

Town of Maggie Valley  
Board of Aldermen Agenda Setting/ Monthly Workshop  
February 2, 2021

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

Staff Present: Manager Nathan Clark, Public Works Director Mike Mehaffey, and Town Clerk Vickie Best

Others Present: none

**1) Meeting Called to Order**

Mayor Eveland called the Agenda Setting/Monthly Workshop to order on Tuesday February 2, 2021 at 9:35am in the pavilion adjacent to Town Hall.

**2) Pledge of Allegiance**

**3) Consent Agenda**

- a. Minutes to be Approved: January 5 & January 12, 2021
- b. Approval of Closed Session Minutes 2020
- c. A/R Report
- d. Budget to Actual
- e. Tax Releases
- f. Direct Clerk to Check for Voluntary Annexation Sufficiency
  - i. PIN 8608-58-9174 (3817 Jonathan Creek Road) Now is 22 Lester Lane.
  - ii. PIN 8607-05-4724 (300 Jaynes Cove Road)
- g. Call for Public Hearing Initial Parcel Zoning: "The Swag" PIN 7688-38-0833 on Tuesday March 9, 2021 at 6:30PM

The two volunteer annexations are driven by the need for municipal sewer. The 3817 Jonathan Creek Road (now it is 22 Lester Lane) property is outside Maggie Valley's service district. Therefore, Manager Clark recommended not annexing the property at this time. The parcel will still be allowed to connect to municipal sewer but will pay the outside rate in both user fees and sewer capital capacity fees. This is a new doublewide mobile home on the Old Rock Hill School property.

The 300 Jaynes Cove Road property is located on the right, just before entering the Brannon Forest Subdivision, which is serviced by Maggie Valley. Therefore,

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it would be easy to provide services to this property. This property has a failed septic tank.

The Swag is proposed to be zoned Commercial 1 (C1) the same as Cataloochee Ranch and Ski Area.

4) **Public Comment**

5) **Consideration of Purchase: Fire Boxes & File Cabinets**

State laws require certain files to be retained within a fireproof box. Both the Clerk's Office and the Finance Office are out of space. Manager Clark agrees that it is unthinkable that fireproof boxes would be so expensive. If approved, staff will add shelving over the file cabinets for additional storage. The cost for seven regular lateral 36" wide 4-drawer cabinets costs \$4899.93 and two fireproof 4-drawer 38" wide costs \$10,599.98 for a total of \$18,189.89. The windowless office in the new part of Town Hall will be used as the file room.

6) **Consideration of Contract Approval: Fireworks Contract Zambelli July 4, 2021**

The Town has had a good relationship with Zambelli Fireworks Manufacturing Company for several years now. The hiccup that happened during the grand finale has been addressed and will not happen again. People now have an expectation of what the show should be. People arrange their schedules to be able to come to Maggie Valley for the 4<sup>th</sup> of July Fireworks Show.

The contract, as all contracts in the past with Zambelli, requires the Town to pay \$15,000 now and another \$15,000 three days prior to the event/show. In years past, the Town has received funding from the Haywood County Tourism Development Authority (HCTDA), but the Town may not receive funding this year or in future years because HCTDA is trying to get away from "line-item" events.

7) **Consideration of Audit Contract Approval: Martin Starnes & Associates**

The Town is in the second year of a five-year contract with Martin Starnes & Associates, CPAs, PA. The cost for the audit is \$22,293.75.

8) **Consideration of Contract Approval: Maggie Valley Sewer Rate & CIP Study**

For several years, Staff/Council has been discussing the need to raise sewer user fees. Maggie Valley has not been successful in applying for grants because

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the monthly fee is cheaper than anyone in the region. For \$22,000 WithersRavenel will provide a Sewer System Financial Analysis, Capital Improvements Plan (CIP) and Ordinance update.

The study will tell staff what the sewer rates should be for the enterprise fund to be self-sufficient. The primary objective is to project and prioritize its long-term Sewer Fund Capital needs and develop a plan for funding those needs.

The WWTP will be paid off in May 2028 but there are needs to take care of now, such as removing two aerial sewer crossings that have been damaged by high-water flooding. The town is getting “dinged” during each State inspection because of the damaged aerial sewer crossings. There are Inflow & Infiltration (I & I) problem areas that need to be mitigated that will require hired help. The Public Works Department fixed three out of five I & I areas, but the two remaining areas will need to be contracted out.

The study will also show what real expenses will be in the next five to ten years.

Compared to the surrounding municipalities, Maggie Valley’s sewer system is newer. The sewer system was installed in 1987. Maintenance needs to continue, as issues arise.

If approved, Retained Earnings from the Sewer Fund will be used to pay for the study.

The contract states that WithersRavenel proposes to provide the study for a lump sum fee of \$22,000 plus reimbursable expenses.

When questioned about reimbursable expenses, Manager Clark gave the example of getting a heat pump with a certain thermostat included in the original price and then the customer wanting a different more expensive thermostat. There should be no reimbursable expenses with this project.

Again, having a Capital Improvements Plan (CIP) in place is a state requirement.

9) **Consideration of Contract Approval: Twinbrook/Spring Lake Road Repair**

At the intersection of Spring Lake Road and Twinbrook Lane, the creek has undermined the road as well as part of the property of Greg Snyder and Lyndon Lowe, owners of Twinbrook Resort. This is an emergency. The town has placed stone and cones in the area to protect travelers/vehicles along that section of road.

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Staff acted as soon as the deficiency/road failure was discovered.

WithersRavenel and ECS Southeast, LLP have submitted a proposal to engineer the repairs needed to resolve the failure. Creekbank stabilization along this section of Spring Lake Road will consist of gabion baskets and flattening the east creekbank and armoring it with riprap. Twinbrook Resort owners have agreed to assist the Town anyway possible to prevent more damage to their property as well as to the town-maintained street.

Manager Clark and Public Works Director Mehaffey agree that the projected cost is high because of the Hydrology and Hydraulics Study (\$10,320). The Hydraulics Study is a watershed study of the movement of water, including the volume and rate of flow as it moves through a watershed, basin, channel, or man-made structure.

The Hydraulics Study should be removed from the project since the road failure came from the heavy November 2020 flooding that also did damage to the Parham Park walking trail.

Because of the Mini-Brooks Act, staff can reach out to contractors individually. The engineers will provide a range of what the cost should be. Once approved, the engineers will start work. This project cannot wait six weeks to be designed. Therefore, when approved, staff will begin contacting contractors.

10) **Consideration of Approval: FG Rules & Procedure Revision – Noise**

The pandemic has brought about many changes and one of them is Drive-In Concerts promoted by Grey Eagle. During the 2020 festival season, Grey Eagle began holding concerts during the week. Prior to the pandemic, music was featured at the festival grounds on Friday and Saturday nights only.

Now that there are weekday concerts, it is with an abundance of consideration that Council should consider amending the Noise Ordinance to cut music off by 10pm Sunday through Thursday for folks that work and go to school.

This regulation will not have a negative impact on the Drive-In Concerts because Russell Keith stated they try to end the concerts by 9:30 pm.

Going on to issues pertinent to the festival grounds, Council felt that a fee increase for 2022 would not be a good idea at this time. The festival grounds/events are an economic catalyst for Maggie Valley and the pandemic has had a negative effect on many within the business community.

Staff continues to make the festival grounds the best venue possible, so that all events can be successful.

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11) **Consideration of FG Event Approval:**

a. Smoky Mountain Jam October 9

Due to the pandemic, Manager Clark informed Council of his concerns about what the 2021 festival season may hold. The two largest events: Hillbilly Jam and Mini-Truckin had to move their events to October in 2020.

Although staff and Council appreciate getting new events and the diversity they bring to the valley, if the Smoky Mountain Jam is approved for October 9 that would only leave the weekend of October 30 open if two of the largest events must be delayed, as was the case in 2020.

Council agreed that loyalty to the promoters of the two largest events is the right course for Council to take. Council also agreed that “things will have to dramatically change for the Mini-Truckin event to happen in April. Alderman T. Wight added that the “leaf season” sometimes goes into the first week of November and promoters should still look at November 3 as a viable date.

Council directed staff to contact the promoters of Mini-Truckin and Hillbilly Jam about having a backup date.

The 2022 applications for events are due March 1, 2021. Council will approve the 2022 events in March.

Council briefly discussed wanting to grow and bring in new events and the possibility of providing incentives for events booking in August.

Jason Bell the promoter of Mini-Truckin has requested consideration of adding another gate between Cabbage Rose and the festival grounds. There are approximately three places that gates could be installed, with the spot being requested as one option. When trying to use the back of the stage area for vendors, Mr. Bell received complaints about people having to walk around the fence to get to the main event.

A 20' rolling gate would increase capacity at the festival grounds by increasing ingress/egress. The gate will cost approximately \$3,300.

Council asked that the item be added to the agenda.

12) **Budget Amendments**

a. TBD

13) **Department Head Reports**

a. Ron Hancock Town Planner

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- b. Russ Gilliland, Chief of Police
- c. Mike Mehaffey, Public Works
- d. Nathan Clark, Town Manager

14) **Adjournment**

Work Session Discussion Topics: Rocky Top Road and FG Calendar

Manager Clark and Director Mehaffey provided an update on the Rocky Top Road Project.

The entrance to Rocky Top Road is extremely narrow with the surface being between 10' and 12' of which Hazel and Bart Campbell own 3'. Therefore, as it stands, the entrance to Rocky Top Road cannot be widened.

Director Mehaffey met with Mr. Campbell and discussed trading three (3) feet of land in the Rocky Top Road area for three (3) feet of land adjacent to the Town and ABC Store on the eastern side (3909 Soco Road).

After meeting with Mr. Campbell, Manager Clark and Director Mehaffey met with ABC Board Chairman Joe Moody and Board Member Al Matthews. Of course, the issue will need to go on the February ABC Store Agenda for approval, but Chairman Moody and Mr. Matthews had no issue with the trading of land (3'). The area to be traded on the east side of the ABC Store will be a 3' strip 400 feet long or 1200 square feet.

The Civic Association will need to relocate their storage shed.

The trade will allow Rocky Top Road to be widened so that vehicles can pass. The road will be widened approximately 400' alongside the playground behind Town Hall.

Another issue discussed, is the immediate need for storage. The Town has run out of usable land for a storage building. Manager Clark does not want to take up commercial land for a storage building i.e., the vacant parcel beside Salty Dog's Restaurant that is for sale.

Staff has talked with the Maggie Valley Sanitary District about sharing land off Rich Cove Road, but the Sanitary District needs the entirety of the land discussed. The Ketner land behind Town Hall/pavilion is not for sale.

As for using a portion of the Town Hall Playground, that land was originally purchased with PARTF Funds. PARTF funds require the land to be used for



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recreational purposes. Manager Clark will investigate to be assured there is not an expiration for PARTF funds.

Manager Clark will give a matrix of the available properties and provide the pros and cons of each property. There is no perfect property for a 4,000 square foot storage building.

Manager Clark will be meeting with Haywood County on February 17 to receive information on the revaluation numbers for Maggie Valley. The Census numbers are also important because of the impact the Census has on the town receiving sales tax and franchise revenues.

New home construction is tracked through the state, but then when the Census time comes around it is discovered that these are seasonal homes.

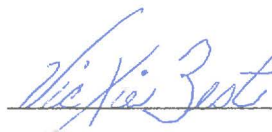
When questioned about the status of the Jujon Drive property that the neighbors spoke about during last month's meeting, Manager Clark responded that DEQ, Army Corp of Engineers and Haywood County are now involved. Staff has tried to work with Ms. Thorsen about the sewer cleanout that sticks up alongside the road in the R-O-W of her property. Staff has offered to provide a fake rock that would cover the cleanout making it look more natural. Ms. Thorsen refused and asked that the cleanout be cut off at the ground. This option would allow for all the surface water to run into the sewer system. Staff has continually worked to end Inflow & Infiltration into the sewer system, so this is not an option.

The waterfall survey went live yesterday and will be on the website until March 1, 2021.

ON MOTION OF P. WIGHT, WITH ALL IN FAVOR, THE WORKSHOP/AGENDA SETTING MEETING ENDED AT 11:02 AM.



Mayor Mike Eveland



Vickie Best, CMC. NCCMC, Town Clerk

