

Town of Maggie Valley Regularly Scheduled Board of Aldermen Meeting
April 13, 2021

MINUTES

Members Present: Mayor Mike Eveland, Aldermen: Tammy Wight, Twinkle Patel, and Clayton Davis

Members Absent: Alderman Phillip Wight

Staff Present: Manager Nathan Clark, Attorney Bryan Gulden via phone, Planner Ron Hancock, Public Works Director Mike Mehaffey, Chief Russ Gilliland, Detective Matt Boger, Sergeant Jeff Mackey, Patrol Officer Chris Collins, K-9 Officer Logan Wood and Town Clerk Vickie Best

Others Present: Reporter Hannah McLeod

1) **Meeting Called to Order**

Mayor Eveland called the meeting to order at 6:35 pm on Tuesday April 13, 2021 in the Town Hall Boardroom.

2) **Pledge of Allegiance**

Everyone said the Pledge of Allegiance.

3) **Consent Agenda**

- a. Minutes to be Approved: March 2, March 8 & March 9, 2021
- b. A/R Report
- c. Budget to Actual
- d. Tax Reconciliation Report
- e. Delinquent Tax List for Public Advertisement in the Mountaineer

ON MOTION OF ALDERMAN T. WIGHT, WITH ALL IN FAVOR, THE CONSENT AGENDA WAS APPROVED.

4) **Public Comment**

No Public Comments were offered.

5) **Recognition of Police Officers: Russ Gilliland, Police Chief**

The Maggie Valley Police Department would like to take this opportunity to recognize four of its Police Officers who demonstrated courage, critical thinking, and rapid response to saving lives.

- "I would like to recognize Lieutenant Matthew Boger. On August 26, 2017, then Patrol Officer Boger, responded to a suicide attempt. Upon arrival to the scene Officer Boger witnessed a male subject in the process of suicide by hanging himself with a rope. Officer Boger placed himself in harm's way by climbing a structure where the male subject had secured the rope. Officer Boger then cut the rope to prevent the male subject from completing his suicide attempt. The male subject was then brought to safety and received medical attention. His life was saved. With gratitude we recognize Lt. Matthew Boger and present him with the "Life Saving" insignia."

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• “I would like to recognize Sergeant Jeff Mackey. On December 30, 2020 Sgt. Jeff Mackey responded to an unknown problem. Upon arrival to the scene Sgt. Mackey observed a female subject unconscious in the passenger seat of an automobile. Sgt. Mackey being familiar with the subject suspected an overdose situation. Sgt. Mackey retrieved his NARCAN and administered two doses of medication to the female subject. The female subject regained consciousness. Sgt. Mackey asked the female subject what she ingested. She told Sgt. Mackey she had taken Fentanyl. Emergency Medical Services was called to further examine the female subject. Her life was saved. With gratitude we recognize Sgt. Jeff Mackey and present him with the “Life Saving” insignia.”

• “I would like to recognize Patrol Officer Chris Collins and K-9 Officer Logan Wood. On May 21, 2020, Officer Collins and Officer Wood responded to a stranded person on a roof top. Haywood County Emergency Communications informed the officers that a male subject had fallen on his roof top and was laying on the edge of the roof. The roof was a metal surface, it had been raining causing a slippery situation. Officers Collins and Wood accessed the roof with a ladder, made their way to the male subjects’ location. The male subject was on a very steep portion of the roof and was unable to move in fear of falling off the roof. Both officers placed themselves in harm’s way, moved the male subject to a safer area on the roof and helped him to his feet. The male subject was then safely helped off the roof. His life was saved. With gratitude we recognize Officers Chris Collins and Logan Wood and present them with the “Life Saving” insignia.”

“Policing is generally viewed as crime prevention, traffic enforcement and making arrests. These officers are showing another side of community service that Police Officers are involved in performing. Again, I want to thank each officer for recognizing a life-threatening event and using their training and skills to save lives.”

6) **Consideration of Voluntary Annexation: 22 Lester Lane**

a. Public Hearing

Mayor Eveland opened and closed the Public Hearing at 6:40pm without comments.

b. Consideration of Adoption: Annexation Ordinance 945

Although the home has been connected to municipal sewer at the outside of the corporate limits sewer rate, Manager Clark reminded Council that this parcel is outside the Town’s service area. Staff recommends that no action is taken on the petition of annexation at this time until more parcels in the area receive municipal sewer.

ALDERMAN PATEL MADE A MOTION TO TABLE THE ANNEXATION UNTIL SUCH TIME AS FEASIBLE TO SERVICE THE AREA. MOTION CARRIED UNANIMOUSLY.

7) **Consideration of Voluntary Annexation 300 Jaynes Cove Road**

a. Public Hearing

Mayor Eveland opened and closed the Public Hearing without comment at 6:43pm.

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b. Consideration of Adoption: Annexation Ordinance 946

This parcel is located on the road driving into the Brannon Forest Subdivision which receives all Town services. The Town will be able to provide services to this home.

ALDERMAN DAVIS MADE A MOTION TO APPROVE THE VOLUNTEER ANNEXATION FOR 300 JAYNES COVE ROAD THROUGH ORDINANCE 945. MOTION CARRIED UNANIMOUSLY.

Manager Clark informed Council that there was no time to redo the agenda packets, when Attorney Gulden called to say there has been a change in General Statutes therefore, the original Ordinance annexing this parcel will reflect GS160A-58.1 rather than GS160A-31.

8) **Consideration of Sewer Extension without Water – Linson Ridge**

Darrell Bowen, Developer of Linson Ridge Subdivision, is ready to begin Phase 3 at the top of the subdivision. Mr. Bowen's home is located at the very top of Linson Ridge within the proposed Phase 3. Due to elevation, the Maggie Valley Sanitary District will not be able to provide water to most of the eight lots available for sale in phase 3. The lots that cannot be connected to District water will have wells, possibly shared wells.

ALDERMAN T. WIGHT MADE A MOTION TO APPROVE PHASE 3 OF LINSON RIDGE TO BE PROVIDED SEWER WITHOUT WATER. MOTION CARRIED UNANIMOUSLY.

9) **Consideration of Event Approvals:**

- a. Grey Eagle: Grace Potter Drive in Concert- May 7, 2021
- b. Grey Eagle: Moe Drive in Concert – May 27, 2021
- c. Grey Eagle: Big Something & Too Many Zooz Drive in Concert – May 28, 2021
- d. Eurofest Maggie Valley- August 21, 2021

Grey Eagle Management Provides Clerk Best with dates they would like to have on hold for concerts. When Grey Eagle gets close to closing on an act, they contact Clerk Best to verify the date's availability. Staff is enjoying the relationship and the talent Grey Eagle brings to Maggie Valley. Grace Potter is the most famous thus far to play at the Festival Grounds.

Eurofest is taking the place of Sowu this year. Both are events for European vehicle shows.

ALDERMAN DAVIS MADE A MOTION TO APPROVE ALL OF THE GREY EAGLE CONCERTS AND THE EUROFEST MAGGIE VALLEY. MOTION CARRIED UNANIMOUSLY.

10) **Consideration of Festival Grounds 2022 Calendar Approval**

The events scheduled for 2022 are all regular events except for the Jimmie Van Zant event, called Smoky Mountain Jam to be held May 27, 2022.

As per Executive Order 204 the 2021 Mini-Truckin event should have no issues. Since there is no arranged seating at the Festival Grounds, Thunder in the Smokies will not be allowed to have live music where people gather at one location.

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**ALDERMAN PATEL MADE A MOTION TO APPROVE THE 2022 EVENT CALENDAR AS PRESENTED.
MOTION CARRIED UNANIMOUSLY.**

11) Budget Amendments

a. Ordinance 944 Hobby Property Acquisition

The property's purchase price was \$185,000 and the closing/legal/survey fees are \$3,400 making the final cost \$188,440.

ALDERMAN DAVIS MADE A MOTION TO APPROVE ORDINANCE NUMBER 944 FOR A TOTAL COST OF \$188,440. MOTION CARRIED UNANIMOUSLY.

12) Other Business

There was no other business for staff and Council. Chuck Cummings spoke from the floor asking to address Council. Mayor Eveland allowed the comment.

Mr. Cummings addressed the Board asking that something be done about his neighbor's property located at 387 Soco Road. Mr. Cummings owns Country Time Swings and has been in the process of selling the business and retiring. Mr. Cummings has had four different people interested in purchasing the business but later declined due to the neighboring property. Mr. Cummings install a \$2,000 fence between he and the adjacent property, but it still does not stop the people visiting/living next door from coming onto his property. There are suspicious activities going on next door along with a light business. The neighbors on the other side of the property are upset as well as Mr. Cummings.

The new owner of the old Hugh Allison home will be contacting the Town regarding this issue as well.

Manager Clark informed Council that both Chief Gilliland and Planner Hancock are looking into the nuisance.

Council asked that Manager Clark keep them posted on the progress to resolve the nuisance.

13) Department Head Reports

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. 44 tons.
- Monthly White Goods/Electronics 4 pick-ups.
- Picked up miscellaneous residential brush and debris. 130 brush pick-ups that totaled 14 tons of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners and Spring Banners.
- Perform ditch, culvert, shoulder, and road maintenance along streets, both private and Town streets.
- Service and/or repaired 3 Public Works vehicles and 4 Police vehicles.

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- Public Works has removed and stored all 91 pole mounted displays, 6 ground displays and building lighting from Town Hall, Pavilion, Police Department and TDA.
- Picked up bagged trash and debris along Highway 19 and Highway 276 from Fie Top Road to the Wastewater Treatment Plant.
- Public Works trimmed and chipped the limbs on the trees along the ABC Store property line.
- Public Works has completed the yearly building and electric safety inspections at the Festival Grounds.
- Public Works changed banners from winter to spring.
- Worked at the Festival Grounds spreading gravel, sowing grass, fertilizer, lime and installing new gate.
- Mowing and weed eating has begun!!!
- Public Works has started weekly mowing, weed eating, and spraying of all town properties and responsibilities. Approximately 48 acres weekly.
- We swept the sidewalks along Soco road and have completed the street sweeping on Soco Road. We have additional street sweeping to complete in the residential developments.
- Seth, Nathan, and I completed interviews for the public works position and made an offer to Eric Nelson. He started work on the 5th of April.

WWTP

- 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.
- Continue working to make repairs to deficiencies identified during I/I study, smoke testing and sewer assessment.
- Installed/repared 4 sewer services issues, cleaned and videoed approximately 350' feet of sewer line, inspected 7 sewer connections/installations, as we continue to work on I&I issues.
- Dewatered 45,000 gallons of digester sludge. Lime Stabilized 20 tons of dewatered sludge. Also, hauled 15 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 NC811 locate requests for 36 tickets. These were all marked in a timely manner.
- Continue monitoring Jonathan 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 Creek on Moody Farm Road, Stonebridge Campground 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

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equipment. The sewer department staff regularly inspects this equipment and looks at records and logs of this maintenance. This month we performed 13 grease trap inspections. Of these, 2 were found to be non-compliant. We continue to work with all businesses on their grease issues and provide assistance and education in hopes of reducing the amount of grease in our sewer system.

- Completed yearly contract sewer line cleaning and CCTV inspection. Cleaned approximately 24,000 feet of sewer line and CCTV approximately 21,000 feet of sewer line.

Planning

Zoning Permits	14	
Residential	9	3BR SF (Crockett's Meadow), 2 SF Stable Ln, 4BR SF Scarlet O; Two 3BR Campbell Mt. Estates (ETJ), 3BR SF Dellwood Forest (ETJ), 2 sunrooms, detached gar.
Commercial	5	2 Park Models @ Stonebridge, retaining wall for Eagle Plaza, Principle ID sign – Scott Autom Gate at Water Plant Road RV st
Zoning Compliance Letters	5	CRBC, Stonebridge Park Model, Different Drummer Pottery, Mt. Watch remodel, 3BR SF residen, Linson Ridge

Police**Incident/Investigations**

- During this reporting month, the Maggie Valley Police Department (MVPD) investigated twenty-nine incidents that resulted in thirty-eight offenses which include: Simple Assault, Theft from Building, Theft from Motor Vehicle, Larceny, Identity Theft, Trespassing, Credit Card Fraud, Animal Cruelty, Obscene Material, Weapons Violations, Narcotic Violations, and Forgery.

Arrests

- Maggie Valley police officers arrested a total of twelve individuals resulting in thirty-three charges which include: Stolen Property, Weapons Law Violations, Obscene Material, Animal Cruelty, Narcotic Violations, Criminal Damage, and Trespassing.

Motor Vehicle Traffic

- Maggie Valley police officers investigated three motor vehicle accidents for the reporting period. Issued seventy-five Uniformed Traffic Citations resulting in one hundred offenses. Issued one hundred fifty-nine Warning Citations. A combined total of two hundred thirty-four citations were issued, 28% (66) of which were for speeding.

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Officer Activity Logs

- There was a total of seventy Officer Activity Logs for the month which include: Alarm Activations, Assist Sheriff's Office, Unlock Vehicles, Welfare Check, School Security, Trespassing, Business Checks, Civil Disturbance, Noise Complaint, Assault, Fight Call, Incomplete 911, Suspicious Vehicle/Persons, and Domestic Situations.
- Officer Chris Collins responded to the SWAG for a lost person. This person was found safely on the property.
- Officer Shanna Bellows and Officer Chris Collins assisted the Smokey Mountain National Park Rangers with a vehicle chase that led to the Blue Ridge Parkway. The suspect was apprehended.
- Officer Chris Collins apprehended a suspect "caught in the act" of Felony Larceny.
- Our agencies fleet of patrol vehicles were inspected by Sergeants Ryan Flowers and Sgt. Jeff Mackey for cleanliness and maintenance needs.
- In-car camera video files were viewed and processed for storage.

Evidence Processing (E/P)

- E/P processed thirty-one items this month.

Evidence ranged from Obscene Material, Burglary Tools, Handguns, US Currency, Methamphetamine, Alcohol, Marijuana, Ammunition, and Narcotics Paraphernalia.

E/P Technician released three items to the Western Regional NC SBI Laboratory for testing.

Investigations (CID)

- CID is investigating a Child Pornography case. The suspect is in custody without bond. CID will discuss the case with the Federal Bureau of Investigations.
- CID is investigating a death that appears to be overdose related.
- CID is investigating a larceny of catalytic convertors. A suspect has been named.

K9 Program

- K-9 Officer Logan Wood and K9 Goose located Methamphetamine during a traffic stop.
- K-9 Officer Wood deployed K9 Goose on twelve additional incidents.
- K-9 Officer Logan Wood additionally trained Goose on tracking this month.

Community Interactions

- Maggie Valley Officers patrolled through our residential neighborhoods 884 times during the month.
- Maggie Valley Officers performed their monthly business visitations.

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Events, Schools, and Meetings

- Lieutenant Matthew Boger attended FBI-LEEDA training for Command Leadership.
- K-9 Officer Logan Wood attended canine training with the NC State Bureau of Investigations.
- K-9 Officer Logan Wood attended Special Emergency Response Team training.

Manager's Report

Manager Clark presented Council the following draft letter to Representative Mark Pless for their review, per Council's request.

April 13, 2021

The Honorable Mark Pless

North Carolina House of Representatives

300 N. Salisbury Street, Rm. 533

Raleigh, NC 27603-5925

Representative Pless:

Thank you for your support as primary sponsor of House Bill 412. The idea of a two percent occupancy tax that would be committed to a tourism product development fund has been discussed for nearly a decade, so we are very encouraged to see the progress you have made on this issue in such a short time in office.

Unfortunately, as written House Bill 412 does not benefit Maggie Valley due to the restrictions placed on eligible projects. Successful construction of a sports park, convention center or amphitheater would take large tracts of developable land that Maggie Valley does not possess due to our topography and existing development. Our Town has made considerable investments in outdoor parks and recreation and believe additional investments in this sphere will continue to attract tourists to Haywood County, but also improve the quality of life for its residents. Please amended HB 412 to allow 2% spending to include outdoor parks and recreation projects.

Two additional items we have concerns about are the timing of the proposed legislation. Although the idea of the additional 2% occupancy tax for a product development fund has been desired for nearly a decade, we feel that an added tax during the post pandemic economic recovery may send the wrong message to our visitors- making collection of the new tax more palatable in FY23. Finally, Maggie Valley as the 28751 Zip Code generates 48% of all occupancy tax revenue for Haywood County. As this bill progresses, we urge you to consider adding an amendment that would guarantee that Maggie Valley would continue to receive its fair share of the new 2% occupancy tax for use on projects that would enhance our appeal as a tourist destination.

Again, thank you for continued support for tourism and dedicated service to the residents of Haywood County.

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Mike Eveland, Mayor

Phillip Wight, Mayor Pro Tem

Clayton Davis, Alderman

Tammy Wight, Alderman

Twinkle Patel, Alderman

Mayor Eveland and Alderman Patel were satisfied with the content of the letter. Alderman T. Wight clarified that she wants Maggie Valley to get its fair share of the funding. Manager Clark will reformat the letter after a few days to allow for additional comments and review by Alderman P. Wight.

There was a brief discussion on outdoor recreation and possibly a museum for Maggie Valley. Maggie Valley has done a good job on outdoor recreation thus far. Any occupancy tax funding will be well used.

HCTDA is also writing a letter to Representative Pless regarding House Bill 412.

Staff continues to reach out to nearby vacant lots or closed business for additional parking for the Festival Grounds. Public Works maintains these additional properties. Public Works is now mowing 48 acres of grass per week.

► At the end of the 3rd quarter, Maggie Valley has a 97% tax collection rate.

► After a year of being shut down to the public (Did business in the parking lot or pavilion.) the landscape is shifting post pandemic. Staff will begin accepting rental application for the pavilion on April 15, 2021. The pavilion will reopen for public use on May 1st. Town Hall will reopen to the public on May 3, 2021. The Maggie Valley Library Branch will reopen May 4, 2021.

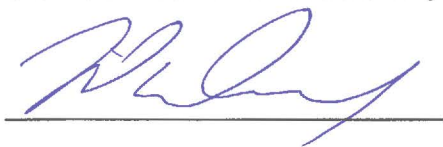
► Haywood County has provided parcel data from the 2020 revaluations. A Pre-Budget Workshop will be held April 27, 2021 beginning at 9:30 am in the Town Hall Boardroom. The meeting should not last more than two hours.

► Manager Clark, Planner Hancock, and Public Works Director Mehaffey met with a NCDOT representative regarding the Soco Pedestrian Road Project for two and a half hours. The design firm is out of Charlotte and the start time will be late summer-early fall.

Mayor Eveland reminded Council that there is no perfect time to do the project. It will be a huge undertaking, but well worth it in the end. Maintenance of the crosswalks is being considered and innovative ideas are coming to light.

14) **Adjournment**

ON MOTION OF ALDERMAN PATEL, WITH ALL IN FAVOR, THE MEETING ADJOURNED AT 7:20 PM.



Mayor Mike Eveland



Vickie Best, Town Clerk, CMC, NCCMC

