

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
August 13, 2024
MINUTES

Members Present:

Mayor Mike Eveland
Mayor Pro-Tem Jim Owens
Alderman John Hinton
Alderman Tim Wise

Members Absent:

Alderman Phillip Wight

Staff Present:

Vickie Best, Town Manager
Kathy Johnson, Town Clerk
Sam Cullen, Town Planner
Matthew Boger, Police Chief
Misty Hagood, Finance Officer
Seth Boyd, Senior WWTP Operator
Michael Herbertson, Police Officer
Craig Justus, Attorney

Others Present:

Two others were present.

Media Present:

Brionna Dellara, The Mountaineer

Meeting Call to Order

Mayor Eveland called the Meeting to order at 6:29 pm on Tuesday August 13, 2024, 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 Sam Cullen.

Approval of Agenda/Conflict of Interest Declaration

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

Consent Agenda

- a. *Budget to Actual*
- b. *A/R Report*
- c. *Tax Releases*
- d. *Minutes to be Approved: July 2nd and 9th.*

Mayor Eveland said Alderman Phillip Wight will not be attending the meeting.

A motion was made by Alderman John Hinton to approve the consent agenda as presented. The motion carried unanimously. (P. Wight was absent)

Public Comment

Mayor Eveland reminded everyone there would be public comment at the public hearing and he opened the meeting to general public comment. There was no public comment.

Judy Hickman and Levi Cullen with Haywood County Tax Assessors office for upcoming re-evaluation.

Mayor Eveland welcomed Judy Hickman (Haywood County Assessor) and Levi Cullen (Lead Appraiser for Haywood County). He invited them to begin their presentation. Ms. Hickman reviewed a power point presentation for the upcoming re-evaluation:

WHY IS HAYWOOD COUNTY DOING A REAPPRAISAL?

- North Carolina General Statute 105-286 requires all counties to conduct a revaluation of all real property at least every 8 years. Haywood county, like many other counties, is on a 4-year reappraisal cycle.
- A reappraisal resets all real property values to reflect the current market as of January 1 of the revaluation year.

SALES RATIO STUDY

- Sales Ratio Studies reflect the current condition of the market.
 - 2021 – 100%
 - 2022 - 72%
 - 2023 - 63%
- Projected sales ratio dropping below 85% triggers a mandatory reappraisal

MARKET VALUE

- Market value is the most probable price expressed in monetary terms that a property would bring in an open and competitive market in an arm's length transaction between a willing seller and a willing buyer neither being under any compulsion to buy or sell.
- The Haywood County assessor nor the County Commissioners create market value; this comes from trends of the local real estate market.
- Market value does not change at the same rate on all properties - this does not mean that everyone will have a 37% increase in tax value. There are differences between individual properties and neighborhoods located within the county.

Mr. Levi Cullen explained:

HOW IS THE VALUE OF PROPERTY DETERMINED?

- Values are determined by comparing sales of similar properties.
- Sales data from real estate transactions are collected and analyzed – the sales that will be given the most weight are the 2023 and 2024 sales.
- Only valid transactions are considered – foreclosures, family sales etc. Are not considered valid.
- Basic characteristics on every property such as square footage, exterior walls, quality of construction, number of bathrooms, heat source, age, and desirability are all taken into consideration.

Mr. L. Cullen further reviewed several slides with photos of properties and their current appraisal value and what each property sold for. The properties sold from between 29% to 197% over what the property was appraised for.

NEW CONSTRUCTION AND GROWTH

- Building permits for 2023 – 866
- Building permits as of 5/24/24 – 465
- 5 new subdivisions in 2024
 - Patton farm – approximately 56 units.
 - Queens – approximately 115 units.
 - Mountain view – approximately 71 units.
 - Wildbrook – approximately 31 town homes and 31 single family dwellings.
 - J-creek development – approximately 155 units.

WHAT CAN I EXPECT DURING THE REAPPRAISAL PROPERTY VISIT?

- Real property appraisers are still visiting properties and collecting data.
- All appraisers will have an Id badge and will knock on your door to verify information on the property record card. Appraisers will not come inside the home.
- The appraiser may do a walk around to make sure the sketch of the home is correct.
- The appraiser may ask questions regarding the number of bedrooms, bathrooms, heat, finished basement etc.

Mr. L. Cullen explained how to search for and view property tax data on the Haywood County Website.

Alderman Jim Owens asked if the inflated market or “bubble” would play a role in the assessment. Mr. L. Cullen said the General Statutes requires the County to be at 100% of market value. If it is an inflated market or “bubble” that would still be 100% of market value and there is no way to tell if the market is inflated temporarily.

Mayor Eveland said there was a house that was assessed at \$390,000 and sold for \$795,000. He said it would be hard for the owner to say it’s not worth that much because they paid that much for it. He said “What about the poor gentlemen next door that has lived here his whole life”. Mr. L. Cullen said it doesn’t mean that every home will go up that much, “what we have to do is raise that base rate on our values.” He said “It’s not one standard increase but everyone can expect to see an increase.”

Mayor Eveland asked “All the new homes coming in around the county”, he asked “What does that do to the homes in the area? Are they considered separate because they are newer homes?” Mr. L. Cullen used the D.R. Horton Community on Jonathan Creek as an example and said the tax values would only be effective for that neighborhood and the properties outside that neighborhood would not directly affect that. “All that will do is affect our average as a whole.”

Alderman Tim Wise said “You said 85% kicks in automatically that you have to look at it.” If we are in an inflation “bubble”, is there a reverse percentage that kicks in for re-evaluation in two

years? Mr. L. Cullen said yes, if it is over 115%. When that kicks in, we have two years to complete a re-evaluation.

Board members thanked Ms. Hickman and Mr. L. Cullen for attending the meeting and explaining the re-evaluation.

Public Hearing: Updates to the Comprehensive Land Use Plan-Development Considerations.

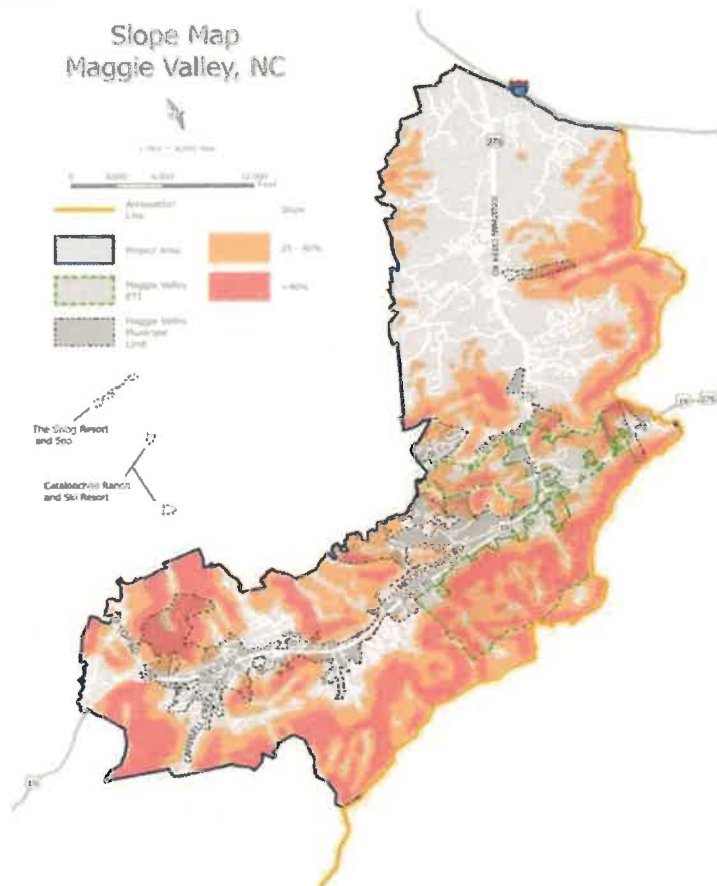
Town Planner Sam Cullen read the staff report: In accordance with NCGS 160D-501 the Planning Department has been working on updates to the Comprehensive Land Use Plan. NCGS requires that local government reasonably maintain their comprehensive plans by adjusting and modifying language within the document to reflect local planning initiatives and the goals of the community.

The Town of Maggie Valley needs to consider preservation of areas in town with steep slopes. The proposed amendment includes language concerning the Town's opinion of steep slopes, as well as additional new text.

While the Comprehensive Plan is an advisory document the addition of this language will be helpful for future conditional zoning approvals as well as possible text amendments to the Unified Development Ordinance.

Mr. Cullen said the idea behind a steep slope ordinance would not be to eliminate development on all slopes but better control it. Steep slope ordinances have environmental and aesthetic values. He said the Planning Board met in July and recommended approval of the proposed update.

Mountainside development conducted outside of the floodplain limits is often on steep slopes placing structures at risk for landslides and erosion. Historically Town development has largely disregarded these considerations, leading to existing infrastructure in high-risk locations for environmental and structural damage. The Town now recognizes the importance of preserving the mountainsides and ridgetops.



As reflected in the map above the Town has many areas within, and just outside, of the municipal limit exceeding 25% in grade.

Mayor Eveland asked for the Planning Department and the Planning Board to create a proposal for a steep slope overlay district. Planner Cullen said if an Overlay district is created it will likely only apply to properties that meet the criteria and petition for annexation.

Mayor Eveland opened the Public Hearing at 6:53 for Public Comment. There was no public comment. He closed the hearing at 6:54 for Board discussion.

Alderman John Hinton said he feels this is a “Good first step” a “Necessary step.”

A motion was made by Alderman Jim Owens to adopt Ordinance 1089 Updating the Comprehensive Land Use Plan-Development. The motion carried unanimously. (P. Wight was absent)

A motion was made by Alderman Tim Wise to adopt the Reasonableness and Consistency Statement for Ordinance 1089. The motion carried unanimously. (P. Wight was absent)

Request for Grant: Façade, Sign and Landscaping Grant: Cool Breeze Campground Landscaping.
Planner Cullen said there were a few additional applications since the agenda setting meeting. Applicants are still working on getting their applications packets together, mostly signage and some landscaping.

Mr. Cullen said the Cool Breeze Campground project went well and has been completed. The owner has been reimbursed for the Towns portion. Mayor Eveland questions "What happens if five of those trees die? Are they required to put them back?" Mr. Cullen said "The Town can take measures to mitigate that issue in the near future."

Approval of 2025 Festival Grounds Rental Applications

The applications presented to the Board for approval were: Maggie Valley Fly Fishing Festival for May 21st-23rd, 2025. Altrusa Benefit Concert for August 9th, 2025. Screamefest 2025 for October 31st and November 1st, 2025. WNC JeepFest for June 6th and 7th, 2025. Eurofest Maggie Valley for August 16th 2025. Showdown in the Valley for October 3rd, 4th, 5th, 2025.

A motion was made by Alderman Tim Wise to approve the 2025 Festival Ground Rental Applications for 2025. The motion carried unanimously. (P. Wight was absent)

Budget Amendment Ordinance 1090: Amend the Special Revenue Fund Ordinance for the ARPA.
A motion was made by Alderman Jim Owens to adopt Budget Amendment Ordinance 1090, Amending the Special Revenue Fund Ordinance for ARPA. The motion carried unanimously. (P. Wight was absent)

Budget Amendment Ordinance 1091: Amend 23-24 Budget for ARPA Funds to cover sewer salaries.

A motion was made by Alderman John Hinton to adopt Ordinance 1091 Amending the 23-24 Budget for ARPA Funds to cover sewer salaries. The motion carried unanimously. (P. Wight was absent)

Budget Amendment Ordinance 1092: Amend 24-25 Budget for ARPA Funds to using remaining amount to cover sewer salaries and benefits.

A motion was made by Alderman Jim Owens to adopt Ordinance 1092 Amending the 24-25 Budget for ARPA Funds to cover sewer salaries and benefits. The motion carried unanimously. (P. Wight was absent)

Budget Amendment Ordinance 1093: Amend 24-25 Budget for Encumbrances for previous year for Public Works building, Town Hall windows/doors, and Police equipment and striping on vehicles.

A motion was made by Alderman Tim Wise to adopt Budget Amendment Ordinance 1093 Amending the 24-25 Budget for Encumbrances for previous year for Public Works building, Town Hall windows/doors, and Police equipment and striping on vehicles. The motion carried unanimously. (P. Wight was absent)

Other Business

Manager Best said there was no other business other than everyone should be celebrating the sale of the Waterfall property.

Department Head Reports

Seth Boyd, Senior WWTP Operator

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. 15 tons.
- Monthly Solid Waste approx. 61 tons.
- Monthly White Goods/Electronics 1 pick-ups.
- Picked up miscellaneous residential brush and debris. 283 brush pick-ups that totaled 20 loads of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners and Spring banners.
- Public Works continues upkeep of all Town facilities.
- Perform ditch, culvert, shoulder and road maintenance along streets. Both private and Town streets.
- Public Works worked with the Fire Dept to clean up fallen trees across town streets caused by passing storms.
- Service and/or repaired 1 Public Works vehicles/equipment 1 Administration and 1 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 continues inspections and testing of roads, paving and other infrastructure at Mountain View Estates. The first phase of paving is now completed and has been inspected by town staff, as well as an inspection company hired by the developer.
- Land clearing has begun in the Valley View subdivision on Jonathan Creek behind the CO-OP.
- Sweet Brier Parking Lot sign has been ordered and has arrived. Posts are being ordered to mount the sign on.
- We are continuing construction of the Public Works 50x100 storage building. This work should continue through late August.
- Public Works oversaw the preparation of the site, the festival grounds prep and cleanup for a very successful 4th of July fireworks event.
- Public Works staffed 4 successful events at the Festival Grounds in July.

- The Solid Waste Report has been started. This is a report that is required by the State every year.

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 2 sewer services issues, cleaned and videoed approximately 850' feet of sewer line, inspected 19 sewer connections/installations, repaired/leak stopped 0 damaged manhole and inspected 0 manholes as we continue to work on I&I issues.
- Dewatered 160,000 gallons of digester sludge. Lime Stabilized 0 tons of dewatered sludge. Also, we hauled 66 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 thirty-five 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 7 grease trap inspections. Of these two 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.
- Reviewed plans and permits for new developments and projects.
- Completed and sent to DENR our application for the Town's Residuals Permit Renewal. The new permit will be until January of 2028.

Matthew Boger, Police Chief

Incidents

- During the reporting month of July, the Maggie Valley Police Department investigated forty-seven incidents, which included Breaking and Entering, Larceny, Property Damage, Drug Violations, Simple Assault, Aggravated Assault, Motor Vehicle Theft, Disorderly Conduct, Trespassing, Weapon Law Violations, Fraud, and Death Investigation.

Arrests

- Maggie Valley Police Officers arrested twenty-three individuals, resulting in thirty-nine charges, which included Larceny, Property Damage, Driving While Impaired, Trespassing, Weapon Law Violations, Drug Violation, and Disorderly Conduct.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated eight motor vehicle accidents for the reporting period and issued one-hundred thirteen traffic-related charges. Thirty-eight percent of charges were for speeding (7 citations and 36 written warnings).

Officer Activities

- THIS LIST IS NOT A COMPREHENSIVE LIST OF ALL THE INCIDENTS FOR THE REPORTING PERIOD. SOME CASES, DUE TO THE INTEGERGY OF THE CASE, CAN NOT BE PUBLICLY DISCLOSED AT THIS TIME.
- Sgt. Flowers and K-9 Officer Bellows responded to a domestic disturbance call for service at a hotel. Investigation revealed that a female had assaulted a male. She was transported to Haywood County Detention Facility.
- Sgt. Flowers responded to a residence in reference to a larceny call for service. A report of the incident was documented.
- Officer Crowe and Sgt. Wood responded to the parking lot of Maggie Valley Police Department in reference to a meet-with call for service. The complainant was arrested for Intoxicated and Disruptive. He was transported to Haywood County Detention Facility.
- Sgt. Wood initiated a traffic stop on a vehicle for a traffic infraction. The driver was arrested for Driving While Impaired. He was transported to Haywood County Detention Facility.
- K-9 Officer Bellows initiated a traffic stop on a vehicle for a regulatory violation. A K-9 sniff, and search of the vehicle was conducted and the female was arrested for Possession of Methamphetamine. She was transported to Haywood County Detention Facility.
- Officer Herbertson responded to an abandoned amusement park in reference to trespassing. Multiple subjects were cited for trespassing.
- Officer Herbertson initiated a traffic stop on a vehicle for a regulatory violation. The vehicle fled and was ultimately stopped. The driver was arrested and charged with multiple crimes. He was transported to Haywood County Detention Facility.
- Officer Riddle responded to a business in reference to property damage. A report of the damage was documented.
- Officer Riddle responded to a motorcycle traffic crash call for service. A report of the incident was documented.
- Officer Greene responded to a gas station in reference to a shoplifting call for service. A male subject was identified and arrested for Shoplifting. The subject also had an outstanding order for arrest. He was transported to Haywood County Detention Facility.
- Officer Greene was conducting routine neighborhood patrol when he observed a suspicious vehicle on posted property. A subject in the area was located and charged with Larceny of Ginseng and Possession of Methamphetamine. He was transported to Haywood County Detention Facility.
- Officer Greene and Officer Kelley responded to an abandoned amusement park in reference to a trespassing call for service. Multiple juveniles were discovered on the property and were ordered to leave the property.

- Officer Crowe responded to the parking lot of Maggie Valley Police Department in reference to an assault that had previously occurred. The subject was advised of the appropriate action and a report was documented.
- Officer Crowe initiated a traffic stop on a vehicle for a regulatory violation. The female driver had an outstanding order for arrest and was arrested. She was transported to Haywood County Detention Facility.
- Officer Kelley continued the FTO program with K-9 Officer Bellows, Officer Greene, and Sergeant Wood.

Evidence Processing (E/P)

- Evidence Technicians O. Murphy and S. Justice processed one item for the month. Evidence includes narcotics.
- Evidence Technicians checked items back into evidence that were taken for digital download. Sydney Justice assisted Detective Crocker with the homicide investigation

Investigations (CID)

- Detective Crocker continued to follow up on leads with the homicide investigation.
- Detective Crocker is following up on a potential human trafficking case.
- Detective Crocker FTO'd Officer Kelley for a week.
- Assisted with July 4th activities
- Detective Crocker and Sgt Wood arrested a male for disorderly conduct after the fireworks concluded. Crocker transported for Sgt Wood, who charged and processed the male at the jail.
- Detective Crocker and Officer Kelley went to Charlotte-Mecklenburg PD to retrieve evidence that was taken for digital download.
- Detective Crocker worked several shifts on patrol to assist with calls due to being shorthanded.
- Detective Crocker assisted with a vehicle chase that started at Teague's and ended at Dollar General in Maggie Valley. Deputy Ledin and Detective Crocker were able to get the vehicle stopped without incident and Robert Mershon was taken into custody. 31.6g of methamphetamine was located on Mershon as well.
- Detective Crocker assisted with a civil disturbance at Tanglewood Shops where Chris Smith arrived to retrieve his belongings a week early.

K9 Program

- The K9 teams logged fifteen training events and one deployment.
- K-9 Officer Bellows and K-9 Charlie conducted a vehicle search where they located and seized 2g of Methamphetamine. Great Work!

Community Patrol and Interactions

- Maggie Valley Officers patrolled through our residential neighborhoods several times this month.
- Maggie Valley Officers performed their monthly business visits.
- Maggie Valley Officers responded to 337 Calls for Service (CFS) in this reporting period. The average number of calls for service per day has been consistently around 10 for the last several months.

Events, Schools, and Meetings

- Sergeant Mackey attended the SRO Conference for this year.
- Maggie Valley officers played an important role in the 4th of July celebration. Several officers worked an extra shift to ensure safety in the Valley throughout this event.
- Maggie Valley Police Department celebrated Maggie Valley's 50th Birthday and attended the Birthday Celebration. A special thanks to the town employees that worked together to make it a great evening!
- Chief Boger attended a meeting with the Mission Hospital Trauma Team. This meeting was held to plan a more efficient critical response in the event that an officer sustains serious injury.
- Chief Boger attended the monthly Chief's meeting.

Sam Cullen, Town Planner

- Eight Residential Permits: New Structures at Havenwood Drive, 228 Turn-a-bout Court, 126 Clearview Drive, Two new structures Alexander Drive and Loblolly Way. New Use at 179 Jonathan Creek Rd., Renovation at 219 Solar Court.
- Two Commercial Permits RV at 2468 Dellwood Road and New Business at 2501 Soco Road.
- Three Floodplain Permits: Renovation at 221 Moody Farm Road and 83 Indian Trace Road, Duke Energy Pole Replacement.
- Seven In person consultations: Two Grants, Three Signs off NC DOT R.O.W. and Two developers of residential property.
- Twelve Final Zoning Compliance: 114 Wildbrook Drive, 87 Riverside Villa Drive, 2804 Soco Road, 48 Alaska Lane, 123 Wildbrook Land, 273 Mountain View Drive, 3935 Soco Road, 585 Twinbrook Lane, 611 Twinbrook Lane, 134 Wildbrook Drive, 115 Wildbrook Drive and 67 Mari Place.
- One Misc. requests: Variance at 35 Donald Circle.
- Six Notice of Violations: Grass; Soco Road and Caldwell Drive. Solid Waste, 100 Johnson Branch Road. Two Building without permits at Solar Ct. Junk Vehicle on Campbell Creek Rd.
- Two Resolved Violations: Grass at Carsen Loop, Building without permit on Solar Ct.

Adjournment

A motion was made by Alderman Tim Wise to adjourn the meeting at 7:11pm. The motion carried unanimously.

Attest:



Mayor Mike Eveland



Vickie Best, Town Manager



Kathy Johnson, Town Clerk

