

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
January 14, 2025
MINUTES

Members Present:

Mayor Mike Eveland
Alderman John Hinton
Alderman Tim Wise
Alderman Phillip Wight

Members Absent:

Mayor Pro-Tem Jim Owens

Staff Present:

Sam Cullen, Planner/ Assistant Town Manager
Kathy Johnson, Town Clerk
Mike Mehaffey, Public Works Director
Cody Greene, Lieutenant
Logan Wood, Lieutenant
Attorney Craig Justus

Others Present:

Jim Heise, Rick Helpers, Three Other people present

Media Present:

Becky Johnson, The Mountaineer

Meeting Call to Order

Mayor Eveland called the Meeting to order at 5:29 pm on Tuesday January 14, 2025, in the Maggie Valley Town Hall Boardroom, 3987 Soco Road, Maggie Valley, NC 28751.

Pledge of Allegiance

Mayor Eveland asked for a moment of silence for the people in California dealing with the fires and said "Our thoughts and prayers are with them."

The Pledge of Allegiance was repeated by all followed by prayer led by Sam Cullen.

Mayor Eveland said Mayor Pro-Tem Jim Owens will not be attending due to surgery. Manager Vickie Best will not be attending due to surgery last week.

Approval of Agenda/Conflict of Interest Declaration

Mayor Eveland asked if there were any changes to the agenda or conflict of interest. There were none stated.

Consent Agenda

- a. *Budget to Actual*
- b. *A/R Report*
- c. *Tax Releases*
- d. *Minutes: December 3 and 10, 2024*

- e. Resolution 25-03 Directing Clerk to investigate the sufficiency of a petition to annex for 565 Lewis Lane.*

A motion was made by Alderman Tim Wise to approve the consent agenda as presented. The motion carried unanimously.

Public Comment

Mayor Eveland opened the meeting for Public Comment. No one came forward to make comments.

Public Hearing: Leasing the Civic Building to the Maggie Valley Chamber

Mayor Eveland opened the Public Hearing at 6:31 and asked if anyone would like to make public comment on the leasing of the Civic Building to the Maggie Valley Chamber. No one came forward to comment and he closed the Public Hearing at 6:32 pm.

Mayor Eveland read resolution 25-01 in its entirety stating the intent to lease the Civic Building to the Maggie Valley Chamber for three years for \$2400 a year. Renewal every year after the third year.

A motion was made by Alderman Phillip Wight to adopt resolution 25-01 leasing the Civic Building to the Maggie Valley Chamber for three years. The motion carried unanimously.

Memorandum of Understanding for the French Broad MPO

Planner Sam Cullen said approximately every ten years the FBRMPO asks all its government members to adopt a memorandum of understanding concerning the structure of the MPO and various administrative changes. The update generally happens each time a census is adopted, and the data is published.

Mr. Cullen said he represents the Town of Maggie Valley on the Technical Committee and Mayor Eveland is on the MPO Board.

There is no change in membership for the Town. The changes from the last MPO are:

- Removal of Transylvania County due to mapping and growth patterns.
- Addition of non-voting members of the board with expertise in various fields.
- Attendance requirements of voting eligibility.

Mr. Cullen referenced the full Memorandum of Understanding in the agenda packet and said he would answer any questions. Upon adoption, Resolution 25-02 will be sent to the MPO.

Mayor Eveland asked if anyone had any concerns or questions about the Memorandum of Understanding. None were stated.

A motion was made by Alderman John Hinton to adopt Resolution 25-02 Memorandum of Understanding for the French Broad River MPO. The motion carried unanimously.

Approve of 2025 Events

- Mini Truckin events for 2025: April 25-27, 2025 & October 10-12, 2025

- Showdown in the Valley July 31 through August 2, 2025
- Southern Rock Wood Stock October 4, 2025
- Visit Haywood Ice Festival February 1, 2025

Mr. Cullen said some of the events are going to serve alcohol and it is noted on the application.

There was discussion about the events and Mayor Eveland confirmed that all events could be approved in one motion.

A motion was made by Alderman Tim Wise to approve all 2025 events presented. Mini Truckin events for 2025: April 25-27, 2025 & October 10-12; Showdown in the Valley July 31 through August 2; Southern Rock Wood Stock October 4, Visit Haywood Ice Festival February 1. The motion carried unanimously.

Declaration of Surplus. 40 caliber handguns trade in for 9 millimeters handguns

Mr. Cullen said there was a slight difference in the price of the .40 Caliber trade and the 9 millimeters handguns.

To: Vickie Best, Town Manager
From: Matthew S. Boger, Police Chief
Date: December 19, 2024
Re: Surplus Firearms

Manager Best,

The Police Department has several firearms (handguns) that have reached surplus status (see list below). Upon authorization, the Glock .40 caliber firearms will be traded to Criag's Firearms, a licensed firearm dealer, for credit towards the purchase of the new Glock Firearms.

The Maggie Valley Police Department also has an overabundance of .40 caliber ammunition that will no longer be used due to the caliber change to 9mm. Craigs Firearms has also agreed to include 45 cases of the .40 caliber ammunition in consideration for credit. Therefore, 45 cases (22,500 rounds) must be considered surplus.

The surplus handguns and ammunition will be delivered to Criag's Firearms, and credit will be issued to the Maggie Valley Police Department account. This credit will then be applied to the newly purchased Glock 9mm handguns and accessories.

List of firearms to surplus by serial number:

BSRC956, BSRC957, BSRC958, BSRC959, BSRC960, BSRC961, BSRC962, BSRC963, BSRC964, BSRC965, BYWD943, BYWD944, BYZB564, VZFP938, WPY870, XLB810, XLB813, XLB815, YEG796, YEG797, YVL888, YVL889, YVL890, YVL891, AECG318, AESK731, AESK845.

Thank you,
Matthew S. Boger
Matthew S. Boger

A motion was made by Alderman Phillip Wight to declare the .40 Caliber handguns as surplus. The motion carried unanimously.

Approve Meeting times for 2025

Mayor Eveland asked for a motion to accept the Board of Aldermen meeting times listed. The first Tuesday of each month at 10:00am and the Second Tuesday of each month at 6:30pm with the exception of one meeting. The November 11, 2025, meeting falls on Veterans Day when Town offices are closed. That meeting will be moved to November 12th at 6:30pm.

A motion was made by Alderman Tim Wise to adopt the meeting times and dates as presented.

Make appointment to the Zoning Board of Adjustment

A motion was made by Alderman John Hinton to appoint James Heise to seat # 4 on the Zoning Board of Adjustment. The motion carried unanimously.

Mayor Eveland confirmed with Mr. Cullen this would be effective March of 2025 with Mr. Heise term expiring in March of 2028.

Haywood Waterways \$1000 Sponsorship for Polar Plunge.

There was discussion between Board members about past donations to the Plunge.

A motion was made by Alderman John Hinton to make a donation to Haywood Waterways in the amount of \$1000. The motion carried unanimously.

Other Business

There was no other business.

Department Head Reports

Mike Mehaffey, Public Works Director

Mr. Mehaffey updated the Board on:

- The new pipe bridge for Fox Run Road. (Open bids on the 30th)
- RFQ for an Engineer for the Put-Put Stream Bank repair.
- An Engineer is lined up to look at the Bridge at the WWTP to see what needs to be done to be able to move equipment and Leachate across the bridge.
- Will continue to work on the Sewer line easement acquisition for Low Water Creek Crossing.

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. 11 tons.
- Monthly Solid Waste approx. 49 tons.
- Monthly White Goods/Electronics 2 pick-ups.
- Picked up miscellaneous residential brush and debris. 111 brush pick-ups that totaled 14 loads of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners and winter banners.
- Public Works continues upkeep of all Town facilities.
- Perform ditch, culvert, shoulder and road maintenance along streets. Both private and Town streets.

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- Service and/or repaired 7 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.
- Public Works continues inspections and testing of roads, paving and other infrastructure at Mountain View Estates.
- Valley View subdivision on Jonathan Creek behind the CO-OP has started grading and installing infrastructure. We inspect their progress daily.
- Public Works continues inspections and maintenance on all winter decorations. 78 pole decorations, 6 ground displays and building lights at Town Hall, Pavilion, Fire Department and Police Department.
- Public works continues working on employee safety training.
- We are continuing construction of the Public Works 50x100 storage building. The concrete has been sealed. Garage doors are installed. Gutter drains have been installed. Electrical work continues.
- Public Works had two snow and ice events in December.
- Public Works winterized stage and fence at FG after November events.
- We continue working on storm related issues. Woody debris, streets, parks, creek banks and buildings.
- Public Works and Planning did a walk through with Treasa Smith at the new civic building. We will work on a checklist of repairs to do before she moves in.

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 two sewer services issues, cleaned and videoed approximately 900' feet of sewer line, inspected ten sewer connections/installations, repaired/leak stopped two damaged manhole and inspected two manholes as we continue to work on I&I issues.
- Dewatered 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 eight one 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 seven grease trap inspections. Of this 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.

- Reviewed plans and permits for new developments and projects.
- We continue working on storm related issues. Sewer projects, Fox Run Road pump around, engineering for stream bank repairs, sewer pipe bridge at Fox Run, WWTP bridge engineering and road repairs.
- Employee Jarrod Holt has passed his collection systems grade 1 test

Cody Greene, Lieutenant

Incidents

- During the reporting month of December, the Maggie Valley Police Department (MVPD) investigated twenty-six incidents, which included Property Damage, Drug Violations, Assault, Trespassing, Weapon Law Violations, Disorderly Conduct, Driving While Impaired, Larceny, and Arson.

Arrests

- Maggie Valley Police Officers arrested eighteen individuals, resulting in twenty-nine charges, which included Trespassing, Drug Violation, Assault, Weapon Law Violations, Disorderly Conduct, Breaking and Entering, Family Offenses-Nonviolent, Property Damage, and Arson.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated two motor vehicle accidents for the reporting period and issued one hundred-twenty traffic-related charges. Thirty-three percent of charges were for speeding (9 citations and 27 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.
- Lieutenant Wood conducted a traffic stop with a suspect vehicle matching the description from a structure fire at Stompin Grounds. Detective Crocker and Lt. Wood spoke with John Evans, who admitted to starting the fire. John was placed under arrest and transported to HCSO.
- Officer Flowers and Officer Herbertson responded to a domestic violence assault. Upon further investigation and speaking with witnesses Ofc. Flowers placed Samuel Malone under arrest and transported him to HCSO.
- Officer Flowers took a report of property being stolen from Ghost Town. The suspects were seen on camera removing items from the property.
- K9 Officer Bellows and Officer Flowers responded to a civil disturbance call at The Ramada Inn. Hallea Reece was asked to leave the property and was causing a disturbance instead of leaving. After being advised to leave the property multiple times, Hallea was arrested for trespassing and transported to HCSO.

- K9 Officer Bellows took a report of larceny from Butts on the Creek. A suspect was seen on camera taking money from the cash register during business hours. The report was not requested for several days after the incident.
- Officer Herbertson responded to a hit-and-run at 3431 Soco Road. The suspect vehicle was located; however, the driver was not with it. Insurance information was collected for the victim.
- Officer Riddle responded to a civil disturbance at Scott Circle. Several victims had been assaulted with bear spray. Ofc. Riddle located the suspect and placed him under arrest.
- Officer Riddle took a property damage report at 224 Solar Court. The damages were from a nearby tree falling onto the property.
- Officer Kelley was dispatched to Ghost Town in the Sky in reference to trespassing. Officer Kelley located two males in the "old west" portion of park. Citations were issued for trespassing.
- Officer Crowe was conducting radar on US/19 and observed a vehicle traveling 60MPH in the 35MPH zone. A traffic stop was conducted, and a DWI investigation followed. The driver, Canyon Rathbone, was placed under arrest, and once at the jail, EMS had to be contacted for a blood draw.
- Officer Crowe responded to 504 Soco Road in reference to breaking and entering. A mother, identified as Ashley Moore, and her two kids broke into the residence and assaulted the homeowner. After the victim fired two warning shots from a pistol, the suspects fled. Officer Herbertson obtained warrants for the mother and contacted the Department of Juvenile Justice in reference to the juveniles.

Evidence Processing (E/P)

- Evidence Technicians O. Murphy and S. Justice processed twenty-two items for the month. Evidence includes narcotics, paraphernalia, electronics, weapons, weapon accessories, ammunition, biological specimens, and jewelry.

Investigations (CID)

- Detective Crocker attended court for the human trafficking case twice. Lt. Greene conducted an additional interview in reference to this case and gained a confession. Detective Crocker and Lt. Greene continued searching for forensic data from phones that were seized during this investigation.
- Lt. Greene investigated an assault with Officer Riddle and made an arrest in this case.
- Lt. Greene, Detective Crocker, and Lt. Wood investigated a physical fight at the Ski Area. A video was obtained, and both parties were advised to file their own criminal charges if they wished to do so.
- Detective Crocker investigated a home invasion with an assault. Detective Crocker is working with juvenile justice on this matter, and Lt. Greene wrote two search warrants for cellphones and assisted in interviews.
- Lt. Greene and Detective Crocker investigated arson and are still in the process of the investigation. Several search warrants were written by Lt. Greene, and an arrest was made in connection with this case. Detective Crocker and Lt. Greene are currently working with the North Carolina SBI.
- We received four reports of snowboard larceny at the Ski Area. Three snowboards have been located and returned to their owners.

- Lt. Greene continued working on a solicitation of a minor case with more information coming about.
- Lt. Greene assisted the Haywood County Sheriff's Office with an overdose death investigation.

K9 Program

- The K9 teams logged two training events (USPCA Cert) and one deployment.

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 four hundred ten 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. This month the CFS's has greatly increased.

Events, Schools, and Meetings

- Chief Boger and Lt. Greene attended and assisted with Shop with a Cop at the Waynesville Walmart.
- Chief Boger attended a donation event for all the kids of WNC at the Asheville Police Department. The NC Chiefs of Police Asso made this event possible along with the Charlotte-Meck Police and Fire Departments.
- The 2025 Police Calendars have arrived, and distribution has begun

Sam Cullen, Assistant Town Manager/Town Planner

- Three Residential Permits: New structure 100 Loafer Lane. Renovations at 54 and 50 Alex Ridge.
- One Commercial Permits: Addition at 2651 Dellwood Road
- Eleven Floodplain Permits: 10 for HVAC at Rachel Circle HVAC, Deck replacement at Rushing Creek Lane. All for Tropical Storm Helene.
- Seven In person Consultations: DOT Signs, Zoning Board applicants, Haywood Waterways, NCDOT Topical Storm Helene follow up, Floodplain, Capstone, FEMA.
- Ten Final Zoning Compliance: 45 Clear Creek Lane, 59 Clear Creek Lane, 272 Kadire Drive, 51 Clear Creek Lane, 48 Wildbrook Drive, 126 Clearview Drive-Power, 260 Kadire Drive, 244 Kadire Drive, 625 Twinbrook Lane, 533 Twinbrook Lane.
- No Notice of Violation, Misc. Requests, or Resolved Violations.

Adjournment

A motion was made by Alderman Tim Wise to adjourn the meeting at 6:49 pm. The motion carried unanimously.

Attest:

s/Mike Eveland

Mayor Mike Eveland

s/Sam Cullen

Sam Cullen, Assist. Town Manager/Town Planner

s/Kathy Johnson

Kathy Johnson, Town Clerk

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