

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Board Meeting

July 12, 2022

MINUTES

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

Staff Present: Manager Nathan Clark, Attorney Craig Justus, Public Works Director Mike Mehaffey, Town Planner Kaitland Finkle, Chief of Police Russ Gilliland, Town Clerk Vickie Best, Minute Taker Regina Massie

Others Present: Reporter Kathy Ross and approximately five community members

1. Meeting Called to Order

Mayor Eveland called the Board Meeting to order at 6:30 pm on July 12, 2022, in the Town Hall Boardroom.

2. Pledge of Allegiance

Pledge of Allegiance was repeated by attendees.

3. Approval of Agenda

There were no concerns with the agenda items for July 12, 2022.

4. Consent Agenda

Revisions were made to the April 5, 2022, minutes on Page 12, under Item 12 'Other Business.'

ALDERWOMAN TAMMY WIGHT MADE A MOTION TO APPROVE THE APRIL 5 MINUTES WITH CHANGES. MOTION CARRIED UNANIMOUSLY.

Alderman Phillip Wight commented that in a prior meeting, maybe April 5th, the Board questioned when we do pass the UDO, who took out an RV park that was already permitted on a certain property? No one has answered that question. The mayor believes that the question was answered. The minutes containing a record of this conversation are from June 6th and have not been drafted yet.

5. Public Comment

There were no public comments.

6. Parks and Recreation Regulations

Town Manager Clark said that he and Attorney Justus have had a chance to look over the Codification of the Parks and Recreation Ordinance, and for a couple of reasons this discussion needs to be pulled from tonight's agenda and have it for full discussion and public hearing next month.

Attorney Justus noted that the Town has not done a lot of general police power ordinances. He stated that ordinances are meant to be more solemn, and have more process built into them. Zoning and 160D ordinances are required to go through a public hearing. He said he had not looked at these regulations, but an issue was discussed with Manager Clark that came up and needs to be addressed. "If it can wait until the next meeting, it would be a good idea."

Mayor Eveland asked to have this put on the August Agenda Setting Meeting.

Manager Clark explained that we have a codified Ordinance, and that Planner Finkle drafted Chapter 95 to go within that Ordinance.

Attorney Justus questioned what Mayor Eveland would sign, and have attested by the Secretary, with no ordinance number? Attorney Justus then clarified that a public hearing is not required, adding that only select issues do require public hearings.

A decision was made to table this item until next month, as there are a few things to work out and it will allow Attorney Justus time to review and make sure that it is written correctly.

7. Petition for annexation: 8608-53-0888, 109 Mount Valley Estates Road, Waynesville

Petition for Annexation is to receive municipal sewer and services at 109 Mount Valley Road. This is to direct the Town Clerk to check for Sufficiency.

ALDERMAN HINTON MADE A MOTION TO HAVE TOWN CLERK LOOK INTO SUFFICIENCY RELATING TO THE ANNEXATION OF 109 MOUNT VALLEY ROAD. MOTION CARRIED UNANIMOUSLY.

8. Contract for Smith Rodgers & Aldridge PPLC

Manager Clark explained that The Maggie Valley Police Department has relied on Smith Rodgers & Aldridge, an on call legal advisor service, for years. When the Police Department has a legal question about such things as a search and seizure or due process, they can reach out 24-7 to Smith Rodgers & Aldridge and receive strong legal advice on how to proceed with the situation. This service costs about \$5500 per year and is part of FY 2022-23 budget. This is done in July annually. The money comes out of Police Department budget. Alderman Hinton asked who initiates calls to Smith Rodgers & Aldridge, and Manager Clark responded that the calls are always initiated by the Police Department.

ALDERWOMAN TAMMY WIGHT MADE A MOTION TO APPROVE THE CONTRACT FOR SMITH RODGERS & ALDRIDGE. MOTION CARRIED UNANIMOUSLY.

9. Contract for New Town Hall Doors and New Tile for Entryways

This is a project allocated in fiscal year 2021-22 that did not get completed. The plan is to replace tile at the east and west entrances, as well as replacing the wooden doors. The cost of material and labor is approximately \$12000.

ALDERWOMAN TAMMY WIGHT MADE A MOTION TO APPROVE THE CONTRACT FOR INSTALLATION OF NEW DOORS AND TILE IN THE MAGGIE VALLEY TOWN HALL. MOTION CARRIED UNANIMOUSLY.

Alderman Phillip Wight asked if the tile being installed will be non-skid. Manager Clark said the tile chosen was a rugged commercial grade tile. Director Mehaffey and Clint Watkins have been trying to find the best quality to handle the wear and tear as this is the highest traffic area of town hall.

10. Budget Ordinance 1005 to Allocate Money for Tile

Budget Ordinance 1005 shows expenditure of \$11740 just for tile. Public Works Director Mehaffey reported that the cost for doors is around \$15000, with the total cost of doors and tile coming in at around \$25000. Manager Clark confirmed that the cost will be \$14208.

ALDERMAN PHILLIP WIGHT MADE A MOTION TO APPROVE BUDGET ORDINANCE 1005 APPROVING THE CAPITAL OUTLAY FOR TILE AT A COST OF \$11740. MOTION CARRIED UNANIMOUSLY.

The original motion carried both the tile and doors contract with Clint Watkins. The Board plans to come back next month with another budget ordinance for \$14208 for the doors.

11. Department of Public Safety Grant for WWTP Levee

Manager Clark reported that the Town of Maggie Valley has received a grant from the North Carolina Department of Public Safety Emergency Management Division for an Emergency Management Disaster Relief and Mitigation grant for levee protection at the Wastewater Treatment Plant. Our levee has suffered damage at the toe of the levee during recent high-water events. This grant funding of \$359,345 from DPS is to resolve this problem. One hundred percent of the grant will go to cover engineering and construction of that project.

The Town was notified of the award in writing on June 8th and has 45 days to formally accept the grant, and then work can start on contract administration and engineering going forward.

ALDERMAN PHILLIP WIGHT MADE A MOTION TO ACCEPT THE DEPARTMENT OF PUBLIC SATETY GRANT FOR THE WWTP LEVEE IN THE AMOUNT OF \$359,345. MOTION CARRIED UNANIMOUSLY.

Money to complete the project will need to be moved out of General Funds. Budget amendment 1004 shows this money as revenue coming in.

ALDERMAN OWENS MADE A MOTION TO APPROVE ORDINANCE 1004 BUDGET AMENDMENT FOR THE WWTP LEVEE SAFETY GRANT. MOTION CARRIED UNANIMOUSLY.

Alderman Phillip Wight asked for a reminder about a \$7500 expenditure that was approved in April. Manger Clark responded that the \$7500 went to Withers Ravenal to complete two sewer grant applications.

One was for the Department of Public Safety grant. The other grant application was for the project to remove aerial sewer lines crossing the creek, and the inflow/infiltration study along Moody Farm Road. Maggie Valley has not heard back from that grant. This grant is from the Division of Clean Water Management.

Alderman Phillip Wight asked about the timeline for the Moody Farm Road project grant, and Manager Clark responded that it is per cycle. He said when we spoke with Withers a couple of weeks ago, they thought that the end of July would be the award date on the Aerial Crossing and inflow/infiltration project. The levee grant was more project based. The aerial crossing and inflow/infiltration project is awarded on a point system. "We will see how competitive we are with the points system."

Alderman Phillip Wight questioned if the property owner behind Butts on the Creek could interfere with getting rid of the crossing? The response was no.

12. Other Business

No other business.

13. Department Head Reports

Police Department

Incident/Investigations

During this reporting month, the Maggie Valley Police Department (MVPD) investigated twenty-nine incidents which include: Breaking and Entering, Larceny, Vandalism, Narcotic Violations, and Domestic Situations.

Arrests

Maggie Valley police officers arrested a total of fourteen individuals resulting in twenty-two charges which include: Larceny, Breaking and Entering, and Narcotic Violations.

Motor Vehicle Traffic

Maggie Valley Police Officers investigated 3 motor vehicle accidents for the reporting period. Issued one hundred ninety-four Uniformed Traffic Citations and Warning Citations combined. 16.4 percent (32) of citations were for speeding.

Officer Activities

There was a total of one hundred seventy-seven Officer Activity Logs for the month which include: Animal Complaint, Alarm Activation, Assist First Responders, Business Checks, Domestic, Suspicious Persons and Vehicles, School Security, Trespassing, Unlock Vehicles, Incomplete 911 Calls, Prowler, and Welfare Checks.

Sgt's Jeff Mackey and Ryan Flowers inspected our vehicles for maintenance and cleanliness.

Evidence Processing (E/P)

E/P technician processed twenty-five items for the month. Evidence items range from Marijuana, THC extract, Drug Paraphernalia, Weapons, Computer Accessories, and Methamphetamine.

Investigations (CID)

CID completed a fraud case. The suspect has criminal charges.
 CID is currently investigating a potential child pornography case.
 CID is investigating a property crime where trees were cut.
 CID reviewed and deleted May 2022 in-car camera videos.

K9 Program

The Maggie Valley Police Department K-9 teams attended five training exercises.
 Maggie Valley K-9 Officers were involved in ten canine deployments.

Community Patrol and Interactions

Maggie Valley Officers patrolled through our residential neighborhoods 550 times during the month.
 Maggie Valley Officers performed their monthly business visitations.
 Maggie Valley Officers responded to 425 Calls for Service (CFS) in this reporting period.

Events, Schools, and Meetings

Officer Haley Crocker attended a leadership class at the NC Justice Academy.
 Officer Haley Crocker was involved in a forensic interview conducted at KARE.
 Maggie Valley Officers assisted during the Sling Shot Rally.
 Maggie Valley Officers were involved in the Safe City for Kids event held at our pavilion.

Alderman Phillip Wight said that Ellen Pitt asked him to thank everyone from the Police Department for showing up.

Public Works Department

- 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. 14.8 tons.
- Monthly Solid Waste approx. 60.2 tons.
- Monthly White Goods/Electronics 7 pick-ups.
- Picked up miscellaneous residential brush and debris. 305 brush pick-ups that totaled 15 loads of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners, Summer Banners and Flag Banners

- Perform ditch, culvert, shoulder and road maintenance along streets. Both private and Town streets.
- Service and/or repaired 4 Public Works vehicles/equipment 0 Administration and 5 Police vehicles.
- Picked up bagged trash and debris along Highway 19 and Highway 276 from Fie Top Road to the Wastewater Treatment Plant.
- Public Works and Custom Paving completed road rehab and paving on Clearview Drive.
- We placed 10 tons of asphalt to repair potholes and roads along Yarbrough Drive, Fisher Loop, Campbell Creek, Panoramic Loop, Stable Lane, Riddle Cove Road, Creekside Drive, Saddle Drive, Susan Drive, Summit Drive and Post Office Entrance.
- Public Works repaired sidewalks and installed drainage under sidewalks across from Stomping Grounds to get water off sidewalks and out of the Highway.
- Public Works and Pressley Excavating completed culvert replacement and paving repairs on Paso Fino Drive.
- Public Works staffed 4 very successful events at the Festival Grounds in June and prepared the fireworks site for use on the 4th.

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. 0 repairs last month from I/I repair list.
- Installed/repared 2 sewer services issues, cleaned, and videoed approximately 150' feet of sewer line, inspected 2 sewer connections/installations, repaired/leak stopped 4 damaged manholes and inspected 0 manholes as we continue to work on I&I issues. We installed a new manhole in Summer Place and replaced approx. 20 feet of damaged 6" line in Fox Run Meadows.
- Dewatered 51,000 gallons of digester sludge. Lime Stabilized 25 tons of dewatered sludge. Also, 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 NC811 locate request for 57 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, need to be cleaned Creek on Moody Farm Road, Stonebridge Campground, Evans Cove, Valley Creek Drive 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 16 grease trap inspections. Of these 6 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.

When asked if grease traps were just not being emptied on a regularly scheduled service basis. Director Mehaffey explained that just pumping grease out is not good enough, the traps must be cleaned and the services available to empty grease traps are just getting down to one business out of Knoxville Tn. Mayor Eveland suggested sending out letters next March or April, giving out specific information and to remind new ownership of the requirements. In the past there were multiple sources to pump, now only one in Knoxville. Additionally, last winter the businesses were only having to clean the grease traps every three or four months, now all businesses are having to clean the traps monthly. The Knoxville business is short-handed, and they can't come out. It would help to find another grease pumping provider. Mayor Eveland says he can call Asheville because there should be multiple sources. There is no one in the area within 100 miles. Up until about two years ago, Maggie Valley used a local person who took the Maggie Valley grease to Waynesville. But Waynesville had to close their dumping site. Director Mehaffey says he knows of one in Stanley County.

Alderwoman Tammy Wight thanked the Police Department, Public Works, and the Fire Department for another successful 4th of July event.

Planning Department

June 2022	20	Description
Residential Permits	1	6BR + loft SF Residence Converted Commercial to Residential at 1391 Soco Road
Commercial Permits	4	Reissued Renovation Permit for 4438 Soco Road (Brew-n-que) (2) Carport/roof over existing unit at Mountain Retreat RV Park Hotel Renovation at 4102 Soco Road (River Point Lodge)
Floodplain Permits	2	Reissued Floodplain Permit for 4438 Soco Road (Brew-n-que) Hotel Renovation Floodplain Permit at 4102 Soco Road (River Point Lodge)
Misc. Requests	5	Minor Subdivision (1 new lot) 3714 Soco Road Variance Request Lot 27 Meandering Way in Crockett's Meadow (CANCELLED) Zoning Verification Letter for Mari's Meadow off Panoramic Loop (2) Zoning Verification Letters for 4521/4561 Soco Road/Setzer Cove Road-Luxury 1
Zoning Compliance Letters	2	2 BR SF Residence in Floodplain at 121 Rushing Creek Lane
Notice of Violations	6	65 Sophie Road SF Residence in Floodway Follow Up Garbage at 41 Hyson Lane (4) High Grass

Planner Finkle reported there was a lot less high grass in June. The grass has gotten a little ahead of everyone this year, but that we are staying on top of it and still sending out letters.

Planner Finkle started interviewing applicants for the Planning Assistant and should wrap those interviews up by the end of the week. Hopefully by next month Maggie Valley will have a new team member on board.

Planner Finkle finished by putting the subject on the Board's radar that during the workshop in August, we will begin to discuss the Comprehensive Plan Steering Committee, public engagement and things of that nature.

Manager's Report

Regarding his departure, outgoing Town Manager Nathan Clark said "I have been sitting in this chair since October 2013, and it has been my distinct honor and privilege to do so, to work for you all as a board and to serve this community that you represent. So, I thank you for the opportunity to do it as long as I have." He encouraged everyone to come and hang out at the send-off event on Friday from 3 pm – 5 pm. The public is welcome.

Aldерwoman Tammy Wight thanked Manager Clark for his time and dedication to the Town of Maggie Valley. "You've always made yourself available to answer any questions and provide us with valuable information with patience and kindness, and I just want you to know how much you've been appreciated."

She then reminded everyone of some upcoming events scheduled for Maggie Valley. The Southeastern Petroleum event along with the Moonshine Truck Show are this weekend. The weekend after that is the Hillbilly Jam.

CLOSED SESSION

ALDERWOMAN TAMMY WIGHT MADE A MOTION TO GO INTO CLOSED SESSION AT 7:02pm, WITH ALL IN FAVOR. Under NCGS 143-318.11(a)(5) possible acquisition of property.

ALDERMAN P. WIGHT MADE A MOTION TO COME OUT OF CLOSED SESSION AT 7:15pm, WITH ALL IN FAVOR.

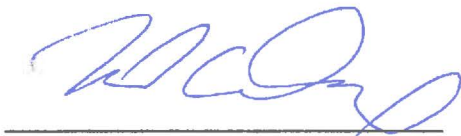
The Board of Aldermen are always looking for opportunities to improve the Town's strategic position at the Maggie Valley festival grounds. Manager Clark shared that the Town was presented with an opportunity during the past couple of months from Donald and Mary Jane Ferguson. The Fergusons own approximately 1.03 acres, PIN Number 7686571465, to the east of Wade Reese Way between the festival ground entrance and Comfort Inn.

The Town was presented with the opportunity to purchase the property and negotiated the purchase price to \$430,000. The board can start planning and envisioning what the site will be in the future. This will definitely add value to one of our largest commercial investments in the town, the festival grounds.

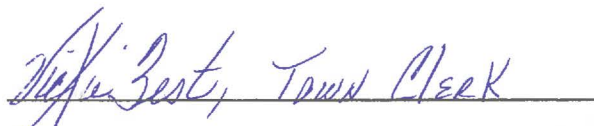
ALDERMAN HINTON MADE A MOTION TO AUTHORIZE MAYOR EVELAND TO SIGN THE CONTRACT FOR PURCHASE OF REAL PROPERTY ADJACENT TO THE FESTIVAL GROUNDS AT A COST OF \$430,000. MOTION APPROVED.

14. Adjournment

ON MOTION OF ALDERWOMAN TAMMY WIGHT, THE MEETING ADJOURNED AT 7:18 PM



Mayor Mike Eveland



Regina Massie, Minute Taker