

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
February 11, 2025
MINUTES

Members Present:

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

Members Absent:

None

Staff Present:

Vickie Best, Town Manager
Sam Cullen, Planner/ Assistant Town Manager
Kathy Johnson, Town Clerk
Mike Mehaffey, Public Works Director
Seth Boyd, Senior WWTP Operator
Matthew Boger, Police Chief
Attorney Craig Justus

Others Present:

Six others were present.

Media Present:

Becky Johnson, The Mountaineer

Meeting Call to Order

Mayor Eveland called the Meeting to order at 6:29pm on Tuesday February 11, 2025, 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

Mayor Eveland said two of the agenda items would be removed. Number six on the agenda: Representative Mark Pless is not coming to the meeting. Number nine on the agenda: Donation for the Garden Club will be discussed at another meeting when all the information is together. He said there were two other items that would be added under Other Business about Hurricane Helene.

Mayor Eveland said he had been looking forward to the opportunity to talk with Representative Pless. He spoke about a meeting he had attended with the League of Municipalities. "There are a lot of folks in Raleigh working really hard to help out municipalities and towns." He looks forward to having a conversation with Representative Pless about helping in Maggie Valley. He said, "Our taxpayers work hard and deserve every bit of help we can get from the State."

Consent Agenda

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- a. *Budget to Actual*
- b. *A/R Report*
- c. *Tax Releases*
- d. *Minutes: January 7th and 14th, 2025 (Two sets of minutes for the 14th including Interview and Board Meeting).*
- e. *Resolution 25-04: Set date of public Hearing for the annexation of 565 Lewis Lane*
- f. *Municipal tax collectors must report to the governing board total unpaid 2024-25 taxes that are a lien on real property per G.S. 105-369(a)*

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.

Approve of 2025 Events

- a. Big Rig Takeover: April 11 & 12, 2025

A motion was made by Alderman John Hinton to approve the Bid Rig Takeover Event for April 11 & 12, 2025. The motion carried unanimously.

Budget Amendment Ordinance # 1103 for Worker's Comp Audit and Deductible for Gilliland vs Town of Maggie Valley Lawsuit.

Manager Best said this was discussed at the agenda setting meeting. The Ordinance has been changed to only include the Worker's Comp Audit and Deductible for Gilliland vs Town of Maggie Valley Lawsuit. The price of replacing the windows for the Chamber building have been removed from the Ordinance.

Ordinance No. 1103

An Ordinance Amending the FY 2024/2025 Budget Ordinance

Be It Hereby Ordained by the Town Board of Aldermen of the Town of Maggie Valley, North Carolina, that the Budget Ordinance for the year 2024/2025 is amended as follows:

General Fund – 2024/2025 – To cover Worker's Comp Audit and Deductible for Gilliland vs Town of Maggie Valley Lawsuit

| | | | Increase | |
|----------------|---------------------|-----------------|-------------------|----------------|
| | <u>Description</u> | <u>Previous</u> | <u>(Decrease)</u> | <u>Amended</u> |
| Revenues | Investment Earnings | \$73,000 | \$16,500 | \$89,500 |
| | 10-000-3831 | | | |
| Appropriations | Administration | \$747,733 | \$16,500 | \$764,233 |

A motion was made by Alderman Tim Wise to adopt Budget Amendment Ordinance #1103 for Worker's Comp Audit and Deductible for Gilliland vs Town of Maggie Valley Lawsuit. The motion carried unanimously.

Make appointments to the Zoning Board of Adjustment and Planning Board

Planner Cullen referenced the Staff report and said if the appointments were made, there would still be one vacant seat for an alternate on the Zoning Board and one vacant seat for a full member on the Planning Board.

A motion was made by Alderman Tim Wise to appoint Amber Patterson to seat number 2 of the Zoning Board of Adjustment. The motion carried unanimously.

A motion was made by Alderman Tim Wise to appoint Charlotte Ruiz to seat number 3 of the Zoning Board of Adjustment. The motion carried unanimously.

A motion was made by Alderman Tim Wise to appoint Derek Worrell to alternate seat number 1 of the Zoning Board of Adjustment. The motion carried unanimously.

A motion was made by Alderman Tim Wise to appoint Randy Blackmon to seat number 4 of the Planning Board. The motion carried unanimously.

Resolution #25-05 in support of HB24 an act to restore the authority for local governments to initiate downzoning.

Mayor Eveland asked for any discussion. There was none.

A motion was made by Alderman John Hinton to adopt Resolution 25-05 in support of HB24 an act to restore the authority for local governments to initiate downzoning. The motion passed 4-1. Alderman Tim Wise (Yes), Alderman Jim Owens (Yes), Mayor Eveland (Yes), Alderman Phillip Wight (No).

Other Business

Budget Amendment Ordinance #1104 for Fox Run Pipe Bridge

Manager Best said at the agenda setting meeting the Board approved the lowest bid to Pressley Contracting for \$180,700 to do the Fox Run Road Pipe Bridge. Budget Amendment Ordinance #1104 will cover that cost.

Ordinance No. 1104

An Ordinance Amending the FY 2024/2025 Budget Ordinance

Be It Hereby Ordained by the Town Board of Aldermen of the Town of Maggie Valley, North Carolina, that the Budget Ordinance for the year 2024/2025 is amended as follows:

Sewer Fund – 2024/2025 – For Fox Run Road Sewer Pipe Bridge

| | | | Increase | |
|----------------|---|-----------------|-------------------|----------------|
| | <u>Description</u> | <u>Previous</u> | <u>(Decrease)</u> | <u>Amended</u> |
| Revenues | FEMA Reimbursement 60-000-3930 | \$0 | \$180,700 | \$180,700 |
| Appropriations | Capital Outlay-TS Helene 60-714-4530 | \$0 | \$180,700 | \$180,700 |

A motion was made by Alderman Jim Owens to adopt Budget Amendment Ordinance #1104 for the Fox Run Road Pipe Bridge. The motion carried unanimously.

Resolution #25-06

Manager Best referenced a cashflow program memorandum concerning State cashflow loans for disaster response activities. It is a zero percent interest cashflow loan that would be paid back when FEMA reimburses the Town.



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

BRADFORD B. BRINER
STATE TREASURER OF NORTH CAROLINA

To: Management of North Carolina Local Governments affected by Hurricane Helene
From: Jeff Poley, Director of Disaster Services and Rural Economic Development
Date: January 30, 2025
Re: State Cashflow Loans for Disaster Response Activities

In connection with the State of North Carolina cashflow loan program authorized by North Carolina Session Law 2024-53 (as amended by Session Law 2024-57), the North Carolina Department of State Treasurer has been working with the North Carolina Department of Public Safety-Division of Emergency Management (NCEM), the Association of County Commissioners and the League of Municipalities to formulate a working plan for the disbursement of what we hope to be the first tranche of cashflow loans.

The first loans will be calculated based on FEMA Public Assistance Project Worksheets submitted by local governments to NCEM as of February 14, 2025. Local governments are encouraged to submit their worksheets to NCEM to be eligible for access to these funds.

More information concerning the cashflow loan program, including loan amounts and documentation, will be forthcoming. In the meantime, please reach out to the Association of County Commissioners or the League of Municipalities with questions and concerns. Additionally, the Association and the League intend to provide further instruction and guidance related to this program with their members as soon as possible.



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

BRADFORD B. BRINER
STATE TREASURER OF NORTH CAROLINA

To: Management of North Carolina Local Governments affected by Hurricane Helene
From: Jeff Poley, Director of Disaster Services and Rural Economic Development
(jeff.poley@nctreasurer.com)
Date: February 7, 2025
Re: State Cashflow Loans for Disaster Response Activities

As stated in our January 30, 2025 memorandum concerning the cashflow program, all units are encouraged to return their FEMA Public Assistance Project Worksheets by February 14, 2025. It has come to our attention some units may not be able to get their worksheets returned by that date. If that is the case, we will require any such unit to provide us an explanation regarding the delay by February 14, 2025 and such units will then be required to send an estimate of qualified project costs to me by April 30, 2025.

Our intent continues to be that loans will be available as early as February 24, 2025 for those submitting their worksheets by February 14, 2025. Those who provide explanations by February 14, 2025 and return their estimates by April 30, 2025 will receive their funds at a later date.

Please send all delay explanations to me at the email set forth above.

As always, if you have questions and/or concerns, please first try the North Carolina League of Municipalities or the North Carolina Association of County Commissioners and such entities can funnel questions to me.

25-06

**RESOLUTION BY GOVERNING BODY OF
TOWN OF MAGGIE VALLEY**

WHEREAS, the North Carolina General Assembly has enacted Disaster Recovery Act of 2024 to assist eligible units of government in meeting their Hurricane Helene disaster-related needs, and

WHEREAS, the North Carolina Office of the State Treasurer has offered a State Emergency Bridge Loans to assist with Hurricane Helene, and

WHEREAS, the Town of Maggie Valley intends to perform said project in accordance with the terms of the Agreement with the NC Office of the Treasurer,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
ALDERMAN OF THE TOWN OF MAGGIE VALLEY:**

Town of Maggie Valley
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That the Town of Maggie Valley does hereby request the State Emergency Bridge Loan.

That Town Manager, Vickie Best, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Office of the State Treasurer.

A motion was made by Alderman John Hinton to adopt Resolution 25-06 to execute documents that may be required by the Office of the State Treasurer for the cashflow program. The motion carried unanimously.

Department Head Reports

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. 12 tons.
- Monthly Solid Waste approx. 45 tons.
- Monthly White Goods/Electronics 0 pick-ups.
- Picked up miscellaneous residential brush and debris. 35 brush pick-ups that totaled 6 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.
- Service and/or repaired 6 Public Works vehicles/equipment 0 Administration and 7 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 continue working on employee safety training.
- We are continuing construction of the Public Works 50x100 storage building. We are finished with the building and have a final inspection scheduled. We will begin installing prefabbed racks and making some racks in-house. When weather permits, we will be putting the stone on the front of the building.
- Public Works had 7 snow and ice events in January. We also hauled 6 loads of salt.

- We continue working on storm related issues. Woody debris, streets, parks, creek banks and buildings. We are still finding damage caused by the storm. As we find them, we add them to our damage list for FEMA.

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/repared six sewer services issues, cleaned and videoed approximately 100' feet of sewer line, inspected five sewer connections/installations, repaired/leak stopped 0 damaged manhole and inspected 0 manholes as we continue to work on I&I issues.
- Dewatered 41,000 gallons of digester sludge. Lime Stabilized 0 tons of dewatered sludge. Also, we hauled 0 tons of dewatered sludge to the 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 seventy-four 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 thirty-five grease trap inspections. Of these eight 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.
- 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.
- The temporary sewer crossing at the Johnson Branch bridge was damaged with debris from the storms around New Years Day. We were able to remove the debris and rework the pipe supports. This sewer crossing is still temporary.
- We have delivered the 2024 System Performance Report to DWQ. It is available on the web site.
- We continue to work on getting easements for our low water sewer crossing project.
- The bids for the Fox Run Road Pipe Bridge project are in and will be ready for the board to award the project.

Temporary sewer crossing at Johnson Branch was damaged.

Matthew Boger, Police Chief

Incidents

- During the reporting month of January, the Maggie Valley Police Department (MVPD) investigated twenty-eight incidents, which included Property Damage, Drug Violations, Assault, Trespassing, Disorderly Conduct, Larceny, Breaking and Entering, Shoplifting, Motor Vehicle Theft, Fondling, Pornography/Obscene Material, and Liquor Law Violations.

Arrests

- Maggie Valley Police Officers arrested eight individuals, resulting in fourteen charges, which included Trespassing, Drug Violation, Assault, Disorderly Conduct, Shoplifting, and Liquor Law Violations.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated four motor vehicle accidents for the reporting period and issued one hundred-twenty-four traffic-related charges. thirty-four percent of charges were for speeding (5 citations and 37 written warnings).

Officer Activities

- 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.
- Lieutenant Wood and Officer Herbertson, along with Waynesville SRT, conducted an operation at 2451 Soco Road. This was for a search warrant at this location. The occupants were detained, and there was evidence of drug trafficking being conducted at this location. No narcotics were located at the time of the search.
- K9 Officer Bellows conducted a traffic stop on US 19 Soco Road. The female driver was placed under arrest for outstanding warrants. Upon further investigation, K9 Officer Bellows discovered the presence of narcotics. This investigation led to a search warrant being conducted at 2451 Soco Road.
- Officer Herbertson initiated a traffic stop after observing multiple traffic violations. Upon further investigation, Officer Herbertson requested a K9 conduct an exterior sniff of the vehicle. After a positive alert, narcotics were located, and the driver was placed under arrest.
- There were multiple calls for service at Cataloochee Ski Lodge consisting of assaults, property damage and larceny.
- Officer Crowe conducted a traffic stop after observing moving violations.
- After further investigation, Lt. Wood and K9 Officer Bellows utilized K9s to search the area surrounding the vehicle. Narcotics were located, and Officer Crowe arrested the female occupant for possession.
- Officer Barton took a report of a suspect Breaking into and entering a building and a vehicle. The suspect was unable to get a truck to start and poured gas into the diesel in an attempt to take the vehicle. After being unsuccessful, the suspect broke into a building, stole the keys to an Isuzu, and left with the vehicle.

Evidence Processing (E/P)

- Evidence Technicians O. Murphy and S. Justice processed eight items for the month. Evidence includes narcotics and paraphernalia.

Investigations (CID)

- Detective Crocker and Lt. Greene continued to follow up with the human trafficking and sexual assault case.
- Detective Crocker and Lt. Greene continued to follow up with the arson case
- Lt. Greene followed up with a domestic violence protective order violation at the request of the district attorney's office.
- Detective Crocker wrote a search warrant for a residence involved in illegal narcotics sales. Lt. Greene assisted in this case with interviews and a search of the residence. During the search, several cellphones were taken and Detective Crocker was able to get a search warrant on the phones and is following up with the forensic data on the phones. This case has resulted in one arrest with more potentially to come throughout the investigation.
- Detective Crocker is following up with a sexual assault case.
- Lt. Greene completed a search of a cellphone that contained child pornography and is working with the district attorney.

K9 Program

- The K9 teams logged no training events and four deployments. Officer Bellows and K-9 Charlie seized 1 gram of Methamphetamine. Great work!

Community Patrol and Interaction

- 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 461 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

- Officers Barton and Kelley attended basic radar training at AB Tech
- Chief Boger attended the annual NC Chiefs conference and training in Cherokee
- Det. Crocker attended MDT's and a training with KARE.
- Chief Boger attended a Domestic Violence stake holders meeting at Waynesville PD.

Sam Cullen, Assistant Town Manager/Town Planner

- Nine Residential Permits: New structures 121 and 127 Badd Lane, 65,75,83,88,93 and 96 Creekwalk Lane and Springlake Road.
- One Commercial Permits: Food Truck Host Site at Maggie Valley UMC.
- Three Floodplain Permits: HVAC and Renovation at 4438 Soco Road. Electrical and Renovations at 4102 Soco Road.
- Six In person Consultations: Bethel Village, TCC, TDA, Greenways, Zoning Board Applicant and FEMA.
- Seven Final Zoning Compliance: 60,62 and 85 Leisure Lane, 292 Katua Trail and 12, 22 and 36 Wildbrook Drive.

- No Misc. Requests.
- Two Notice of Violation: Sign at 2402 Dellwood Road. Accessory Structure at 104 Melody Lane.
- One Resolved Violation: Accessory Structure at 104 Melody Lane.

Planner Cullen stated he is in the process of obtaining his Floodplain Manager Certificate. He has also provided initial training for our newly appointed Planning and Zoning Board members.

Adjournment

A motion was made by Alderman Jim Owens to adjourn the meeting at 6:56 pm. The motion carried unanimously.

Attest:

s/Mike Eveland
Mayor Mike Eveland

s/Vickie Best
Vickie Best, Town Manager

s/Kathy Johnson
Kathy Johnson, Town Clerk