

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
April 11, 2023
Minutes

The Town of Maggie Valley Board of Aldermen held a regular meeting on Tuesday April 11, 2023, at 6:30 pm in Town Hall Board room located at 3987 Soco Road, Maggie Valley NC 28751.

1. MEETING CALLED TO ORDER

Mayor Mike Eveland called the meeting to order at 6:27 pm and welcomed everyone.

Members Present:

Mayor Mike Eveland
Mayor Pro-Tem Jim Owens
Alderman Tammy Wight
Alderman Phillip Wight
Alderman John Hinton

Staff Present:

Vickie Best, Town Manager
Mike Mehaffey, Public Works Director
Russ Gilliland, Police Chief
Seth Boyd, Public Works
Kaitland Finkle, Planner
Craig Justus, Town Attorney
Kathy Johnson, Town Clerk

Media Present:

None

Others Present:

Ten Others in attendance

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was repeated by all, followed with prayer.

3. APPROVAL OF THE AGENDA/CONFLICT OF INTEREST DECLARATION

4. CONSENT AGENDA

*a) Minutes to be approved: March 7th and 14th 2023. b) Budget to Actual c) A/R Report
d) Tax Releases e) Set Public Hearing for May 9th, 2023, for Conditional Rezoning 3894
Soco Road (Rock Shop). f) Set Public Hearing for Zoning of 509 Campbell Creek Road:
proposed Residential 1 for May 9th, 2023.*

A motion was made by Alderman John Hinton to approve the Consent Agenda as presented. The motion carried unanimously.

5. PUBLIC COMMENT

Mayor Mike Eveland said anyone that wished to speak on 1114 Jonathan Creek Road would need to speak during this portion of the meeting. He opened the meeting to public comment and asked if anyone wished to speak.

Mr. Frank Santos, 212 Stoney Ridge Loop spoke about speeding and asked the Board if new “Miss Maggie” speed limit signs could be put up at the crosswalks. Mayor Eveland encouraged him to contact the Chamber.

6. VOTE ON CONDITIONAL ZONING FOR 1114 JONATHAN CREEK ROAD: SAHAS/ (RIDGE CREST)/ MOUNTAIN VIEW ESTATES. PUBLIC HEARING WAS HELD MARCH 14, 2023.

Mayor Eveland invited Planner Kaitland Finkle to begin her presentation. Ms. Finkle said she would like to address the changes that were made based on the Public Hearing feedback from the March meeting. There are two over-flow parking areas containing four parking spaces for each private drive that meet the parking standards. The site plan has also added no on street parking on this site, which will be enforced with the Restrictions and Covenants with the sub-division approval. She said the developer is now requesting a phasing plan to be approved. The plan would consist of four phases and if approved, would need to be reflected in the ordinance. She has spoken with Attorney Craig Justus and he said the approval would need to be done prior to all sub-division approval as a listed condition. Drive-way permit, erosion control, water approval, and sewer approval would need to be listed as conditions on the ordinance that is not currently reflected.

Ms. Finkle said Attorney Kirk Kirkpatrick was present and would answer any questions the Board may have.

Ms. Finkle said approving the phasing will allow the developer to do infrastructure to phase one.

<u>Phase -1</u>	<u>Phase -2</u>	<u>Phase -3</u>	<u>Phase -4</u>
Lots # 1 - 13	Lots # 20 - 29	Lots # 14 - 19	Lots # - 30,32,34,36, 38
Lots # - 56, 58, 60,62, 63, 64	Lots # 31, 33, 35, 37, 42	Lots # 46, 47,48, 52, 54	Lots # - 41, 40, 39
Lots # - 70, 71	Lots # 42, 43, 44, 45, 49	Lots # 65 - 69	
	Lots # 50, 51,53, 55, 57, 59, 61		

Attorney Justus said the whole project is vested for seven years. He referenced multi-phase development GS 160D-108(f).

(f) Multi-Phased Development. – A multi-phased development is vested for the entire development with the land development regulations then in place at the time a site plan approval is granted for the initial phase of the multi-phased development. A right which has been vested as provided for in this subsection remains vested for a period of seven years from the time a site plan approval is granted for the initial phase of the multi-phased development.

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Attorney Justus verified with Ms. Finkle there would be a document with a consent line for the developer to sign, upon approval.

Manager Best asked Public Works Director Mike Mehaffey how built out a subdivision has to be before the Town takes over the road. Mr. Mehaffey stated seventy five percent.

A motion was made by Alderman Jim Owens to approve Ordinance #1034 with the condition of phasing added. The motion carried unanimously.

A motion was made by Alderman John Hinton to adopt the Consistency Statement with the condition of phasing added. The motion carried unanimously.

7. PUBLIC HEARING FOR UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS.

Ms. Finkle said the UDO text amendments were staff initiated in preparation for the Comprehensive Plan that will hopefully be adopted in June. Attorney Justus asked if public notice was posted in the newspaper of the hearing. Ms. Finkle confirmed the hearing had been posted. She went over each text amendment with the Board.

1. 152.12 ACCESSORY USES AND STRUCTURES

This amendment makes necessary provisions regarding size and quantity of dwelling units.

This amendment also addresses the location of accessory structures on each lot.

Ms. Finkle said accessory dwellings units are allowed but they were not defined and there were no regulations that went along with those accessory dwelling units. Alderman Phillip Wight asked why it would need to be regulated. Ms. Finkle stated it was to add clarity.

1. Accessory uses and structures may only be used for purposes permitted in the district in which they are located.
2. Accessory structures shall not be used for dwelling purposes except when approved as an Accessory Dwelling Unit. Only one accessory dwelling unit shall be permitted per lot.
3. Depending on the size of the structure and the incorporation of various improvements (e.g., electrical, plumbing), a building permit may be required before construction can begin on an accessory structure. Accessory dwelling units shall not be considered for the purpose of determining minimum lot size or maximum density as set forth in this ordinance.
4. Accessory structures with a footprint greater than six hundred (600) square feet shall be buffered from any adjacent residential developments. The Town Planner may impose reasonable conditions regarding the height, buffering, orientation and or location of the accessory dwelling unit in order to protect the privacy of existing dwelling units on adjacent parcels in accordance with G.S. 160D-702(b).
5. Exterior lighting for accessory uses and structures shall meet the requirements by which principal structures are governed. The maximum size of the accessory dwelling unit shall be determined based on the following:
 - a. A detached accessory dwelling unit may not exceed the lesser of: 70% percent of the gross floor area of the primary dwelling unit, or 800 square feet.
 - b. An attached accessory dwelling unit (located within the same structure as the primary dwelling unit with shared foundation, exterior walls and roof) may not exceed the lesser of: 70% percent of the gross floor area of the primary dwelling unit, or 1,000 square feet.

Board members expressed concern about the wording of the text amendment and decided to table Accessory Uses and Structures (152.12) and remove the Planner as imposing the conditions and be more specific as to what is and is not allowed.

2. 160.02 DEFINITIONS

Uses listed below are referenced in the UDO but lack definitions. The amendment defines:

- | | | |
|----------------------------|-----------------|-------------------|
| - Accessory Dwelling Units | - Flea Market | - Tailgate Market |
| | - Produce Stand | - Yard Sale |

Ms. Finkle said Section Two adds a definition of accessory dwelling. The green is what is already in the Code of Ordinances and will be moved to the UDO. The highlighted areas are the recommendations of the Planning Board.

160.02 DEFINITIONS

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DWELLING, ACCESSORY. A smaller secondary dwelling unit either detached or attached to the primary dwelling located on the same parcel of property as the principal structure such as a garage apartment or cottage.

DWELLING, MULTI-FAMILY. A building or portion thereof used or designed as a residence for 3 or more families living independently of each other and doing their cooking therein, including apartments, apartment hotels, and group houses.

DWELLING, SINGLE-FAMILY. A building arranged or designed to be occupied by 1 family.

DWELLING, TWO-FAMILY. A building arranged or designed to be occupied by 2 families living independently of each other.

DWELLING UNIT. A building, or portion thereof, providing complete and permanent living facilities for 1 family.

FLEA MARKET. A building in which booths or sales areas are provided for entry by various unrelated individuals to sell a variety of merchandise.

PRODUCE STAND. An enclosed stand or place open to the public for selling agricultural products.

TAILGATE MARKET. An area open to the public where craftspeople sell their products directly to buyers either from a vehicle or a table.

YARD SALE. The display and sale of personal property which has been owned or previously used.

3. 154.10 FLEA MARKETS AND PRODUCE STANDS

This amendment adds uses such as Tailgate Markets and Yard Sales and sets standards for the operation of each. Standards were pulled from the Town's Code of Ordinances.

154.10 FLEA MARKET, TAILGATE MARKET, YARD SALE, AND PRODUCE STANDS

Flea markets, produce stands, provided that: They be totally enclosed structures (a garage or sliding doors to "open" the area to the outside will be allowed). All buildings will be permanent and meet all building related codes. Public restrooms will be provided. At least 2 off-street parking spaces (9 feet by 18 feet, plus necessary access space) shall be provided per individual display area or booth. Prior to being granted a special exception, the owner of the facility shall provide a plan(s) showing the lot and dimensions, the building and dimensions, and the number of parking spaces. Also, a sketch representing the building's front appearance is required. Any other information deemed appropriate by the Board of Adjustment.

A. Limited to three (3) consecutive days of operation.

B. Must be operated on the premises of the long-term renter or owner with that individual present at all times, or with

- written consent of the property owner.
- C. No fixtures or devices on which outdoor merchandise is displayed shall be attached to the sidewalk, public utilities, or other public areas without the permission of the Town of Maggie Valley. Outdoor merchandise areas shall not be permitted within 5 feet of the sidewalk or within 3 feet of a roadway entrance or exit of the subject parcel.
 - D. All merchandise located within an outdoor merchandise area shall be placed so that the outdoor merchandise and the fixtures or devices on which the merchandise is displayed are stable and not easily tipped and shall not be hazardous to the public.
 - E. Outdoor merchandise areas shall not contain dangerous or exotic animals: i.e., snakes, pit bulls, rottweilers, or Doberman pincher dogs, or any other animal considered by the Code Enforcement Officer to be a danger/nuisance to the public, and the like.
 - F. Nonprofit organizations may conduct outdoor sales on any property with written consent of the property owner.
 - G. This section does not apply to events held on the Festival Grounds, also all promotional events refer to the special events ordinance.

Attorney Justus recommended changing the wording in section B to state “unless with written consent of the property owner.” It was determined by the Board to remove section E of 154.10.

4. 154.14 RECREATIONAL VEHICLES

This amendment adds back the previous allowance for Recreational Vehicles (inadvertently dropped when the UDO was adopted). It amends the time limits and sets an allowable number of recreational vehicles per lot based on use type. This remains allowed in both commercial and residential districts.

154.13 RECREATIONAL VEHICLES(Added)

Recreational vehicles may be stored or used on developed commercial or residential lots with a principal structure, provided that:

- A. Only 1 recreational vehicle on a residential lot and no more than 2 recreational vehicles on a commercial lot shall be stored or used other than at a campground;
- B. Recreational vehicles may only be used on a temporary basis not to exceed 1 month unless in a RV park; and
- C. Recreational vehicles shall not be used as a single-family residence and must be moved off-site every 6 months for a minimum of 24 hours.

(Ord. 265, Ch. 1, passed 9-18-2001)

Ms. Finkle stated the language in green is in the existing land development code and the highlighted sections are the recommendations from the Planning Board. She said this text has not been in the ordinance since June when the UDO was adopted. Ms. Finkle said the intention was to add it back to the ordinance. There was much discussion between Board members, Attorney Justus and Ms. Finkle about concerns with 154.14. It was determined to strike 154.14 to further look at the language.

5. 155.05 DESIGN GUIDELINES

This amendment makes roof pitch requirements equivalent to the current UDO definition where there was previously a conflict. It reduces the minimum roof pitch from 7/12 to 3/12.

155.05 DESIGN GUIDELINES

In consideration of all applications for design review and approval, the Town Planner shall take into account the proposal's level of compliance with the following criteria:

- A. *Building materials.* Materials shall be selected for suitability to the mountain architectural style. For the village character of Maggie Valley, this means using natural and traditional materials such as wood and native stone. All

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sides of a building should relate to each other. The front should not look substantially different from the other sides. The number of different materials on exterior finishes should be limited. For the front elevation, or façade, on all new commercial and multi-family developments, the following standards apply:

Acceptable:

1. Roof pitches with $\frac{7}{12}$ to $\frac{12}{12}$ slope

Ms. Finkle said 155.05 only pertains to commercial and multi-family building and was conflicting as to what is allowed by right.

6. 156.12 SUBDIVISION DESIGN STANDARDS

This amendment makes provisions for the use of flag lots in major and minor subdivisions. It sets limits on how many may be utilized in each instance.

156.12 SUBDIVISION DESIGN STANDARDS

B. Lots

6. All flag lots or panhandle lots shall have a minimum twelve foot (12') ~~wide road frontage width of 35 feet thereby providing an access strip to the lot. The length of said strip shall not exceed 100 feet. Said strip shall not be used to determine lot area or width or setback lines.~~ The maximum number of flag lots shall be one (1) for major ~~all~~ subdivisions with twenty (20) lots or less and one (1) per every twenty (20) lots for major ~~subdivisions~~ over twenty (20) lots in size. Flag lots, panhandle lots, and other irregular shaped lots shall not be approved in minor subdivisions except in cases where such lots would:
 - a. Not be contrary to the purpose of this Chapter; and
 - b. Heighten the desirability of the subdivision; and
 - c. Where necessary, enable a lot to be served by water and a waste disposal system.

Ms. Finkle said flag lots were defined but not enforced. She said the language is to add clarification on flag lots.

7. 156.13 STREET STANDARDS

This amendment “cleans up” language including standards for public/limited residential streets. It also clarifies the approval process.

156.13 STREET STANDARDS

A. General Provisions

1. If the tract to be subdivided is located on both sides of an existing, recorded private right-of-way that contains an existing private road, the applicant shall be required to upgrade the portions of the existing private road which are contained on the tract that is being subdivided to meet the road standards found in this Section.
2. It should be understood that all roads proposed to be public must originate as private roads until there is formal dedication and acceptance by the town.
3. Private roads are allowed, only if designed and constructed to meet public street standards approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis.
4. The applicant shall determine at the time of application if the subdivision roads are to be public, private or a combination of both types.

B. Right-of-Way Access

1. All subdivisions greater than two (2) lots must abut on a private or public street right-of-way. The right-of-way shall, for public roads, meet or exceed the minimum width specified in the Road Classification Table (7-1), for private roads, the minimum width specified approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis in Table 7-1 and must be capable of supporting a road. The right-of-way standards apply within the boundaries of the property being developed.

2. Proposed subdivisions which abut an existing or recorded public or private right-of-way which do not meet the minimum width requirements of this Chapter shall be required to provide additional rights-of-way to conform to the appropriate standards, as provided below. The applicant shall provide up to one-half (1/2) of the required right-of-way measured from the centerline of the **existing right-of-way**. If the subdivision is located on both sides of the existing road right-of-way, ~~then~~ the full right-of-way requirement shall be required.

C. *Town Street System Requirements*

1. All roads considered for addition to the Town Street System must be located within the Town Limits.
2. Streets must meet all minimum construction and design standards unless approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. Streets that **have received deviations from the street construction and design standards** may not be eligible for admission into the Town Street System.
3. Development within a masterplan (phased development) subdivision must be 75% complete.
4. A petition for street dedication from all property owners or developer.
5. Developer or property owners must dedicate a free and clear right-of-way.

D. *Application Requirements*. Any developer desiring to construct a new subdivision road, to be designated as a Town Street, must submit the following information to the Town Planner for evaluation:

1. Two complete subdivision construction plats, including any future expansion plans
2. Horizontal alignment indicating general curve data on site plan
3. Typical Road Way Section
4. Vicinity Map
5. Four (4) copies of the recorded plat
6. Drainage facilities to be reviewed by the Public Works Director.
7. If the new subdivision road will connect to a state road, a permit authorizing construction on the state right-of-way must be obtained from the Division of Highways before construction begins.

E. *Streets that do not qualify for Town Street System*

1. Streets that do not qualify for admittance into the Town Street System will be eligible for some minor street maintenance and repair provided by the Town on a case-by-case basis. Those requesting assistance must do so in writing.
2. All requests must include:
 - a. Street name
 - b. Street location
 - c. Number of homes/lots that the street services
 - d. Specific service request.
3. Applications for street maintenance assistance will be accepted twice a year. Assistance applications and deadline schedules will be held in the Town Clerk's Office. A project review committee will prioritize projects. Projects will be completed as funding allows.

F. *Street Classification Definitions*

1. **LOCAL STREET** is a street or a section of a road which:
 - a. Provides direct or indirect access from the entrance of the subdivision inward to ~~ten~~five (5-10) or more existing or proposed residential lots and/or dwelling units and is designed to be the main travel path for the residential access. In calculating residential density, dwelling units having driveway access on the subject road and dwelling units on side roads which feed the subject residential collector road shall be counted.
 - b. Is designed to serve, or has the potential to serve in a future phase, property in the same ownership of the applicant that, if developed, will meet the 10 dwelling-unit standard. Connects proposed developments with existing developments where the aggregate sum of dwelling units in both developments is 10 or more. Serves a nonresidential facility located within a residential development, such as a frequently used recreation area, club house, golf course, public utility site, and the like. (NOTE: See Table 7-1, "Local" column)
2. **LOCAL RESIDENTIAL STREET** is a street or group of streets which abuts less than ~~40~~5 residential lots or serves less than ~~40~~5 existing or proposed residential dwelling units and ~~does not connect~~ thoroughfares. (NOTE: See Table 7-1, "Local" column)
3. **LIMITED RESIDENTIAL DRIVEWAY** is a street which abuts no more than ~~four~~two (2-4) residential

lots, each containing or to contain no more than one (1) existing or proposed residential dwelling unit and its associated driveway and which does not connect thoroughfares. (NOTE: See Table 7-1, "Limited" column) Not eligible for Town Street Maintenance.

G. Minimum Street Design and Construction Standards

1. If not specifically listed in Table 7-1 below or elsewhere in this Section, design and subsequent construction of streets shall be reviewed by the Planning Board based on the standards and requirements of the NCDOT and with the local NCDOT District Engineer policy modifications.
2. Deviations from the Minimum Street Design & Construction Standards may be granted as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. The Board shall consider several different factors before issuing a deviation such as but not limited to; the developer's attempt to minimize environmental damage, lot specific topographic challenges, average daily vehicle counts, recommendations from public safety officials, and the Planning Board. Deviations granted by the Zoning Board of Adjustment may impact the street's/subdivision's eligibility in the Town Street Maintenance System. All deviations granted by the Board must appear on the Final Plat.
3. Table 7-1: Minimum Street Design & Construction Standards (and notes)
 - a. One Way Roads are not eligible for Town Street System Maintenance
 - b. "T" or "Y" Turnarounds may be approved by the Town Planning Board on an individual basis. If using a "Y" or "T," 1 extension extending at least 25 feet and the other extending a minimum of 50 feet and a maximum of 100 feet which will allow a vehicle with a wheel base of at least 25 feet to complete a turning movement with a maximum of 1 backing

Road Classification Table 7-1		
Item	Local	Residential Limited
Number of dwelling units served	40 5+	3-4
Road Right of Ways	30 feet	25 feet
Maximum grade (measured at 50 feet intervals)	18%	18%
Minimum travelway width (2 way road)	18 feet	16 feet
Shoulder width (each side, 2 way road)	2 feet	2 feet
Cul-de-Sac (radius)	30 feet	20 feet
Vertical Clearance	15 feet	15 feet
Design Speed	20 mph	15 mph
Subgrades pre-base	95% compaction	95% compaction
Stone base (ABC) compacted	8 inches	8 inches
Subgrades pre- pavement	100% compaction	100% compaction
Asphalt	2 inches of I-2	2 inches of I-2
Cut Slope	1:1	1:1
Fill slope	1 1/2 : 1	1 1/2 : 1
Ditch slope	3 to 1	3 to 1
ABC: Aggregate Base Course; I-2 Asphalt		

c. movement, may be considered

4. Road drainage and culverts

- a. All road or drainage structures shall be constructed in accordance with NCDOT state road standards. Road drainage side ditches shall be constructed with sufficient depth and width to carry the expected volume of storm water runoff. Where the road crosses streams or minor

watercourses, culverts shall be designed and installed in accordance with state road standards. Site plans shall show all the drainage culvert locations, as well as the length, diameter and type of culvert. The road should be built so that water will drain from the road surface into side ditches.

Attorney Justus recommended using the word Variance when referring to the Zoning Board of Adjustments. There was much discussion between Board members, Attorney Justus and staff and it was determined to remove construction standards in section 156.13.

8. & 9. 161.04 ADMINISTRATION & 161.05 PROVISIONS FOR FLOOD HAZARD REDUCTION

These amendments to the Floodplain Regulations changes the square foot threshold of 150 sq ft to 600 sq ft for accessory structures in line with State allowances. This threshold represents when an elevation certificate becomes required.

161.04 ADMINISTRATION

B. Floodplain development application, permit and certification requirements.

3. Certification Requirements.

c. Certification Exemptions. The following structures, if located within Zone A, AO, AE or A1-30, are exempt from the elevation/floodproofing certification requirements specified in items (a) and (b) of this section:

(3) Accessory Structures less than ~~150~~ 600 square feet meeting requirements of Section 161.05(B)(8).

(Ord. 748, passed 2-23-2012)

Ms. Finkle explained these were changes that are being made on the Federal level.

Mayor Eveland opened the public hearing at 7:27 pm and asked if there were anyone from the public that wanted to speak. No one came forward to speak and Mayor Eveland closed the public hearing at 7:28 pm.

There was much discussion between Board members and Ms. Finkle as they reviewed the text and she answered questions on the proposed text amendments. It was determined to exclude section one and four when voting on the text amendments. Changing the word "or" in section three to "unless." Correction on seven to not include the construction standards and to add the word variance to Zoning Board of Adjustments.

A motion was made by Alderman Jim Owen to accept the Unified Development Ordinance Administrative text amendments with the changes agreed upon and tabling items one and four. The motion carried unanimously.

A motion was made by Alderman John Hinton to adopt the UDO Consistency Statement. The motion carried unanimously.

- 8. PERRY BAILEY: REQUEST THAT THE MOTION MADE JANUARY 10,2023, BE AMENDED TO REMOVE THE REQUIREMENT THAT MR. BAILEY MUST UPGRADE THE PRIVATE SEWER LINE TO SIX INCHES.**

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Ms. Best said Council heard from Mr. Bailey at the March 14th Aldermen meeting concerning resending the motion made January 10th, requiring him to upgrade the sewer line to 6". She recommended to resend the previous motion and make a new motion approving his sewer connection at an out-of-town rate.

A motion was made by Alderman Phillip Wight to resend a motion made on January 10, 2023 requiring Mr. Bailey to upgrade the sewer line. The motion carried unanimously.

A motion was made by Alderman Phillip Wight to accept Mr. Baileys sewer once he reaches the Towns sewer line. The motion carried unanimously.

9. RYAN TEAGUE: REQUEST TO CONNECT TO TOWN SEWER 166 JULIA LANE

Ms. Best said Ryan Teague from 166 Julia Lane has requested Town sewer for the property adjacent to his home. She stated the property is contiguous but to access the property is not in the towns best interest. He could not be annexed but could receive Town sewer services at the out-of-town rate.

A motion was made by Alderman Phillip Wight to accept Ryan Teague's request for 166 Julia Lane at the out-of-town rate. The motion carried unanimously.

10. ROBERT KACZYNSKI: REQUEST FOR TOWN SEWER 171 BRADLEY STREET

Public Works director Mike Mehaffey answered questions on the sewer application process. Ms. Finkle stated these applications were for annexations but were outside the service district and were unable to be annexed but could have the sewer approved for an out-of-town rate. Attorney Justus recommended creating a recordable document to clear up the application process.

A motion was made by Alderman Phillip Wight to approve sewer service for Robert Kaczynski at the out-of-town rate with the understanding that he will sign a recordable document that is approved by the town attorney that will allow this offer of annexation to be part of the public record that will allow future council to annex. The motion carried unanimously.

11. JANET BANKS WITH MAGGIE VALLEY COMMUNITY GARDENS REQUEST FOR DONATION

Ms. Janet Banks said the Community Garden was started in 2014. The purpose is to grow fruits, vegetables and potatoes to serve the community needs. She said the garden provides food to faith-based organizations and local charities such as meals-on-wheels of Haywood County, Maggie Valley United Methodist Church Shephard's Table and Food Pantry, Broyhill Children's Home, McCracken's Rest Home and also provide food in time of public need or disaster. During the flood in 2020 there was food donated to the Cruso area.

Ms. Banks said there was over 1100 pounds of food harvested from the garden to be distributed throughout the community. That number was down from the prior year of 1800 pounds because of weather conditions and groundhogs ate the sweet potatoes. She said the Community Garden

exists primarily on donations, grants and fund raisers. She is here to ask the Board for a donation of \$500 dollars for supplies such as hay, sweet potatoes seed and an apple picker.

A motion was made by Alderman John Hinton to grant the \$500 to the Community Garden. The motion carried unanimously.

12. 2024 EVENTS APPROVAL

- a) Slingshots in the Smokies 2024 Event days May 28 through May 31, 2024
- b) NC Mountain Corvairs Event 2024 Event days September 13-14, 2024

There was discussion between Board members and staff about the two events. There were concerns on conflicting dates with the festival grounds. It was determined that there were no conflicting dates for 2024 but there may be in 2025.

A motion was made by Alderman Tammy Wight to approve Slingshots in the Smokies 2024 Event days May 28th through May 31st and NC Mountain Corvairs Event 2024 Event days September 13-14, 2024. The motion carried unanimously.

13. CONTRACT FOR WATERFALL PROPERTY: AUTHORIZE MANAGER TO SIGN CONTRACT

Ms. Best said there were now two buyers for the waterfall property. She stated there would need to be motion for her to sign the contract. The buyer will close three days after the clean title/ legal description that Kirk Kirkpatrick is working on is done. Ms. Best said the highest bid on the property is \$210,000.

A motion was made by Alderman Jim Owen authorizing Town Manager Best to sign the contract. The motion carried unanimously.

Mayor Eveland said there would be no department head reports.

14. OTHER BUSINESS

No other business.

15. DEPARTMENT HEAD REPORTS

No department head reports

16. CLOSED SESSION

A motion was made by Alderman Tammy Wight to enter into closed session at 8:13 pm under NCGS 143-318.11(a)(6) to discuss personnel issue.

A motion was made by Alderman Tammy Wight to reconvene into open session at 8:38 pm. The motion carried unanimously.

17. ADJOURN

A motion was made by Alderman Tammy Wight to adjourn the meeting at 8:38 pm. The motion carried unanimously.

ATTEST:


Mike Eveland, Mayor


Vickie Best, Town Manager


Kathy Johnson, Town Clerk