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Town of Maggie Valley
Regularly Scheduled Board of Aldermen Meeting
July 14, 2020
MINUTES

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

Staff Present: Manager Nathan Clark, Attorney Martin Moore, Chief Russ Gilliland, Public Works Director Mike Mehaffey, Town Planner Ron Hancock, and Town Clerk Vickie Best

Others Present: Five (5) people and Reporter Hannah McLeod

1) Meeting Called to Order

Mayor Eveland called the meeting to order at 6:30 pm on Tuesday July 14, 2020 in the Pavilion (adjacent to Town Hall).

2) Consent Agenda

- a. Minutes to be approved: May 19, June 2, June 9 & June 16, 2020
- b. A/R Report
- c. Tax Releases
- d. Budget to Actual

ALDERMAN DAVIS MADE A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

3) Public Comment

Jasay Ketchum, resident of Lisa Lane, graciously apologized to Mayor Eveland for his behavior when they ran into each other under a social setting.

Mayor Eveland assured Mr. Ketchum that there was no need for an apology and that Council does value his comments about different issues.

4) Consideration of Annexation:

- a. Pete & Barbara Planchock-- PIN 7697-80-0490-- 9 Golf View Drive
 - i. Public Hearing
 - ii. Consideration of Approval: Ordinance 923

Mayor Eveland opened the Public Hearing at 6:31 pm and closed the Hearing at 6:32 pm without comments.

ALDERMAN PATEL MADE A MOTION TO ADOPT ORDINANCE 923 ANNEXING 9 GOLF VIEW DRIVE. MOTION CARRIED UNANIMOUSLY.

- b. Ron Clifford / Lynn Collins-- PIN 7696-49-2847--427 Country Club Drive
 - i. Public Hearing
 - ii. Consideration of Approval: Ordinance 924

Mayor Eveland open and closed the Public Hearing at 6:34 pm without comment.

ALDERMAN T. WIGHT MADE A MOTION TO APPROVE ORDINANCE 924 ANNEXING 427 COUNTRY CLUB DRIVE. MOTION CARRIED UNANIMOUSLY.

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- c. Lucas Kyle—PIN 8607-71-8007-- 28 Julia Drive (Waynesville)
 - i. Public Hearing
 - ii. Consideration of Approval Ordinance 925

Although the above property has a mailing address of Waynesville, that is with the Postal Service only. Brannon Forest Subdivision is in Waynesville's Postal Service District but is part of the Town of Maggie Valley.

ALDERMAN T. WIGHT MADE A MOTION TO APPROVE ORDINANCE 925 ANNEXING 28 JULIA DRIVE. MOTION CARRIED UNANIMOUSLY.

5) Consideration of Non-Powell Bill Approval: Valley Creek Run HOA

Valley Creek Run HOA is seeking Non-Powell Bill Road Funding Assistance for Valley Creek Drive and Silver Leaf Circle. Town staff has worked with the Valley Creek Run HOA for more than a year on developing a road improvement strategy.

The gross cost of the project is \$126,541. The Town's 30% will be \$37,962 and the HOA's final cost will be \$88,578.

The HOA will pay the total cost (\$126,541) and submit the paid invoice to the Town and the Town in turn will issue the HOA a check for \$37,962. As earlier discussed, the Public Works Department oversee/inspect the road projects throughout the process to ensure the project is done as it should be.

These funds are in the 2020/2021 budget.

ALDERMAN P. WIGHT MADE A MOTION TO APPROVE THE 30% MATCH TO THE VALLEY CREEK RUN ROAD PROJECT WITH THE TOWN'S CONTRIBUTION OF \$37,962. MOTION CARRIED UNANIMOUSLY.

6) Consideration of Contract Award: Powell Bill Road Projects

If approved, the following Powell Bill Road Projects will come from two (2) budget years. By doing more paving in one (1) area, the Town gets more "Bang for the Buck".

Brannon Forest Drive from Rockin' Chair Lane to T-Turn- 3 shots of BST = \$11,940.

Brannon Forest Drive from Turn A Bout Court to Cripple Creek -1 shot of BST and 1.5 inches of asphalt = \$25,220.

ALDERMAN P. WIGHT MOVED TO AUTHORIZE THE POWELL BILL ROAD PROJECT FOR \$37,160. MOTION CARRIED UNANIMOUSLY.

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7) Consideration of Replacement Purchase: Police K-9

The Town of Maggie Valley Police Department is seeking to purchase a new Police K-9 that will be able to assist them in illegal drug/narcotic searches. The new K-9 will replace "Moses" who was retired last budget year due to declining health.

The purchase price of the new K-9 is \$8,000.

K-9 Officer Wood will travel to Florida to pick out the new K-9 from Police Service Dog Inc. which is where Waynesville purchased their dogs.

Once the K-9 is purchased Officer Wood and the K-9 will undergo numerous training hours as a team before becoming certified. The training will be done in WNC.

ALDERMAN DAVIS MADE A MOTION TO APPROVE THE PURCHASE OF A NEW K-9 FOR \$8,000. MOTION CARRIED UNANIMOUSLY.

8) Consideration of Purchase: Public Works Zero Turn Mower

To provide Public Works with reliable and quality equipment there is a request for a new Ferris Z Turn Mower from Koster Equipment Sales in Sylva. The cost of the mower is \$10,600.

ALDERMAN T. WIGHT MADE A MOTION TO APPROVE THE PURCHASE OF A NEW MOWER FOR \$10,600. MOTION CARRIED UNANIMOUSLY.

9) Consideration of Events Approvals

- a. Hillbilly Jam: October 30-31, 2020
- b. Gray Eagle Drive-In Concert Series 2020
- c. USPCA K-9 Police Trials: August 4-7, 2020

Due to the pandemic, N.C. Governor Cooper has issued another Order keeping N.C. in Phase II of N.C. Reopening Plan. The next three (3) weekends will work out for events, based on the next Governor's Order is when events could start backing up or being canceled.

The Slingshot in the Smokies' promoter has eliminated food and music from the event and will only focus on goods and services. Slingshots will be leaving from their hotels/motels for any scheduled rides.

Hillbilly Jam draws thousands of people and there was no clear way to move forward with this event. Music is a major part of the event. Thus, the reason the event was rescheduled to October 30 and 31, 2020.

The USPCA K-9 Police Trials are held annually in Maggie Valley and are normally given the Festival Grounds pro-bono. This event is closed to the public, but does bring trainers and handlers to town mid-week.

Manager Clark and Attorney Justus are still reviewing any restrictions that the Gray Eagle Drive-In Concert would face. Manager Clark suggested that a decision on the Drive-In Concert be postponed until there are more clear and definitive answers. Action was delayed until August.

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ALDERMAN PATEL MADE A MOTION TO APPROVE THE HILLBILLY JAM FOR OCTOBER 30 AND 31 AND THE USPCA K-9 POLICE TRIALS FOR AUGUST 4-7, 2020. MOTION CARRIED UNANIMOUSLY.

Mayor Eveland commended staff for how the fireworks show was handled. People were pleased with the show.

10) Other Business

Mayor Eveland recognized Jasay Ketchum from the floor. Mr. Ketchum asked Chief Gilliland if there was anything that could stop people from shooting guns inside the corporate limits.

Target practicing inside the corporate limits is allowed (meaning there is no ordinance prohibiting it). The Police go and check on the target practicing ensuring they are shooting in a safe manner.

11) Department Head Reports

Maggie Valley Police Department

Incident/Investigations

During the month of June, the Maggie Valley Police Department investigated twenty-nine incidents that resulted forty-one offenses which include: Simple Assault, Breaking and Entering, Motor Vehicle Theft, Identity Theft, Narcotic Violations, Driving While Impaired, Larceny, Disorderly Conduct, and Criminal Damage to Property.

Arrests

Maggie Valley police officers arrested a total of fifteen individuals resulting in thirty-four charges which included: Driving While Impaired, Drug Violations, Obtaining Property by False Pretense, Disorderly Conduct, Criminal Damage to Property, Weapon Law Violations, Stolen Property Offenses, and Other Criminal Charges.

Motor Vehicle Traffic

Maggie Valley police officers investigated four motor vehicle accident. Issued fifty-seven Uniformed Traffic Citations resulting in eighty-six offenses. Issued thirty-nine Warning Citations. A total of 96 citations were issued, 14 (13.4%) of which were for speeding.

Activity Logs

There was a total of twenty-eight Officer Activity Logs for the month, which include: Alarm Activation, Civil Disturbance, Missing Person (found), Trespassing, Domestic, Suspicious persons, Welfare Check, Noise Complaint, and Unlock Motor Vehicles.

Our agencies fleet of patrol vehicles were inspected by both Sergeant Ryan Flowers and Sergeant Jeff Mackey for cleanliness, and maintenance needs.

Evidence Processing

Evidence and Property processed thirty-seven items this month. Items range from Drug Paraphernalia, Marijuana, Methamphetamine, Opioids, Stolen Property, Rifle, Ammunition, and Blood Samples.

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Investigations (CID)

CID assisted patrol officers with a Flee to elude case involving two of our officers, other law enforcement agencies and a motorcycle.

CID investigated larceny of a Firearm. Alcohol Tobacco and Firearms (ATF) was contacted and are conducting their own investigation of this incident.

CID charged two individuals with felony Breaking and Entering on Ghost Town property.

CID investigated an unwitnessed death. The death was ruled natural causes.

CID is currently investigating a larceny by employee from a Maggie Valley business. Evidence in the case is being processed.

CID is investigation a Check Fraud and Identity case. Suspect has been identified and warrants will be issued.

CID is working with the District Attorney's office on cases scheduled for trial.

CID is currently investigating a residential Breaking and Entering. Detective Boger is working closely with the homeowner to identify the suspect.

Community Interactions

Maggie Valley Officers patrolled through our residential neighborhoods 326 times during the month.

Maggie Valley Officers conducted security during the Maggie Valley Fourth of July fireworks. There were no motor vehicle accidents and one call for service during the event.

The Maggie Valley Police Department would like to thank our community members for supporting our police department by cards, letters, meals, and desserts brought by the police department. Thank you so much for your support!

Events, Schools, and Meetings

In person Officer training schools have been postponed until further notice due to Covid-19 restrictions.

Maggie Valley Officers can complete Law Enforcement In-Service training online.

Detective Matthew Boger attended the KARE MTD meeting via web conference.

Maggie Valley Officers completed our annual NC League of Municipality safety training.

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. 11.8 tons.
- Monthly Solid Waste approx. 58.4 tons.
- Monthly White Goods/Electronics 8 pick-ups.
- Picked up miscellaneous residential brush and debris. 280 brush pick-ups that totaled 21 tons 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.

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- Service and/or repaired 3 Public Works vehicles 1 Administration and 3 Police vehicles.
- All Public Works staff has completed safety training for 2020.
- Picked up bagged trash and debris along Highway 19 and Highway 276 from Fie Top Road to the Wastewater Treatment Plant.
- Festival Grounds repairs and upgrades have been completed. This included Ticket Booth and Restroom upgrades, Paving at the entrance, Stage Acoustics and miscellaneous repairs to the Stage dressing room and deck.
- Public Works has started weekly mowing, weed eating, and spraying of all town properties and responsibilities. Approximately 45 acres weekly.

WWTP

- Monthly testing, monitoring and analysis; Monthly cleaning and repairs.
- Monthly Road, Levee, equipment and building maintenance.
- Continued yearly sewer line and manhole inspections as required by DENR.
- Worked with Withers Ravenal 4 days on the I/I study, smoke testing and sewer assessment.
- Installed/repaired 11 sewer services, cleaned, and videoed approximately 200 feet of sewer line, inspected 5 sewer connections/installations, repaired/leak stopped 1 damaged manhole as we continue to work on I&I.
- Dewatered 43,000 gallons of digester sludge. Lime Stabilized 10 tons of dewatered sludge. Also, hauled 20 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 43 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's Creek on Moody Farm road, above Fie Top bridge, Brew and Que and WWTP bridge.
- 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 4 grease trap inspections. Of these 0 were found to be non-compliant. We continue to work with all businesses on their grease issues and aid and education in hopes of reducing the amount of grease in our sewer system.

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Planning Department

Zoning Permits	11	
Residential	7	2 new single family residences (Linson Ridge and Riverside Village park model (Rocky Top), 2 renovations/additions, 2 decks
Commercial	4	Stonebridge, Dellwood ABC Store, Mountain Retreat campground, Dollar General-Dellwood
Zoning Compliance Letters	6	Including 4 commercial (Guyabi Route 19 Inn, Mountain Retreat, Storage 4U) and 2 residential
Signs	4	Valley House restaurant, Caldwell Rock Yard, A-1 Appliance, Dollar General-Dellwood

Manager Clark reported that the Inflow and Infiltration Report will be discussed at the August Agenda Setting/Monthly Workshop.

The Cares Act will provide funds that will be passed through the counties to the municipalities to offset the cost of police during the pandemic. At this point, staff is unsure what Maggie Valley's share will be.

Manager Clark and Planner Hancock have been meeting with the Ghost Town people several times over the last month. Planner Hancock did aerial work with them today.

ALDERMAN PATEL MADE A MOTION TO ENTER CLOSED SESSION UNDER G.S. 143-318.11 REAL ESTATE ACQUISITION: 3399 SOCO ROAD & 4438 SOCO ROAD. MOTION CARRIED UNANIMOUSLY.

12) Closed Session

- a. 143-318.11 (a)(5) Real Estate Acquisition – 3399 Soco Road (PIN 7686-47-7408)
- b. 143-318.11 (a)(5) Real Estate Acquisition – 4438 Soco Road (PIN 7676-98-6856)

ON MOTION OF ALDERMAN P. WIGHT AT 7:38 PM TO COME OUT OF CLOSED SESSION. MOTION CARRIED UNANIMOUSLY.

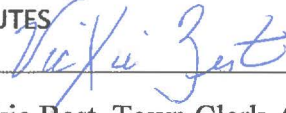
13) Adjournment

ALDRMAN T. WIGHT MADE A MOTION TO ADJOURN AT 7:39 PM. MOTION CARRIED UNANIMOUSLY.

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Mayor Mike Eveland



Vickie Best, Town Clerk, CMC, NCCMC

