

Town of Maggie Valley  
Board of Aldermen Agenda Setting

December 6, 2022

MINUTES

Members Present: Mayor Mike Eveland, Aldermen: Jim Owens, John Hinton, Tammy Wight and Phillip Wight

Staff Present: Interim Town Manager Vickie Best, Finance Director Autumn Lyvers, Assistant Planner Sam Cullen, Public Works Director Mike Mehaffey, Police Chief Russ Gilliland

Others Present: Mountaineer Reporter Kathy Ross

**1) Meeting Called to Order**

Mayor Eveland called the Agenda Setting Meeting to order at 10 am on Tuesday December 6, 2022, in the Town Hall Boardroom.

**2) Consent Agenda**

- a. Minutes to be Approved: November 1, 2022, and November 9, 2022
- b. Budget to Actual
- c. A/R Report
- d. Tax Releases
- e. Declare canine "Goose" Surplus  
Interim Manager Best stated if there were any questions on this item, she will be glad to address each Alderman individually. This item is related to a personnel issue and confidentiality rules apply.
- f. Set Public Hearing to readopt Waynesville-Maggie Valley Annexation Line Agreement in preparation for Future Land Use Map Update (Last adopted April 10, 2007)

Interim Manager Best explained this line runs across Queen's Farm along the ridgeline.

Assistant Planner Cullen stated that the Town of Waynesville will act on the agreement on January 10<sup>th</sup>, 2023. Waynesville's Agreement will be 20 years; Waynesville is allowed 2 miles from their corporate limits due to population. Maggie Valley is allowed 1 mile from the corporate limits.

The issue will be discussed at the Public Hearing with more details provided. The area from the Queen's Farm Ridgeline west fits with comp plan/future land use map.

Public Hearing for the Annexation of 1580 Moody Farm Road, PIN 7696-08-6462, 1.55 acres

The Mobile Home has been removed and now a 5-bedroom house is being constructed. The area being annexed has been subdivided out of a much larger parcel.

Public Hearing for Initial Zoning of 1580 Moody Farm Road, PIN 7696-08-6462, 1.55 acres

The proposal is to zone the area MU2 to be consistent with the surrounding area. The Planning Board unanimously voted to zone the area MU2.

Public Hearing for conditional Zoning District: 1114 Jonathan Creek Road, PIN 8607-34-5642, 87 lot subdivision (single family & accessory dwelling units)

The Planning Board needed more information. Letters of concern from neighboring properties have been received.

Mayor Eveland asked for a list of questions from Planner Finkle that have not been answered. This development was originally set up to have 36 homes. This development will also be along the ridgeline.

Alderman Wight had concerns about providing town services to the property when the land is steep. Mayor Eveland agreed, adding that a lot of that road will not meet Town Standards because of grade.

The Planning Board asked staff to reach out to the developers for more information. If water and sewer pumps are needed, the house lots get smaller and smaller.

Mayor Eveland stated that he doesn't see Council going against Planning Board recommendation.

Planner Cullen added that community input has been negative, Alderman Owens had concerns about the existing road.

Planner Cullen explained that the conditional zoning process would allow phases and meet subdivision standards. The homes will be in the \$650-800,000 price range for Airbnb: multi-family. Developers could be looking at 100 dwelling units.

Mayor Eveland was not comfortable with the provided information and agreed that the Council needs more information to make an informed decision. Alderman Wight asked if Council could pull the item from the agenda? The Public Hearing has been advertised.

Planner Cullen responded that the Council could ask for additional information without denying or approving. Planner Cullen explained that it could be to the Council's advantage just to wait for the Planning Board to get more information.

A map was displayed showing the darker red line where water can make it by gravity but it would need to be pumped past that, and staff currently do not have any plans for a pump station. Mayor Eveland responded that here again, the developers have put together lots without regard to location. Ridgeline gets steep; more than a few of the lots will be unbuildable.

The council questioned if it would be Planner Cullen's recommendation to do a subdivision at this time as more town services might be needed.

Planner Cullen stated that the developer communicated that the current budget could not handle a pumpstation.

Mayor Eveland informed the Council that the developers asked the Town to put in a sewer line across the road under US-276. Easement for a sewer line is further up US-276. The developers will not put a sewer line under the road.

Public Works Director Mehaffey added that sewer is available. The developer will need to get to it.

Mayor Eveland asked staff to gather questions that were asked of the Developer from Planning staff and Planning Board. With the new Land Use Plan, we need to have a focus on ridgelines. Assistant Planner Cullen will provide some initial information regarding ridge lines and basic rules.

Public Works Director Mehaffey explained the sewer to Lister Lane is not provided by the Town, the property is out of town.

Parts of Lister Lane and Tabby Lane had sewer run years ago (6-7 homes) by a private individual. The owner, Mr. Bailey, has signed a petition for annexation. The private individual that installed the line has asked that the line be upgraded to a 6-inch line prior to connecting to the line.

Mr. Bailey will upgrade the line before he hooks up. This line is currently privately maintained.

Lister Lane is out of the everyday realm of town services.

As for Resolution 22-31A establishing Clerk Best and Chief Sutton was done when Scott Sutton was chief. This needs to be updated to reflect the Town Manager and Chief of Police.

#### ABC Budget Amendment

These funds are for support of ABC rehabilitation and education.

Handouts with bullet points listed were provided to each Councilmember. \$5,000 will be given to KARE, \$5,000 to Lifeworks, \$5,000 to Mothers against Drunk Driving and \$5,000 to Meridian Behavioral Health Services. There will be billboards, radio ads and advertisements in the Mountaineer Newspaper.

Interim Manager Best explained that Maggie Valley has a local bill to do 10%, 10%, 80% for all profits received from the ABC Stores. 10% toward the ABC Officer's salary, 10% for education, and 80% goes into the General Fund.

Mayor Eveland concurred, adding that other municipalities do 7% and 5% but Maggie Valley has a local bill. Alderman P Wight stated that WPTL is a community radio station; he would be comfortable giving them a larger allocation.

Mayor Eveland stated that the Town will be getting funds quarterly. The Board will have to vote quarterly. The council does not want to get one check a year; quarterly is better for everybody.

Interim Manager Best explained that she and Chief Gilliland have been working on this for months. The Chief meets December 20th with the ABC Board to provide an update.

Mayor Eveland asked if staff have talked to Waynesville and Canton to see what they are doing? We need the biggest bang for the buck.

Chief Gilliland responded that staff could do that. The funds that we get need to be focused within our community.

Regarding the Ferguson Property, Interim Manager Best stated that Alderman P. Wight nailed it on the head by predicting \$1,500 for asbestos testing. Public Works Director Mahaffey stated that we have asbestos to remove. Alderman P. Wight has issues regarding taking the buildings down.

Alderman Owens responded that only issue is we open it up take down trees to remove liability issues. It is a huge plus to have visibility of the Festival Grounds from Soco Road.

Alderman P. Wight suggested keeping the one corner lot structure.

Alderman Owens added that once the structures are removed, we will have a different viewpoint of how to get in and out of the Festival Grounds.

Public Director Mehaffey reminded everyone that everything is still on septic tanks.

Mayor Eveland added that burning is cheaper than other methods of removal.

Alderman Owens concurred adding that it is inexpensive and great training for the fire department.

Director Mehaffey stated that it will be approximately \$67,500 for the removal of debris.

There will be a cost to remove the asbestos in the floors and two buildings have asbestos in the drywall.

Salt spreader for the small truck. The stainless base is currently 11 years old. Hopefully the spreader will come in the next 6 weeks. There is also money in the budget to repair/rehab other equipment (parts in the spring).

The JM Teague Engineering contract was pulled from the last agenda so that Director Mehaffey could discuss what was included in the contract and if the price could be negotiated. Director Mehaffey is recommending that Council move forward.

There will be 90 parking spaces with a few islands. This parking lot is primarily for vehicle parking where visitors can park and cross the road. There will be one entrance in the west: one exit in the east. "We wanted to make sure they incorporated what we want." Director Mehaffey and Planner Finkle met with J.M. Teague to discuss the project in depth.

The construction plans will be ready in 90 days – on the first of March. Director Mehaffey stated that he doesn't see the project being way off from initial estimates. The plan will be given to paving contractors.

Mayor Eveland added that the goal is to get it done before Festival season next year, it will transform the Festival Grounds.

The project probably will not be paved before the end of April. Public Works plan to have the Ferguson Property ready for the Mini-Trucks event.

The Ferguson Property will be ready for parking when the gravel is put out.

First will be to cut to grade and put the base down, curb and gutter around islands, then paving.

Director Mehaffey stated that Council may want to hold off on curb and gutter if using for parking before pavement is poured. Mayor Eveland would like to have these projects completed.

The parking lots will certainly be two big assets for the Fairgrounds.

The Stonebridge Campground owner tried to cross Ms. Kilgore's property on their own in spring/early summer. Ms. Kilgore stopped the project. Then an easement was found where the Town had purchased the easement in 1997. Interim Town Manager Best and Director Mehaffey had a conference call with Attorney Justus, and he was fine with the Town using the easement.

Staff will speak with Ms. Kilgore before the work begins.

By crossing the sewer easement along the roadbed/sewer easement, Maggie Valley can eliminate a low water creek crossing.

Mr. Zambito, the owner of Stonebridge Campground, would like to go ahead and do this project because he then would have sewer to 11 sites in the new section. Mr. Zambito would like Maggie Valley to pay for the portion across the Kilgore property at a cost of approximately \$30,590.

By sharing in the cost from the retained earnings fund, the low water sewer creek crossing would be eliminated at a much cheaper cost than Maggie Valley eliminating the creek crossing without Zambito's help.

Going back to the easement, Maggie Valley would have the law on our side. The easement was signed by Ms. Kilgore and her mother in 1997 for \$3,300. Chief Gilliland stated that normally a court order would be issued to allow us to go through the easement.

Alderman P. Wight reiterated that he wants to give her all the notification possible

The new Town Clerk will come to work January 3, 2023, but will work the December 13th Board of Aldermen meeting. Ms. Kathy Johnson was the Deputy Clerk for the Town of Waynesville and can obtain her CMC in January.

Mayor Eveland said the meeting will go into private session for personnel issues next week.

Alderman T. Wight made a motion to adjourn 10:57 and all were in favor.

  
Mayor Mike Eveland  
Autumn, Finance Director