik Long, Waynesville Mountaineer

MEETING CALL TO ORDER

Mayor Eveland called the Meeting to order at 6:30 pm on Wednesday January 17, 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.

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: December 4th, 5th, and 12th, 2024,*
- b. *Budget to Actual*
- c. *A/R Report*

- d. Resolution No. 24-01 Directing Clerk to Check the Sufficiency of 3281 Dellwood Rd belonging to Mitchell Armenante.
- e. Resolution No. 24-04 Directing Clerk to Check the Sufficiency of 3211 Dellwood Road belonging to Jose Alberto Chavez-Negrete.
- f. Resolution No. 24-02 Setting Date of Public Hearing February 13, 2024, Petition to Annex lot 14 Valley View Dr. (Hughes Dr) Belonging to Hector & Angelica Zapata Morales.
- g. Resolution No. 24-03 Setting Date of Public Hearing February 13, 2024, Petition to Annex 126 Clearview Dr. Belonging to Steven Colby Myers & Wife Makenzie Paige Myers.
- h. Setting Public Hearing for a Text Amendment to the Subdivision Ordinance for Underground Electric for February 13, 2024.

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

PUBLIC COMMENT

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

PUBLIC HEARING AND A REQUEST TO REZONE 4521 SOCO ROAD PIN # 7676-88-8767 FROM C1 TO MU4.

Mayor Mike Eveland opened the Public Hearing at 6:32 pm for 4521 Soco Road from C1 to MU4 and invited Planner Sam Cullen to speak. Mr. Cullen said the applicant has stated they would like to continue the Public Hearing to BOA February 13, 2024 meeting. He said they would be presenting the site plan at that meeting.

Manager Best stated the Public Hearing and request to rezone 4521 Soco Road PIN # 7676-88-8767 will be continued to the February 13, 2024 Regularly Scheduled Board of Alderman meeting.

BUDGET AMENDMENT: ORDINANCE 1054 TRANSFER \$60,000 FROM FUND BALANCE TO PAY FOR LOBBYISTS.

A motion was made by Alderman Jim Owens to adopt Ordinance 1054 Transferring \$60,000 from the fund balance to pay the lobbyists. The motion carried unanimously.

BUDGET AMENDMENT: ORDINANCE 1066 PURCHASE FORD F150 TRUCK (SEWER/PUBLIC WORKS)

Manager Best said Public Works has waited over a year and a half to receive a truck that was approved in 2022 for \$45,558. Budget Amendment Ordinance 1066 will be amending it to \$53,878.

A motion was made by Alderman John Hinton to adopt Budget Amendment Ordinance 1066 for the purchase of Ford F-150 Truck for Sewer/Public works. The motion carried unanimously.

APPOINTMENT TO THE PLANNING BOARD

Mayor Eveland said the appointment to the Planning Board has been moved to February 13, 2024. Mr. Cullen stated the interviews will be held before the next Board of Alderman meeting starting at 4:45 pm.

OTHER BUSINESS

Manager Best said for the last several years the Town of Maggie Valley has donated money to Haywood Waterways. She said in the past the Town has donated \$1000 and there would need to be a motion made.

A motion was made by Alderman John Hinton to approve a donation of \$1000.00 to Haywood Waterways. The motion carried unanimously.

Manager Best said the Visioning Retreat that is scheduled for January 23, 2024 will need to be rescheduled. She said possibly the first week in February.

Public Works Director said the heat pump that supplies the heat for the hall and the women's restroom went out last week. He said Mike's Heating and Cooling came out and gave an estimate on repairing the unit at \$1600. He said it is an older unit that is seventeen years old. He said it is his recommendation along with recommendation of Mike's Heating and Cooling to have the unit replaced. It will cost somewhere between \$9000 and \$12,000.

Mr. Mehaffey said there would need to be approval from the Board to enter into contract to replace the unit. He said there would also need to be a Budget Amendment to approve additional funds to be moved from Fund Balance to be put with the \$6000 in M&R Building to pay for the unit.

A motion was made by Alderman Tim Wise to give approval to enter into contract to install a new heat pump and furnace. The motion carried unanimously.

ADJOURNMENT

A motion was made by Alderman Tim Wise to adjourn the meeting at 6:45 pm. The motion carried unanimously.

DEPARTMENT HEAD REPORTS ARE INCLUDED BUT WAS NOT PRESENTED AT THE MEETING.

Mike Mehaffey, Public Works Director

Town of Maggie Valley
Board of Aldermen Regular Scheduled Meeting Minutes
January 17, 2024

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. nine tons.
- Monthly Solid Waste approx. thirty-seven tons.
- Monthly White Goods/Electronics four pick-ups.
- Picked up miscellaneous residential brush and debris. Seventy-five brush pick-ups that totaled seven loads of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners and Winter 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 three Public Works vehicles/equipment, 0 Administration and two 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 is getting close to finishing. We work with the DOT inspector to take care of issues.
- We continue maintenance on all the winter decorations and lighting. Ninety pole mounted displays, five standalone large displays and building lights at Town Hall, Pavilion, MV Fire department and MV Police department.
- Public Works continues inspections and testing of roads, paving and other infrastructure at Moody Farm project, J-Creek Development and Mountain View Estates.
- Public Works cleaned and polished the bronze Elk and plaques at the festival Grounds Waterfall.

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 five sewer services issues, cleaned and videoed approximately 200' feet of sewer line, inspected nine sewer connections/installations, repaired/leak stopped 1 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 sixty-seven 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 six grease trap inspections. Of these one 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. The utilities have been completed. Some testing still must be completed. The roads are scheduled to be paved in mid-November.
- Reviewed plans and permits for new developments and projects.
- Moody Farm project has started. We inspect all sewers, stormwater and roads as they are being installed. This project is close to completion with paving and some repairs to manholes still needed.
- The Mountain View Estates project has started. The contractor has started clearing debris from lots and the storm drainage system that was previously installed. Sewer installation has begun. This is another project we will be doing inspections for sewers, stormwater and roads. The first phase of this project will continue through the spring.

Matthew Boger, Police Chief

Incidents

- During the reporting month of December, the Maggie Valley Police Department investigated forty incidents, which included, Breaking and Entering, Larceny, Fraud, Property Damage, Drug Violations, Trespassing, Felony Assault, Simple Assault, Identity Theft, Disorderly Conduct, weapon law violations, and Driving While Impaired.

Arrests

- Maggie Valley Police Officers arrested twenty-one individuals, resulting in twenty-seven charges, which included Felony Assault, Simple Assault, Larceny, Breaking and Entering, Property Damage, Drug Violations, and Driving While Impaired.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated seven motor vehicle accidents for the reporting period and issued one-hundred and sixty-three traffic-related charges. Fifty-two percent of charges were for speeding (12 citations and 74 written warnings).

Officer Activities

- THIS LIST IS NOT A COMPREHENSIVE LIST OF ALL THE INCIDENTS FOR THE REPORTING PERIOD. SOME CASES, DUE TO THE INTEGRITY OF THE CASE, CAN NOT BE PUBLICLY DISCLOSED AT THIS TIME.
- Sgt. Flowers responded to a domestic disturbance call for service at a residence. A female was arrested for Misdemeanor Crime of Domestic Violence and transported to the Haywood County Detention Facility.
- Sgt. Flowers responded to a domestic disturbance call for service at a residence. The call was medical in nature.
- Sgt. Flowers initiated a traffic stop on a vehicle after identifying the driver and registered owner as having an outstanding order for arrest. The individual was arrested and transported to the Haywood County Detention Facility.
- Sgt. Flowers responded to a defrauding innkeeper call for service at a hotel. The suspects had left the scene. A report was documented.
- Sgt. Flowers responded to a property damage call for service in which a vehicle struck a residence. A report was documented.
- Sgt. Flowers responded to a shoplifting call for service at a gift store. The suspects had left the scene. A report was documented.
- Sgt. Flowers responded to a larceny call for service at the Ski Lodge. A report was documented.
- Sgt. Flowers responded to a shoplifting call for service at a gift store. The suspects had left the scene and Sgt. Flowers initiated a traffic stop on the vehicle. All three suspects were arrested for trespassing and multiple counts of possession of Methamphetamine and possession of Marijuana. They were transported to the Haywood County Detention Facility.
- Officer Riddle responded to a larceny of cash call for service at a church. A report was taken and upgraded to a C.I.D investigation.
- Officer Riddle responded to an assault call for service at a residence. All parties were advised of the appropriate action.
- Officer Riddle responded to a counterfeit money call for service at a business. The suspect had left the scene. The counterfeit money was seized as evidence and a report was documented.
- K-9 Officer Bellows responded to a trespassing call for service at the Ski Lodge. The suspects in question were juveniles and guardians were notified.
- K-9 Officer Bellows responded to a civil disturbance call for service at an apartment complex. All parties were advised to keep the peace.
- Officer Herbertson responded to a hit and run call for service at a business. The incident was a blind spot for the cameras and not witnessed.
- Officer Herbertson responded to a death investigation at a campground.

- Officer Herbertson checked on a residence in the Valley Creek Community several times throughout the month as requested by the homeowner.
- Officer Herbertson checked the buses at Jonathan Valley Elementary School several times throughout the month.
- Officer Herbertson and Sgt. Wood assisted NCSHP with a collision on Soco Mountain that resulted in property damage.
- Officer Herbertson and Sgt. Wood responded to a traffic collision with an elk. A report was made for the property damage of a vehicle.
- Officer Herbertson responded to a report of heavy equipment being stolen.
- Officer Herbertson took a report for stolen electronics at 75 Fisher Loop. Some of the items were returned after the initial report was filed.
- Officer Greene responded to a breaking and entering in progress call for service with an armed suspect. The suspect was located, found to be armed and placed under arrest.
- Officer Greene responded to a possible suicide attempt. The individual in question was transported by EMS to receive medical assistance.
- Officer Greene responded to a larceny by employee call for service at a church. The investigation resulted charges being made and an arrest of the employee.
- Officer Greene effectively made a DWI arrest on Soco Rd.
- Officer Greene responded to a traffic collision and took a report for property damage only.
- Officer Greene assisted the HCSO with an overdose in the Jonathan Creek area.
- Officer Greene assisted NCSHP with a traffic collision on Dellwood Road. Officer Greene kept the scene safe until NCSHP arrived.
- Officer Greene took a report for narcotics found at a Dollar General. The narcotics were collected and placed into evidence.
- Officer Greene issued citations for trespassing at Ghost Town.
- Officer Greene responded to a death investigation.
- Officer Greene made an arrest at a business for an assault that occurred at the business.
- Officer Greene responded to a traffic collision involving an elk and took a report for property damage.
- Sgt Wood and Officer Greene, along with Waynesville SRT Team executed a search warrant at a residence. Officer Herbertson and Chief Boger assisted Detective Croker with the investigation that resulted in 3 arrests.
- Sgt. Wood initiated a DWI traffic stop where the driver had been observed crashing into the median barriers. The driver was arrested.

Evidence Processing (E/P)

- Evidence Technicians O. Murphy and S. Justice processed forty-two items for the month. Evidence includes narcotics, narcotics paraphernalia, firearms, ammunition,

cell phones/electronics, medical equipment, counterfeit money, personal property, and prescription medications.

Investigations (CID)

- Detective Crocker investigated and issued the clerk at Citgo a citation for selling alcohol to an underaged male.
- Detective Crocker and Officer Greene investigated a larceny report from Maggie Methodist Church which resulted in an arrest.
- Detective Crocker investigated a disturbance involving a male threatening another male at Teague's with an axe handle and a firearm. He was charged with assault by pointing a gun.
- Officer Greene later dealt with the same male and charged him again for assault on the same victim as before.
- Officer Herbertson responded to a welfare check where the female had not been heard from in about a week. The female was found deceased and the cause of death has been ruled natural.
- Detective Crocker and Chief Boger investigated a potential elder abuse case at Haywood Regional. APS has taken over the case and there are no current criminal charges.
- Detective Crocker wrote and executed a search warrant on Henry Dingus Way in a joined operation with Waynesville PD. 8 total people were charged as a result of this operation. Over 2 ounces of methamphetamine were seized.
- Detective Crocker was dispatched to Ghost Town Park area in reference to trespassers. Two males were located and issued citations for trespassing.
- Detective Crocker has received two DSS reports in reference to potential child neglect/abuse.

K9 Program

- Sgt. Wood and K-9 Karma graduated from Basic K9 School which consisted of 320 training hours.
- Sgt. Wood certified with K-9 Karma through the USPCA in narcotics. This allows K-9 Karma to be deployed in the field for narcotics investigations.

Community Patrol and Interactions

- Maggie Valley Officers patrolled through our residential neighborhoods ninety-one times monthly.
- Maggie Valley Officers performed their monthly business visits.
- Maggie Valley Officers responded to two hundred seventy-five Calls for Service 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

- The Maggie Valley Police Department collected and donated toys to some of our local Haywood County Schools.
- The Maggie Valley Police Department participated in local Christmas Parades.

Sam Cullen, Town Planner

- Five Residential Permits: J Creek Development, 92 lot Subdivision; New Structures on Gypsy Lane, 50 Alex Ridge, 302 Silverleaf Circle, 223 Havenwood Drive.
 - One Commercial Permit: Façade improvement at 3760 Soco Road.
 - Two Floodplain permits: Renovations at 2355 Soco Road and 273 Mountain View Drive.
 - Six In person consultations: Development consultations concerning various areas in town, guidance for new business owners, Waterfall property, answering ongoing development inquires.
 - One Final Zoning Compliance: 277 Twinbrook Lane.
 - Two Misc. requests: Final Plat approval for J-Creek Development, Variance Request at 302 Silverleaf Circle.
 - One Notice of Violations: Solid waste
 - Zero Violations Resolved
- In December, the Planning Department:
- Attended a meeting of the Southwester NC Home Consortium
 - Developed a new system for organizing plats. We will now be able to electronically search and locate plats in a timely manner.
 - J-Creek Development received final plat approval at the Planning Board meeting.
 - Began working on Budget items within the Planning Department.
 - Worked with Erosion Control at Haywood County Development Services to ensure proper plans were in place for developments in question.

ADJOURNMENT

A motion was made by Alderman Tim Wise to adjourn the meeting at 6:59 pm. The motion carried unanimously.

Attest:



Mayor Mike Eveland



Vickie Best, Town Manager



Kathy Johnson, Town Clerk

