

Town of Maggie Valley  
Board of Aldermen Regularly Scheduled Meeting  
September 12, 2023  
MINUTES

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**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  
Shelly Clement, Executive Assistant  
Matthew Boger, Police Chief  
Mike Mehaffey, Public Works Director  
Sam Cullen, Town Planner  
Noah Taylor, Assistant Town Planner  
Tasha Gubernath, Finance Director  
Seth Boyd, Senior WWTP Operator  
Cody Greene, Police Officer  
Police Department Staff  
Department Staff  
Craig Justus, Attorney

**Others Present:**

Sherriff's Department Staff  
Brennan Mehaffey Family Members  
Chief Boger Family Members  
Forty-five others Present

**Media Present:**

Aarik Long, Waynesville Mountaineer

**MEETING CALL TO ORDER**

Mayor Eveland called the Meeting to order at 6:31 pm on Tuesday September 12, 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 followed by prayer led by MV Police Chaplain Jon Snyder.

**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: June 6, 2023, and June 20, 2023, Presentation*
- b) *Budget to Actual*
- c) *A/R Report*
- d) *Tax Release*
- e) *Resolution 23-13 Fixing Date for Public Hearing for Annexation and Initial Zoning for PIN 8608-78-4922 Consisting of 22.12 Acres Located off Jonathan Creek Road. Proposed Zoning R3.*
- f) *Resolution 23-14 Fixing Date for Public Hearing for Annexation and Initial Zoning for PIN 8608-79-5760 Consisting of 19.53 Acres Located off Jonathan Creek Road. Proposed Zoning R3.*
- g) *Resolution 23-15 Fixing Date for Public Hearing for Annexation and Initial Zoning for PIN 7697-41-9100 Consisting of .41 Acres at 102 Sage Court. Proposed Zoning R2*
- h) *Resolution 23-16 Fixing Date for Public Hearing for Annexation and Initial Zoning for PIN 7697-41-8282 Consisting of .4 Acres at 106 Sage Court. Proposed Zoning R2.*
- i) *Resolution 23-17 Directing Town Clerk to Check for the Sufficiency for 907 Country Club Drive.*
- j) *Resolution 23-18 Directing Town Clerk to Check for the Sufficiency for the remaining portion of 298 Nelson Drive.*

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

**OATH OF OFFICE: CHIEF MATTHEW BOGER**

The oath was read aloud by Chief Matthew Boger while his wife held the printed oath and his son held the Bible. Chief Boger was previously sworn in by Town Clerk Kathy Johnson.

**LIFE SAVING AWARD: SGT. BRENNAN MEHAFFEY AWARD TO BE PRESENTED TO BRENNAN'S PARENTS NANCIE AND CARROLL MEHAFFEY.**

Chief Matthew Boger gave an emotional presentation describing Sgt. Brennan Mehaffey and his heroic actions that took place on August 26, 2017. He read the minutes from the April 13<sup>th</sup>, 2021 Board of Aldermen meeting where he was presented an award from the same incident.

- \* I would like to recognize Lieutenant Mathew Boger. On August 26, 2017, then Patrol Officer Boger, responded to a suicide attempt. Upon arrival to the scene, Officer Boger

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witnessed a male subject in the process of suicide by hanging himself with a rope. Officer Boger placed himself in harm's way by climbing a structure where the male subject had secured the rope. Officer Boger then cut the rope to prevent the male subject from completing his suicide attempt. The male subject was then brought to safety and received medical attention. His life was saved. With gratitude, we recognize Lt. Matthew Boger and present him with the "Life Saving" insignia.

Chief Boger said Sgt. Brennan Mehaffey was also very instrumental in saving this young man's life. He engaged the subject in conversation and talked the subject into removing himself from the structure (Ghost Town Roller Coaster). Sgt. Mehaffey placed himself in harm's way and was never recognized for his lifesaving efforts in this matter.

Chief Boger said unfortunately Sgt. Brennan cannot accept this award in person as he is forever walking the streets with our Lord and Savior, Jesus Christ. He presented the award to Brennan's parents Carroll and Nancie Mehaffey, and thanked them for sharing their son Brennan with the law enforcement family.

#### INTRODUCTION OF NEW ASSISTANT TOWN PLANNER NOAH TAYLOR

Town Planner Sam Cullen introduced Noah Taylor as the new Assistant Town Planner. Noah is originally from Memphis Tennessee and moved to Clyde with his family in 2010. He attended Haywood Early College and continued to Western Carolina University where he obtained his Master of Public Affairs. Mr. Taylor has most recently been the management intern to Haywood County Manager, Bryant Morehead. Mr. Cullen said the Town is excited to have him on Board.

#### INTRODUCTION OF MAGGIE VALLEY'S NEW POLICE OFFICER CODY GREENE

Chief Boger said he was pleased to introduce the newest addition to the Maggie Valley community's dedicated law enforcement team. Cody has over nine years of valuable experience gained during his tenure with the Haywood County Sherriff's Office. During his time with the Sherriff's Office, he has demonstrated his unwavering commitment to public safety and service. He has served in various capacities, including patrol deputy, detective, and patrol sergeant.

In 2022, Cody graduated from Western Carolina University and holds an advanced law enforcement certificate. His strong family values align well with our community's spirit, reminding us of the importance of maintaining a safe and welcoming environment for all residents.

#### PUBLIC COMMENT

Mayor Eveland asked if anyone would like to make public comment. No one came forward to speak.

CLOSING OF R-O-W (WAS TABLED FORM THE AUGUST 8, 2023 MEETING.)

Mayor Eveland explained there would be no public comment. Planner Cullen said the original petitioner withdrew his petition last week and there would not be a public hearing.

SEWER APPROVAL: OUT OF TOWN RATE

Dan Ross, PIN 8608-45-4173 is building a workshop on farmland that consists of 12.51 acres. This parcel is out of the service district. Manager Best said her recommendation is to approve the sewer at the out-of-town rate and not annex at this time. Attorney Justus spoke about a new agreement to accompany the petition to annex, in the case the annexation was not accepted at this time. He said sometime in the future, the annexation may be accepted and the Town would have the right to withdraw service. Attorney Justus stated he would like to have a motion to allow the mayor to sign the agreement. He asked if it was on the agenda and Manager Best said no, she just received the information this afternoon. The agreement would be recorded. Alderman Phillip Wight asked if this was reflected in the record. Attorney Justus said this agreement says we don't want to annex you now, but we may want to annex you later.

***A motion was made by Alderman Phillip Wight to approve the mayor to sign the agreement that the Attorney has prepared and to provide sewer at the out-of-town rate. The motion passed unanimously.***

APPOINT/APPROVE THE TOWN MANAGER TO SIT ON THE HCTDA PRODUCT DEVELOPMENT COMMITTEE.

Manager Best explained the HCTDA has made a Product Development Committee asking that each Town Manager and the County Manager sit on the Board. Ms. Best asked if the Board would like her to join the committee.

***A motion was made by Alderman John Hinton to approve Manager Vickie Best to sit on the Development Committee. The motion carried unanimously***

OTHER BUSINESS

There was no other business.

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.

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- Monthly Recyclables approx. fourteen tons.
- Monthly Solid Waste approx. fifty-four tons.
- Monthly White Goods/Electronics nine pick-ups.
- Picked up miscellaneous residential brush and debris. 248 brush pick-ups that totaled twenty-one loads of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners, Summer banners and Flag Banners.
- Public Works continues mowing, weed eating and upkeep of all Town facilities.
- 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 6 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.
- We continue to do spraying to control weeds and grass along sidewalks, roads and parking areas.
- Public Works trimmed trees and brush around streetlights in the Preserve.
- Public Works staffed two successful events at the Festival Grounds.

#### WWTP

- Daily and 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.
- Installed/repaired seven sewer services issues, cleaned and videoed approximately 550' feet of sewer line, inspected 14 sewer connections/installations, repaired/leak stopped a damaged manhole and inspected 8 manholes as we continue to work on I&I issues.
- Dewatered 98,000 gallons of digester sludge. Lime Stabilized 0 tons of dewatered sludge. Also, we hauled 52 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 sixty-eight locate requests 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 four grease trap inspections. Of these one was 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.
- Reviewed plans and permits for new developments and projects.
- Moody Farm project has started. We inspect all sewer, stormwater and roads as they are being installed. This project will continue into Fall.
- All Wastewater staff completed our DENR required Continuing Education classes this month.

b) Matthew Boger, Interim Police Chief

Incidents

- During this reporting month of August, the Maggie Valley Police Department investigated twenty-six incidents, which include Aggravated Sexual Assault, Simple Assault, Larceny, Fraud, Damage to Property, and DWI.

Arrests

- Maggie Valley Police Officers arrested eight individuals, resulting in twelve charges, which include Breaking and Entering, Motor Vehicle Theft, Fraud, Property Damage, and Driving While Impaired.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated seven motor vehicle accidents for the reporting period and issued one hundred and thirty-eight traffic-related charges. Forty-two percent of citations were for speeding (8 citations and 50 written warnings).

Officer Activities

- There were nine Officer Activity Logs for the month, including Assist Other Agencies, Civil Disturbances, Business Checks, and Unlock Motor Vehicles.
- Officer Riddle took a report involving a theft of medication. The case has been forwarded to CID for review.
- Sgt. Mackey worked a two-vehicle collision on Johnson Branch. One of the drivers was arrested and charged with DWI.
- Officer Riddle, Detective Crocker, and Chief Boger responded to a cardiac arrest call at a local campground. The individual was located inside of a camper and was obviously deceased. Several items of contraband were recovered. The case is pending CID investigation.

- Officer Riddle, Detective Crocker, and Chief Boger conducted a welfare check at a local hotel. The subject of the call was located, and he was obviously deceased. CID investigated the case.
- Officer Herbertson responded to an overdose call at a local motel. Officer Herbertson located the subject and administered Narcan to revive the subject. Officer Herbertson saved this individual's life and will be awarded a lifesaving award soon.
- Sgt. Flowers investigated a hit-and-run accident on Jonathan Creek Rd.
- Officer Bellows took a property damage report on Moody Farm Rd. A rock was discharged from a mower and struck the windshield of a vehicle.
- K9 Officer Wood took a fraud report involving the sale of a dog. The victim paid an unknown individual via PayPal for a new dog. When the victim went to pick up his new dog, he realized there was no dog at the given address.
- K9 Officer Wood investigated a motor vehicle collision on Soco Road. A vehicle had left the roadway and became stuck in one of the pedestrian crosswalks. The driver was charged with DWI.
- Officer Herbertson responded to an assault call at a local campground. All parties were advised of the appropriate actions.
- Officer Herbertson responded to a call about a small child walking alone in the roadway. The parents were eventually located, and some apparent intoxication was noted. Haywood Co. DSS was notified, and a safety plan was implemented.
- Officer Riddle, Sgt. Flowers and Chief Boger responded to a possible sexual battery call. After a short on-scene investigation, the case was closed.
- K9 Officer Wood arrested an individual for violating a protection order while assisting with SRO coverage.
- K9 Officer Bellows conducted a traffic stop, which resulted in an individual being arrested for possessing Methamphetamine.
- K9 Officer Bellows and Sgt. Flowers responded to an unconscious person's call. Officer Bellows deployed Narcan, and EMS took over the scene. After the subject was revived and refused any additional medical treatment, K9 Officer Bellows arrested the subject on outstanding charges.
- *THIS LIST IS NOT A COMPREHENSIVE LIST OF ALL THE INCIDENTS FOR THE REPORTING PERIOD. SOME CASES, DUE TO THE INTEGRITY OF THE CASE, CAN NOT BE PUBLICLY DISCLOSED AT THIS TIME.*

#### Evidence Processing (E/P)

- E/P technician processed eighteen items for the month. Evidence includes narcotics, narcotics paraphernalia, blood evidence, autopsy evidence, and prescription medications.

#### Investigations (CID)

- Detective Crocker and Chief Boger are investigating an overdose death (Luther). Charges are forthcoming.
- Detective Crocker investigated a death that was ruled an accident. Detective Crocker attended the autopsy in Winston-Salem.

- Detective Crocker and Chief Boger are investigating a sexual assault case.
- Detective Crocker and Officer Herbertson assisted fire and EMS with a combative and suicidal female. Officer Herbertson rode with EMS to the ER to assist with the combative patient.
- Detective Crocker attended the monthly narcotics/investigations meeting at Waynesville PD.

#### K9 Program

- K9 Officer Shanna Bellows and K9 Charlie participated in the monthly county-wide narcotics training exercises.
- K9 Officer Bellows and K9 Charlie conducted six training exercises in August
- K9 Officer Bellows deployed K9 Charlie on three separate occasions this month. The team was responsible for seizing several types of narcotics, including approximately 68 grams of methamphetamine.

#### Community Patrol and Interactions

- Maggie Valley Officers patrolled through our residential neighborhoods 170 times during the month.
- Maggie Valley Officers performed their monthly business visitations.
- Maggie Valley Officers responded to 268 Calls for Service in this reporting period.

#### Events, Schools, and Meetings

- K9 Officer Bellows and K9 Charlie attended the United States Police Canine Association Certification event held in Haywood County. The team passed both certifications in Tracking and Narcotics Detection.
- Admin Assistant Ondrea Murphy attended a NIBRS training. This training allows the agency to remain in compliance with national and state requirements.

#### c) Sam Cullen, Planner

Mr. Cullen read through his monthly Planning report as follows:

There were nine residential permits: Single Family Home for 575 Twinbrook Lane, New Carport for 32 Amos Court, Six single family home for Twinbrook Lane, New Building for 68 Hasty Drive.

There were five commercial permits: Renovation permit for Soco Road Eagle Plaza, New Business Terps and Shine 2451 Soco Road, New Business Tangle Wood Village 1595 Soco Road, New Deck at 1595 Soco Road, new carport 1406 Soco Road.

There were three Flood Plain permits: Grading at 1105 Jonathan Creek Road, HVAC 40 Indian Trace Road, Garage at 34 Valley Creek Drive.

There was one Miscellaneous request: Temporary sign permit at 3634 Soco Road.

There were seven notices of violations: Work without permit at 68 Hasty Drive, Storage at 303 Spring Lake Road, two RV sales off Soco Road, Grass at 4561 Soco Road, and two grass violations at Dellwood Road.

There were two Zoning Compliance Letters: 515 Twinbrook Lane, 65 Sophie Road.



Mountain View Estates received preliminary plat approval of phase on (21 units) and will begin installing infrastructure soon.

The Planning Department, Public Works along with Management has had a meeting with local developers inquiring about the Maggie Valley development approval process.

Planning hosted a neighborhood meeting to discuss the potential development of property located near the co-op.

Two initial zoning recommendations from the Planning Board for properties requesting annexation.

MV has seen an increase in single family home permits.

MV welcomed aboard the new Planning Assistant, Noah Taylor.

**ADJOURNMENT**

***A motion was made by Alderwoman Tammy Wight to adjourn the meeting at 7:00 pm. The motion carried unanimously.***

Attest:

  
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Mayor Mike Eveland

  
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Vickie Best, Town Manager

  
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Kathy Johnson, Town Clerk

