

Final Notice and Public Explanation of a proposed Activity in a 100-year Floodplain and Wetland

LEGAL NOTICE
Final Notice and Public
Explanation of a Proposed
Activity in a 100-Year
Floodplain and in a Wetland
Date: June 17, 2020
To: All interested Agen-
cies, Groups and Individuals

This is to give notice that Yancey County has conducted an evaluation as required by Executive Order 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activity in the floodplain and wetland will have on the human environment for the Department of Commerce under ARC NC-19097. The proposed project begins at the intersection of 19E and Motorsports Lane and continues west before turning onto Burnsville School Road. It then follows Burnsville School Road west to reconnect with Highway 19E, and then follows Highway 19E west for approximately 0.4 miles. The proposed project(s) is located east of Burnsville in Yancey County. The proposed project will install approximately 4,000 LF of 12-inch gravity sewer within the floodway and the 100-year floodplain for Little Crabtree Creek using traditional trenching and bore-and-jack methods. This project is intended to provide access to a sewer system for Yancey County residents who are experiencing problems with their existing septic systems and other residents along the sewer system. The project will be funded by an Appalachian Regional Commission grant in the amount of \$300,000 and a Clean Water State Revolving Fund Loan in the amount of \$565,835. The project will temporarily impact approximately 2.3 acres within the floodway and 100-year floodplain during construction. There are no wetland impacts for the current project limits but the project will result in 90 linear feet of temporary stream impacts, which have been authorized by the issuance of NWP 12 by the United States Army Corps of Engineers.

Yancey County has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

No Action Alternative –
 This alternative was rejected because it does not address the issue of failing septic systems and straight-piping. It does not provide access to a centralized wastewater collection system and may allow for future soil contamination and groundwater contamination.

Redesign the Sewer Line
 so it does not pass through a floodplain – This alternative was rejected because there are already segments of this project that have been designed on either side of the floodplain and in order to connect those existing segments, the sewer line must pass through the floodplain.

To mitigate impacts to the floodplain, all elevations will be returned to original conditions following construction completion.

Floodplain insurance is not required for this project. A permit for construction within the floodplain will be obtained before construction begins.

Yancey County has re-evaluated the alternatives to building in the floodplain and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 and 11990, are available for public inspection, review and copying upon request at Yanceycountync.gov.

This activity will have no significant impact on the environment for the following reasons:

The topography will be returned to original grade following sewer installation, so there will be no permanent impacts to the floodplain.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in

the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important

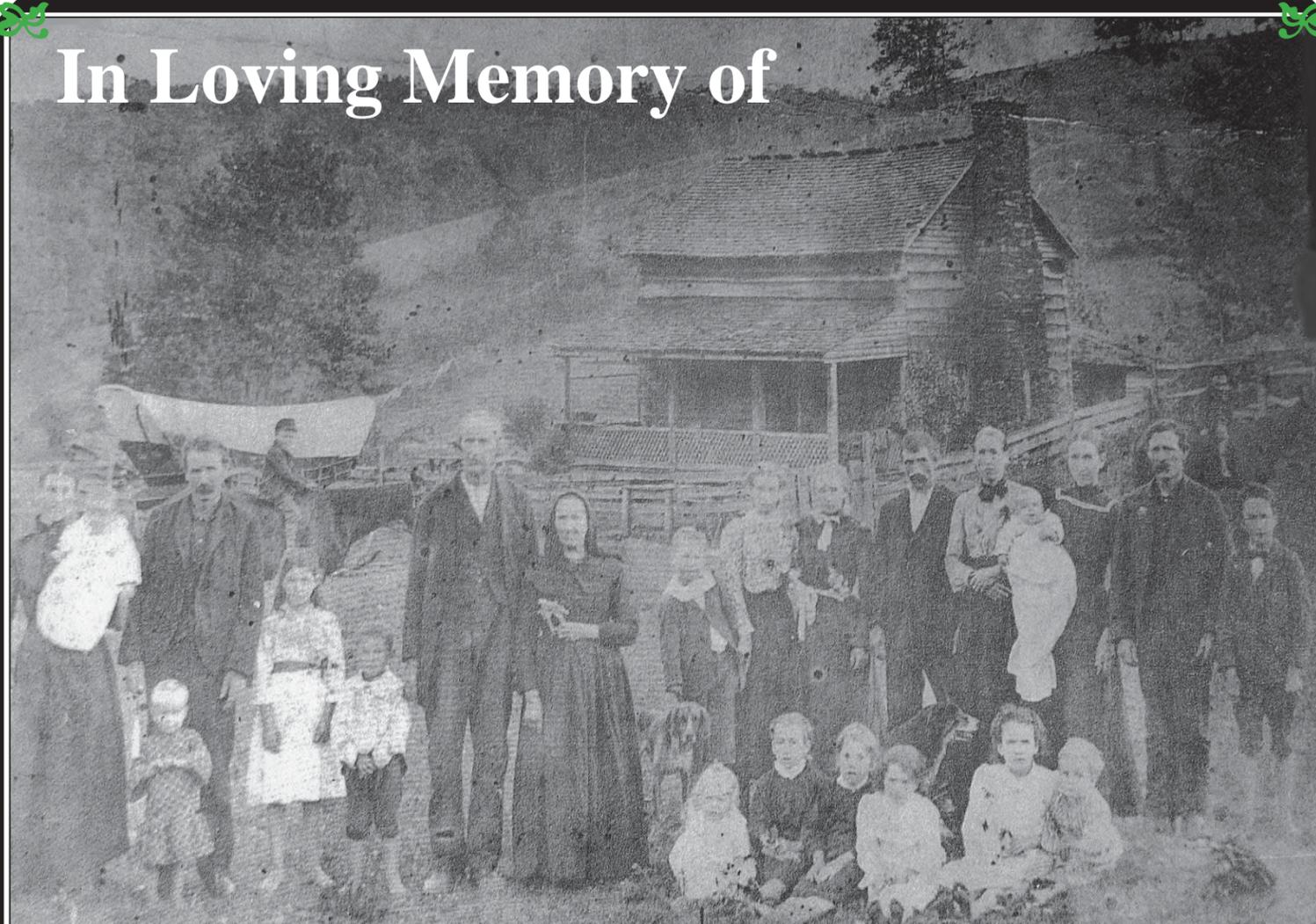
public educational tool. The dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as

a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk. Written comments must

be received by Yancey County at the following address on or before June 25, 2020: Yancey County, 110 Town Square, Burnsville, NC 28714 and 828-682-3971, Attention: Lynn Austin, County Manager, during the

hours of 9:00 AM to 5:00 PM. Comments may also be submitted via email to Lynn Austin at Lynn.Austin@yanceycountync.gov.

Published June 17, 2020



on horse near wagon
 Floyd Briggs

not pictured
 Little Charley (deceased)

on horse in back
 Isaac Clayton Briggs

back row standing
 Martha Lavada McMahan Thomas Silver McMahan Julius Alexander McMahan Jason Briggs Miley McMahan Briggs
 James Woody and Nancy Magdaline Harriett Maranda McMahan Matilda Ellen Zacharia Taylor Briggs
 Children Silver McMahan Julia C. McMahan McMahan Briggs Baby: Sarah L. Briggs
 William Riley Briggs

children seated on the ground left to right
 Dullia M. Briggs, Elizabeth (Lizzie) Briggs, Matilda Briggs, Belle Briggs, Nancy Louisa Briggs and Thomas Jack Briggs

(On horse near wagon Floyd Briggs, not pictured Little Charley, deceased, on horse in back Isaac Clayton Briggs. Back row standing left to right: Martha Lavada McMahan, James Woody and children. Thomas Silver McMahan and Nancy Magdaline Silver McMahan. Julius Alexander McMahan, Harriett Maranda McMahan and Julia C. McMahan. Jason Briggs, Matilda Ellen McMahan Briggs. Miley McMahan Briggs, Zacharia Taylor Briggs, (baby) Sarah L. Briggs and William Riley Briggs. Children seated on the ground left to right: Dullia M. Briggs, Elizabeth (Lizzie) Briggs, Matilda Briggs, Belle Briggs, Nancy Louisa Briggs and Thomas Jack Briggs.)

In the 1600's Henry Briggs arrived in the new world in what we know now as Virginia across the James River from Jamestown in Surry County. In our search of history, we find Henry worked for the London Co.

Fast forward about 150 years, we find Fredrick Briggs, my 6th great grandfather. Some things we wish we could eliminate from our history, but history speaks for itself. I obtained a 4 page letter from the archives of Virginia written by Fredrick telling his story from the jail in Charlotte County, VA., and asking his wife, Mary Molly Goodrich Briggs and his brothers to take care of their children and tell them the truth of what happened to their father. From these children comes my 5th grandfather, Neddie Edward Briggs.

Next in line is Gray Briggs and his wife, Dorothy Garland, my 4th great grandfather and mother. In the 1850's census, Gray was 53 years old and his wife Dorothy was 42 years old. They had six (6) children living at home.

I remember hearing my grandmother tell us kids and adults stories that were told to her about wild animals trying to get into the house, if someone was cooking. Gray ran a boarding house in Buladean, NC, where he welcomed tourist and visitors.

While doing research in the Catawba County Historical section of the Library, I found a story about Old Gray telling a group of tourist about being chased by a panther.

Grandmaw had heard this story, I guess from her grandfather or her dad and mom, because Old Gray had his place in the Roan Mountain by this time.

Jackson Briggs is next in line, my 3rd great grandfather. Jackson married Susannah Hughes, the daughter of Jeremiah and Two Horses Hughes. Jeremiah and Two Horses Hughes is another story for another time.

Jackson enlisted as a private on 12 July 1862 at the age of 32, in the American Civil War. The 1860 United States Census showed Jackson and Susannah with 5 children and 1 grandson. That reminds me of another member of the Briggs family, Captain Suel Brown Briggs. He enlisted 29th May 1862 in the American Civil War. Suel's father Louis Briggs was born into the Briggs family, not my direct ancestry line but very much a part of the Briggs generation in 1798-1872.

The families in the picture above are the offsprings of Jackson Briggs and Susannah Hughes Briggs, Thomas Silver McMahan and Nancy Magdaline Silver McMahan.

Jackson/Thomas had a large family. I will not attempt to name them all. Lots of family history comes from both families.

There is another son of Jackson and Susannah not in this picture, Martin Briggs. The census in 1900 shows Martin and wife, Mary Hughes Briggs at home with mom and dad.

Both well in their later years at this time. Martin and Mary have a son Jackson(Jack) born July 1897, another son George born July 4, 1901. A daughter Jane about 1903. Jackson passed away in 1901. Martin is working for the railroad in October 1903 near Johnson City, Tennessee. Martin lost his life along with a co-worker, after Jackson, Susannah and Martin had passed. We don't know much about Mary and the children for the next seven years until the 1910 census. I find her living in the crabtree community with her children, Jackson (12), George (6), Jane (5), and Cora (1 1/2).

Mary has remarried and will have two more children, Landon and Jay.

Mary passed away in 1940 and is buried in Jack's Creek on Horton Hill near her sons Landon and Jay.

In this picture are my 3rd great grandparents Thomas and Nancy McMahan, my (2nd) great grandparents Zachariah and Miley Briggs, my (1st) grandmother Nancy Louisa Briggs.

I've been told through the years that two sets of Briggs lived in Yancey County. Not true, If you follow history back in time they will all connect at some point in history.

Some 8 or 9 years ago when I started this family history I found out I couldn't pick and choose or separate the good from the bad. Most everything is recorded somewhere in history.

Thanks to all the people listed in this article and those that are not listed that played a part in where we are today.

I would like to thank the staff of Yancey County Register of Deeds for all the research and work they have done in helping me obtain the documents.

Thank you,
Daniel

**CLASSIFIED ADVERTISEMENT
DEADLINE / COST**

DEADLINE for classified ads and news copy is 12:00 noon on Friday for Wednesday's publication.

COST is \$7.00 for the first 20 words, 25¢ for each word over 20, 50 word limit.

Classifieds

LEGAL NOTICE

**LEGAL NOTICE
IN THE GENERAL
COURT OF JUSTICE,
YANCEY COUNTY
NORTH CAROLINA
SUPERIOR COURT
DIVISION
NOTICE TO CREDITORS
File: 20E**

Having qualified as Administrator of the Estate of Mary Bowman Bailey of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 10th day of September, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 10th day of June, 2020.
J. Todd Bailey
P.O. Box 217
Burnsville, NC 28714
Published June 10, 17, 24,
July 1, 2020

**Meals on Wheels
needs volunteers**

Meals on Wheels needs volunteers to deliver meals any weekday from 10:30 to noon to Yancey County's shut-ins. For information call the Senior Center at 682-6011.

Times Journal Deadline

Deadline for news copy, pictures, classified advertisements is 12:00 on Friday for Wednesday's publication. Copy should be brought by the office located at 22 North Main Street or mailed to Times Journal, 22 North Main Street, Burnsville, N.C. 28714.

**LEGAL NOTICE
ADMINISTRATOR'S
NOTICE**

Having qualified on the 1st day of June 2020 as Administrator of the estate of JOANNE PHILLIPS HOILMAN, all persons, firms and corporations having claims against the decedent to exhibit the same to the undersigned Administrator on or before 08 September 2020. All persons indebted to the estate should make immediate payment.

This the 10th day of June, 2020.
Darryl McFalls,
Administrator
60 Bantam Branch Road
Burnsville, NC 28714
Charlie A. Hunt, Jr.
Attorney at Law
P.O. Box 509, 2020,
Spruce Pine, NC 28777
Published June 10, 17, 24,
July 1, 2020

**LEGAL NOTICE
ADMINISTRATOR'S
NOTICE**

Having qualified on the 9th day of June 2020 as Administrator of the estate of DAN GRAHAM BUCHANAN, all persons, firms and corporations having claims against the decedent to exhibit the same to the undersigned Administrator on or before 15 September 2020. All persons indebted to the estate should make immediate payment.

This the 17th day of June, 2020.
John D. Buchanan,
Administrator
8 Bran Rick Lane
Arden, NC 28704
Charlie A. Hunt, Jr.
Attorney at Law
P.O. Box 509, 2020,
Spruce Pine, NC 28777
Published June 17, 24,
July 1, 8, 2020

EMPLOYMENT
**Cabinet shop helper
wanted. No woodwork-
ing experience re-
quired, but is preferred.
18 years or older. Call
Nick at (828) 284-9663
for more information.**

EMPLOYMENT
**Seeking an Apartment Manager in the
Burnsville area.**
15-25 hrs/wk. Duties include leasing, processing applications, managing property operations, and other administrative duties. We are seeking individuals who can work independently and who possess good people, communication, computer, and organizational skills. A positive work history, drug and background check required. **Please send resume to
propertymanagementburnsville@gmail.com.**
Equal Opportunity Employer.

EMPLOYMENT
**Brian Center Health and Rehabilitation
Spruce Pine**
Seeking Fulltime Certified Nursing Assistants for 2nd shift who are energetic, friendly, team oriented, and committed to providing compassionate care to our residents. We offer a comprehensive benefit package. Ask about our \$2500 sign on bonus!
Contact Shirley Topper at (828)765-7312 today!

Madison Co. 44 Acre Off-Grid Retreat
30 Min from AVL off 25/70 & Walnut Creek Rd, \$220K
Lovely meadows, woods, springs, excellent views!
Robert Towe, Land & Farms
mountainacreage@frontier.com 828-253-7055
www.mountain-acreage.com

**LEGAL NOTICE
IN THE GENERAL
COURT OF JUSTICE,
YANCEY COUNTY
NORTH CAROLINA
SUPERIOR COURT
DIVISION
NOTICE TO CREDITORS**

Having qualified as Co-Executors of the Estate of Dennis Edward Robinson of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 3rd day of September, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 3rd day of June, 2020.
Leah Nicole Presnell
40 Corvette Lane
Burnsville, NC 28714
Misty Denise Hall
257 Dandelion Lane
Burnsville, NC 28714
Published June 3, 10, 17,
24, 2020

**LEGAL NOTICE
Public Notice**

The Individuals with Disabilities Education Act (IDEA-Part B, Public Law 108.446) Project is presently being amended. The Project describes the special education programs that Yancey County proposes for Federal funding for the 2019-2020 School Year. Interested persons are encouraged to review amendments to the Project and make comments concerning the implementation of special education under this Federal Program. All comments will be considered prior to submission of the amended Project to the North Carolina Department of Public Instruction in Raleigh, North Carolina. The IDEA-Part B Project is open to the public for review and comments during the week of June 29 - July 3, 2020. Due to COVID-19 please call Margie Stebbeds at 828-682-6101 ex. 120 to schedule a phone conference of virtual meeting if interested.
Published June 17, 2020

**LEGAL NOTICE
IN THE GENERAL
COURT OF JUSTICE,
YANCEY COUNTY
NORTH CAROLINA
SUPERIOR COURT
DIVISION NOTICE TO
CREDITORS**

Having qualified as Executrix of the Estate of Floyd Wheeler of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 16th day of September, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 17th day of June, 2020.
Pamela Wheeler Clark
216 Sunflower Drive
Burnsville, NC 28714
Published June 17, 24,
July 1, 8, 2020

**LEGAL NOTICE
IN THE GENERAL
COURT OF JUSTICE,
YANCEY COUNTY
NORTH CAROLINA
SUPERIOR COURT
DIVISION
NOTICE TO
CREDITORS**

Having qualified as Administrator of the Estate of John L. Hunt of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 16th day of September, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 17th day of June, 2020.
Jean Hunt
P.O. Box 879
Burnsville, NC 28714
Published June 17, 24,
July 1, 8, 2020

**LEGAL NOTICE
IN THE GENERAL
COURT OF JUSTICE,
YANCEY COUNTY
NORTH CAROLINA
SUPERIOR COURT
DIVISION
NOTICE TO
CREDITORS**

Having qualified as Executors of the Estate of Matt Jones of Yancey County, North Carolina, this is to notify all persons and corporations having claims against the Estate of said deceased to present them to the undersigned on or before the 16th day of September, 2020 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate please make immediate payment.

This the 17th day of June, 2020.
Scott or Bill Jones
184 Sugar Loaf Road
Burnsville, NC 28714
Published June 17, 24,
July 1, 8, 2020

Need a broom?

Since 1950, the Burnsville Lions Club has been selling their trademark brooms as a fundraiser to provide vision care to needy persons in Yancey County.

While club members no longer go door to door selling our brooms, they have placed "broom boxes" in a variety of places throughout the county.

Locations where you may buy brooms:

Poplar Grove Store, Yancey Graphics, Fox Brothers Store, Sue's Beauty Shop, Prescription Pad, One of a Kind Gallery, Shear Performance Beauty Shop, Farm Bureau, Guy's Grocery Little Creek, Jill's Hairport, Riddle's Used Appliance Hwy 80, Bald Creek Tractor, Buchanan-Young Chrysler, Troy's Greenhouse, and Book Annex on Town Square

The Lions Club appreciates your continued support of this long standing project.

Mac® Users
Tired of being told "We don't service Mac's"?"
"I don't do Windows"
Jim has 10+ years
Mac® only experience
We can come to you or you can drop off
Patient lessons in plain English easy to understand
So if your friend needs attention or you need some instruction call:
(828) 649-3911 cell (828) 778-3792
email: fixitjc@basicisp.net

FOR SALE

NEW TO YOU FURNITURE: Specializing in quality used furniture, antiques, gift items. American-made recycled items at their best. We buy, sell and trade. 601 East Main Street, Burnsville, NC 28714. (828)682-9354. New Spring hours: Mon. - Fri. 10 - 5, Sat. 10 - 4. Pd5-20un

WNC AUTO PARTS, LLC, specializing in Toyota Trucks, 4Runners, and parts for both, years 79-02. Will buy and pick up the same if you have available. Contact Jimmy at 828-231-5715. #7639/11-24-10un

YE OLDE COUNTRY STORE - Your source for bulk foods. Butter, cheese, spices, jams and snacks. Folk art prints. Bread making ingredients and many new products. 7 South Main Street, 678-9900. pd9-19-12un

FOR SALE: 2018 Ferris walk behind lawn mower, Kawasaki motor, 48 inch cut, 19 HP, 50 hours, with sully, \$3,800. 828-208-2063

REAL ESTATE

LAND FOR SALE 17.9 acres. Call for details 828-284-1724. pd7-1

FOR RENT

FOR RENT: Nice 1 and 2 bedroom apartments in Burnsville. Refrig. and stove. Call 704-575-7646. #4916/6-20-09un

NEED TO RENT NEW

or used furniture, appliances, computers, TV, DVD/VCR? Call 766-8775. Free delivery. #1685/5-5un

FOR RENT: 3 bedroom,

1 bathroom apartment, between Burnsville and Spruce Pine, upstairs above commercial complex. No pets. References and deposit. \$750/month. Call 828-682-3102 or 828-674-6266. pd6-17

Times Journal Deadline
Noon on Friday for Wednesday's publication. Located at 22 North Main Street. Phone 828-682-2120.

YARD SALE

OUT OF BUSINESS SALE: Closing up for now, we will be open only by phone call, 675-3035 to make appointment. We still have over 7,000 items which will be going to auction as soon as we are able and the virus problem ends. We do request a mask be worn when visiting our store, thank you. pd9-28un

YARD AND GARAGE SALE: Friday and Saturday, June 26 and 27, 7 a.m. until noon, West Main Street to Robertson Street to West Glendale Avenue, follow the signs! 6-24

HELP WANTED

HELP WANTED: Someone to build a 10' x 10' Octagon raised deck with roof. Will pick up if necessary. Call 828-682-1212 or call or text 954-496-9000.

WANTED

WANTED: Deer, life-size, concrete, call 828-682-1212 or call or text 954-496-9000. pd

ESTATE SALE

The estate of Carl "Moochie" Stewart will be held June 18, 19, 20. Thurs, Fri & Sat from 10am- 4pm Cash or Check only. Located on 623 Shadowood Drive Spruce Pine, NC For more info call 828-467-0062

Guardian ad Litem seeking volunteers as child advocates

The NC Guardian ad Litem Program is seeking volunteer advocates to represent abused and neglected children in Yancey, Mitchell and Madison.

Training sessions are held periodically for those who would like to volunteer with this program to advocate for local children.

Participants from Mitchell and Madison counties are also strongly encouraged to participate as there are many children who still do not have a volunteer assigned to them.

If you have any questions or would like to learn more about the local Guardian ad Litem program, please call Erica Edwards at 828-682-4754 or visit volunteerforgal.org.