

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
June 20, 2023
MINUTES

Members Present:

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

Members Absent:

None

Staff Present:

Vickie Best, Town Manager
Kathy Johnson, Town Clerk
Matthew Boger, Interim Police Chief
Mike Mehaffey, Public Works Director
Tasha Gubernath, Finance Director
Sam Cullen, Assistant Town Planner
Haley Crocker, Detective
Logan Wood, Police Officer
Michael Herbertson, Police Officer
Brian Gulden, Attorney

Others Present:

Five others Present

Media Present:

Aarik Long, Waynesville Mountaineer

MEETING CALL TO ORDER

Mayor Eveland called the Meeting to order at 6:28 pm on Tuesday June 20, 2023, in the Maggie Valley Town Hall Boardroom, 3987 Soco Road, Maggie Valley, NC 28751.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was repeated by all.

APPROVAL OF THE AGENDA/CONFLICT OF INTEREST DECLARATION

There were no changes to the agenda and no conflict of interest stated.

CONSENT AGENDA

- a) *Minutes to be Approved: May 9, 2023, and May 23, 2023, Presentation*
- b) *Budget to Actual*
- c) *A/R Report*
- d) *Tax Release*
- e) *Surplus Police Department: HP Probook 450 G4 & A SHR 970 Rifle Ser # R17717 with Leupold Scope*

A motion was made by Alderwoman Tammy Wight to approve the consent agenda as presented. The motion carried unanimously.

PUBLIC COMMENT

Mayor Eveland asked if there was anyone that would like to make public comment. There was no public comment.

BUDGET HEARING FOR FY 2023/2024

Manager Best introduced the new Finance Director Tasha Gubernath. Mayor Eveland invited Ms. Gubernath to speak about the proposed budget.

Ms. Gubernath presented Ordinance #1043 as presented in the Budget meeting with the three percent COLA and the Ice Fest. She said the amended version of the Ordinance omitted the Ice Fest and included a four percent COLA instead of the three percent. Ms. Gubernath said those were the only changes. She answered questions from the Board on the presented budget ordinance.

Ms. Best stated the proposed budget presentation has been on display at Town Hall, been put on the sunshine list twice and been on the Towns website for citizens to view.

Mayor Eveland opened the public hearing at 6:30 pm and asked if anyone would like to speak about the budget. No one came forward to speak and Mayor Eveland closed the Public Hearing at 6:31 pm and opened the meeting to Board discussion.

Alderman Jim Owens said he along with Alderwoman Tammy Wight would be reaching out to other communities to see if they would like to be involved in the Ice Fest. He said Alderwoman Tammy Wight along with Alderman Phillip Wight and Mayor Eveland have made it clear that the Town was in no position to run Ice Fest long term and there would need to be a promoter. He stated his hopes were to charge a fee this year and it would increase in size and then find someone to take it over. He stated his approval for the four percent COLA.

Alderman John Hinton expressed his approval for the four percent COLA.

Mayor Eveland said he agreed with taking the Ice fest from the Budget because there is a difference of twelve thousand dollars in what the Board had asked for from the TDA and what they approved for the Ice Fest. He said that he would like to see it continue and see other Towns get involved.

Alderman Jim Owens asked Ms. Best if she could reach out to Ice Mill to give them notice of the decision and let them know it is still in discussion. Mayor Eveland said the discussion could be put on the August Agenda Setting Meeting Agenda.

Mayor Eveland said the Board would need to discuss the fund balance with the Finance Director. He explained that there are currently three projects that have been approved that would need to be moved to restricted funds, to give a better idea as to what is in the fund balance. Ms. Gubernath answered questions from the Board.

A motion was made by Alderman Jim Owens to approve the Budget Ordinance #1043 Option with the Ice Mill removed and the COLA at 4%. The motion carried (4-1) Alderman John Hinton (yes), Alderwoman Tammy Wight (no), Alderman Phillip Wight (yes), Mayor Mike Eveland (yes).

BUDGET AMENDMENTS

Ms. Best explained Budget Amendment Ordinance #1045 was previously discussed at the Agenda Setting Meeting. The amendment is for \$14806.00 for the Police Department Assessment.

A motion was made by Alderwoman Tammy Wight to approve Budget Amendment Ordinance # 1045 for Attorney fees of \$14806.00 for the Police Department assessment. (5-0) The motion carried unanimously.

Ms. Best explained Budget Amendment Ordinance #1044 for \$65700 for outlay land improvement and would come out of the fund balance. She said it was for the new entrance to the Festival Grounds. The project ended up costing more than originally predicted because of a "soft spot" that needed to be filled.

A motion was made by Alderman John Hinton to approve Budget Amendment Ordinance # 1044 for \$65700 for the new festival ground entrance. (5-0) The motion carried unanimously.

RESOLUTION 23-07: INTERIM CHIEF MAY SIGN ABC PAPERWORK

Ms. Best explained Resolution 23-07 allows the Town Manager and the Chief of Police to sign off on ABC permit. This resolution would give Interim Police Chief Matthew Boger the authority to sign ABC permits.

A motion was made by Alderwoman Tammy Wight to approve Resolution 23-07 giving the Town Manager and the Interim Police Chief the authority to sign ABC permits. (5-0) The motion carried unanimously.

RESOLUTION 23-08 TO SET PUBLIC HEARING FOR CLOSING A RIGHT OF WAY FOR AUGUST 8, 2023

Manager Best explained by approving resolution 23-08, it would be setting the public hearing for the closing of a Right-of-way for August 8, 2023 at 6:30 pm. Town Manager Best, Assistant Town Planner and Attorney Brian Gulden answered questions from the Board on the proposed closing of the ROW.

A motion was made by Alderman John Hinton to adopt Resolution 23-08 setting the public hearing for permanently closing a portion of Valley View Drive. (5-0). The motion carried unanimously.

EVENT APPROVAL: JEEP FEST, JUNE 7-8, 2024

Ms. Best stated the Jeep Fest has been very successful and not only has Maggie Valley benefited from the festival, the whole County has benefited. She said the applicant is asking for June 7-8, 2024 to be approved for the Jeep Fest event.

A motion was made by Alderwoman Tammy Wight to approve June 7-8, 2024 for the Jeep Fest Event. (5-0). The motion carried unanimously.

OTHER BUSINESS

Ms. Best stated the next Agenda Setting Meeting would fall on July 4th when Town offices will be closed. It was the consensus of Board Members to move the Agenda Setting Meeting to Monday July 3rd, 2023 at 10:00 am.

Alderwoman Tammy Wight stated she felt like the Comprehensive Plan that was voted on and adopted in the last Agenda Setting Meeting should have been voted on in a regular meeting and not an Agenda Setting Meeting. She stated the public was asked to work on it and they should have had the opportunity to have been present for the vote.

DEPARTMENT HEAD REPORTS

a) Mike Mehaffey, Public Works Director

PUBLIC WORKS

- 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. 13 tons.
- Monthly Solid Waste approx. 49 tons.
- Monthly White Goods/Electronics 3 pick-ups.

- Picked up miscellaneous residential brush and debris. 287 brush pick-ups that totaled 12 loads of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners and Spring Banners.
- Changed to Summer banners and installed Flag banners.
- Perform ditch, culvert, shoulder and road maintenance along streets. Both private and Town streets.
- Service and/or repaired 5 Public Works vehicles/equipment 0 Administration and 4 Police vehicles.
- Picked up bagged trash and debris along Highway 19 and Highway 276 from Fie Top Road to the Wastewater Treatment Plant.
- The Highway 19 Pedestrian Safety project continues to progress on a more regular schedule. We work with the DOT inspector to take care of issues.
- The festival Grounds Entrance concrete and paving have been completed. We are finishing the landscaping, and all should be completed.
- Public works placed 9 tons of asphalt to repair roads and potholes on Brannon Forest drive, Bridle drive, Creekside drive, Riddle Cove Road and Indian Trace.
- Landscaping has been completed at the Veterans Park and Town Hall sign.
- Public Works staffed 3 successful events during May.

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.
- We worked with NC Rural Water to do an I&I study of the sewer lines in the Campbell Creek watershed. We found approximately 30 deficiencies in the sewer system. We continue to repair these problems.
- Installed/repaired 5 sewer services issues, cleaned and videoed approximately 170' feet of sewer line, inspected 18 sewer connections/installations, repaired/leak stopped 1 damaged manhole and inspected 1 manhole as we continue to work on I&I issues.
- Dewatered 47,000 gallons of digester sludge. Lime Stabilized 0 tons of dewatered sludge. Also, we 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 one hundred and five locate request for NC811. These were all marked in a timely manner.
- Continue monitoring Johnathan 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, Stonebridge Campground, Valley Creek 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 6 grease trap inspections. Of these 1 were found to be non-compliant. We continue to work with all businesses on their grease issues. We provide assistance and education in hopes of reducing the amount of grease in our sewer system.
- J-Creek Development has started installing the utilities for the project. We inspect the sewer, stormwater and the roads as they are being installed. This will continue through the summer.
- MVCC Greenspace sewer extension from Loblolly Way to Haven wood Drive was completed and inspected.

b) Matthew Boger, Interim Police Chief

Incidents

- During the month of May, the Maggie Valley Police Department investigated thirty-two incidents which include: Arson, Fondling, Trespassing, Criminal Damage to Property, Simple Assault, Larceny, DWI, Obtaining Property by False Pretense, Narcotics Violations, Weapon Law Violations, and Breaking and Entering.

Arrests

- Maggie Valley police officers arrested fourteen individuals resulting in twenty-two charges which include: Assault, Weapons Law Violations, Criminal Damage to Property, DWI, Narcotics Violations, and Trespassing.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated seven (7) motor vehicle accidents for the reporting period and issued eighty-four (84) traffic-related charges. Thirty-nine (39) percent of citations were for speeding.

Officer Activities

- There were sixteen Officer Activity Logs for the month, including: Assist Other Agencies, Civil Disturbances, Business Checks, Animal Complaints, Trespassing, and Unlock Motor Vehicles.
- Patrol located a missing person who was last seen in the Maggie Valley area. The missing person was located in another state. Due to him being entered NCIC, they contacted our agency to advise of his situation. He was removed from NCIC by our agency.
- Patrol has spent much time dealing with an increase of individuals who are impaired on controlled substances. Out of five separate incidents two arrests were made.

- Officers Herbertson and Wood conducted a traffic stop on Soco Rd. Following some great roadside interdiction techniques, approximately 15 grams of suspected methamphetamine were seized.
- Patrol Officers (Herbertson and Wood) took an initial call for service for an arson case at a local store. Patrol secured the scene, and CID was called in to process the scene.
- Officer Herbertson responded to an individual having suicidal thoughts. Officer Herbertson assisted this individual in getting much-needed professional help.
- Sgt. Flowers stopped a vehicle traveling at a very high rate of speed. Sgt. Flowers used radar to verify the speed to be over one hundred miles per hour. The driver was arrested for driving while impaired and speeding.
- Alcohol Beverage Control receipts were acquired from our ABC stores. One ABC inspection was initiated at one local business. No BARS classes were requested for this reporting period.

Evidence Processing (E/P)

- E/P technician processed 29 items for the month. Evidence items include recovered snowboards from a previous larceny case, firearms, blood evidence, ammunition, cell phones, sexual assault kits, fake identification cards, alcoholic beverages, drugs and narcotics, and other weapons used in assaults.

Investigations (CID)

- CID wrote and executed a search warrant on a storage building. A stolen utility trailer was recovered and returned to its owner.
- CID is working on a construction site larceny
- CID is monitoring a stolen firearm case. The firearm is entered NCIC and searches of other systems are being conducted.
- CID is attempting to generate leads on a larceny from a church. Security measures are being upgraded at the church.
- CID assisted patrol with a domestic violence case. The suspect was arrested and charged.
- CID is working on an arson case. The suspect appears to be a juvenile in the videos that the victim has turned over.
- Work continues with the homicide case from New Year's Eve 2022. (Lab results etc.)
- CID assisted with a large-scale multi-agency narcotics operation. This operation consisted of nearly twenty different agencies working together towards one goal, making the communities safer by impeding the flow of illegal narcotics. During the operation, ninety-eight (98) arrests were made.

K9 Program

- K9 Officer Shanna Bellows and Charlie participated in the monthly narcotics training exercises.
- K9 Officer Bellows and Charlie located illegal narcotics during two (2) traffic stops. The offenders were arrested and charged accordingly.

Community Patrol and Interactions

- Maggie Valley Officers patrolled through our residential neighborhoods 466 times during the month.

- Maggie Valley Officers performed their monthly business visitations.
- Maggie Valley Officers responded to 266 Calls for Service in this reporting period.
Events, Schools, and Meetings
- The Maggie Valley Police Department Officers worked two events at the festival grounds. Both events (Thunder in the Valley and the Boho Hippie Fest. were a huge success again this year with minimal complaints and issues.

c) Sam Cullen, Assistant Planner

There were six residential permits: Addition at 284 Caldwell Dr., New outbuilding at 342 Cedar Dr., Carport at 22 Leland Trail, Single Family on Home Rocking Chair Lane, Renovation at 13 Water Plant Road, Single Family Home at 44 Kennerly Cove.

There were four commercial permits: new HVAC at 130 Teague Loop, dumpster pad 29 Playhouse Road, new sign, 3009 Dellwood Road, new storage building, 3894 Soco Road.

There were two Flood Plain permits: Replacing Utility Poles 2451 Soco Road, EV Charger 938 Moody Farm Road.

One miscellaneous request for Zoning Verification, Mountain View Estates.

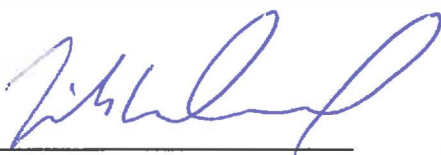
There were two zoning compliance letters: Single Family Home at 105 Constitution Ave. and Single Family Home at 25 Placid Cove.

There were nineteen notices of violations: High Grass X14, Junk Vehicle 2748 Soco Road, stormwater 105 Constitution Ave., unpermitted work 137 Tanglewood Lane referred to Haywood County, fence in sight triangle 3946 Soco Road referred to NCDOT, sign in ROW at 3009 Dellwood Road referred to NCDOT.


ADJOURNMENT

A motion was made by Alderwoman Tammy Wight to adjourn the meeting at 7:13 pm. The motion carried unanimously.

Attest:



Mayor Mike Eveland



Vickie Best, Town Manager



Kathy Johnson, Town Clerk

