

Town of Maggie Valley
Board of Aldermen Regularly Scheduled Meeting
November 12, 2024
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
Misty Hagood, Finance Director
Kathy Johnson, Town Clerk
Noah Taylor, Assistant Planner
Mike Mehaffey, Public Works Director
Seth Boyd, Senior WWTP Operator
Matthew Boger, Police Chief
Attorney Brian Gulden

Others Present:

Erick Helfers, Erica Brown

Media Present:

No Media was present.

Meeting Call to Order

Mayor Eveland called the Meeting to order at 6:29 pm on Tuesday November 12, 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 Noah Taylor.

Approval of Agenda/Conflict of Interest Declaration

Attorney Brian Gulden asked if anyone had a conflict of interest. There was no conflict of interest stated.

Consent Agenda

- a. *Budget to Actual*
- b. *A/R Report*
- c. *Tax Releases*
- d. *Minutes to be Approved: October 1st and 8th.*

A motion was made by Alderman John Hinton 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.

Present a Proclamation to the Maggie Valley Fire Department for going above and beyond the call of duty during Tropical Storm Helene.

Mayor Eveland read the proclamation, honoring the members of the Maggie Valley Fire Department with going above and beyond during hurricane Helene disaster recovery. Chance Best with the MVFD was present to accept the proclamation.

Audit Presentation: Erica Brown with Martin Starnes & Associates, CPA's, P.A.

Mayor Eveland welcomed Erica Brown with Martin Starnes & Associates and invited her to begin the presentation.

Ms. Brown thanked the Mayor and Board of Aldermen and gave a PowerPoint presentation as follows:

Audit Highlights

- ▶ Unmodified “clean” opinion means that we found no material misstatements that led us to believe the financial statements would be misleading to the reader.
- ▶ Report has been submitted and approved by the LGC.
- ▶ FY 2024 the audit process was much smoother than in the past. She thanked Finance Officer Misty Hagood for her cooperation, being well prepared and easy to work with.
- ▶ State Statute requires self-reporting to the LGC within 60 days of this audit presentation.

The only finding/performance indicator for FY 2024 is related to review and approval of journal entries as well as timelines of bank reconciliations. This only occurred during the first half of the fiscal year, and she anticipates the finding being corrected for FY 2025.

Key Performance Indicators

Material Weakness: Journal entries were not approved on a timely basis. Cash reconciliations were not being prepared and approved timely throughout the year.

Positive Performance Indicators:

1 – Fund balance available as a % of expenditures is 129% (Compared to 155% in FY 2024). The average for municipalities with GF expenditures between \$1 million and \$9.9 million is 63% (MV \$3.7 million)

2 – Water and Sewer Quick Ratio (current assets divided by current liabilities was 19.9%. (Compared to 14.72% in FY 24)

The LGC would be concerned with a quick ratio less than 1%.

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Sewer net income excluding depreciation and debt service principal of \$405,861 (LGC is concerned with negative net income) No concerns for Maggie Valley.

General Fund Summary

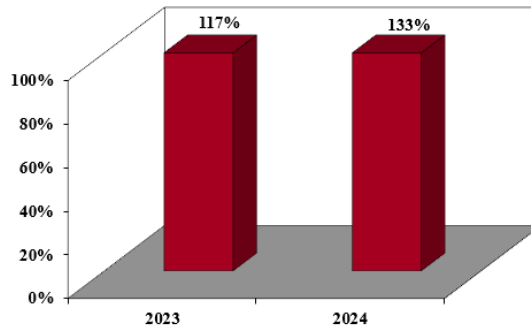
Revenues have increased to \$429,934 or 12.27% and expenses have increased \$49,890 or 1.89%.

From 2022 to 2023 General Fund Balance increased \$7,106 or .1%. From 2023-2024 increased \$387,150 or 7.8%. The increase from 2022-2023 was minimal less than 1%. The increase from 2023-2024 is from a larger increase in revenues as opposed to the increase in expenditures over the Prior Year.

Fund Balance Position General Fund

Total Fund Balance	\$ 5,329,782
Inventories	(10,800)
Stabilization by State Statute	<u>(337,083)</u>
Available Fund Balance	<u>\$ 4,981,899</u>
Available Fund Balance - 2023	\$ 4,316,330
Increase	\$ 665,569

AVAILABLE FUND BALANCE AS A PERCENT OF EXPENDITURES – GENERAL FUND



Ms. Brown reminded the Board that these figures are as of June 30, 2024, and do not factor in any large purchases or projects after July 1, 2024.

Available Fund Balance as a percentage of GF expenditures and transfers out has increased approximately 16% from the prior year. Typically, 8% represents 1 month supply of expenditures on hand.

At 133% - the town has roughly 16.6 months of expenditures on hand. Whereas last year the town had approx. 14.6 months. This increased by 2 months.

This is a healthy fund balance for a town the size of Maggie Valley. It is difficult to compare the town of Maggie Valley to other towns because every town is different. It is important to evaluate the fund balance annually based on upcoming expenses and future capital outlay. Statistical information comparing the town to similar units is provided by the LGC annually.

Ad Valorem Taxes

Ad Valorem Taxes increased approximately \$93,902 or 4.5%. The Town managed to maintain a 97.66% overall collection rate in taxes.

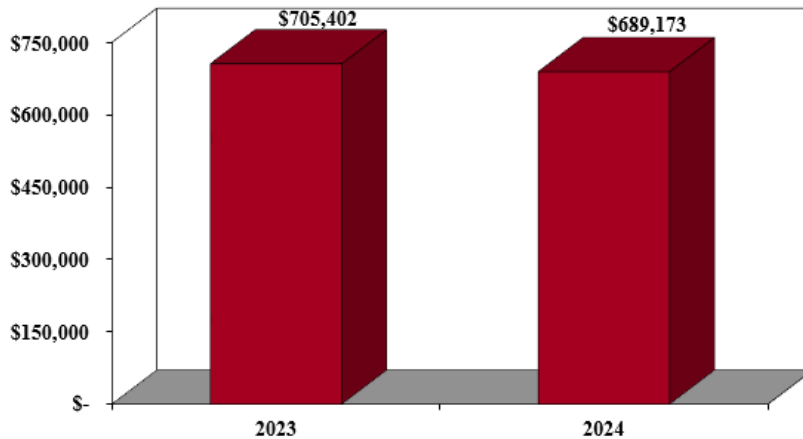
Other Taxes and Licenses

The other Taxes and licenses include Local option sales tax, occupancy tax, cable TV, and franchise tax revenues. Overall increase of \$76,067 or 7% is mainly due to an increase in local option sales tax and occupancy taxes.

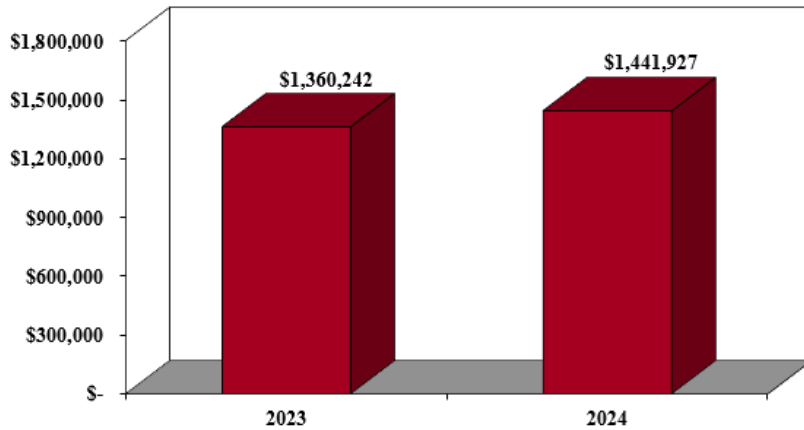
Sales and Services

Sales and services include overnight camping fees, community center rental fees, labor/grounds reimbursements, and solid waste collection fees. There was an increase of \$24,749 or 13% mainly due to an increase in festival ground rent.

GENERAL GOVERNMENT EXPENDITURES

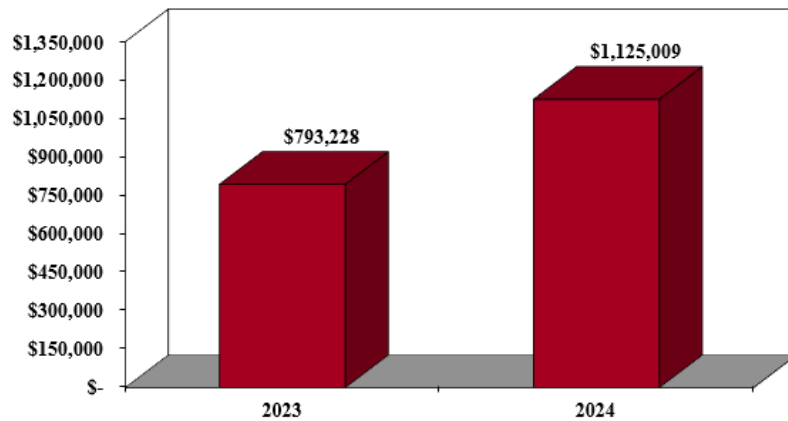


PUBLIC SAFETY EXPENDITURES




Increase of \$81,685 or 6% for 2024, due primarily to an increase in salaries and benefits and capital outlay.

TRANSPORTATION EXPENDITURES



An Increase of \$331,781 or 42% due mainly to an increase in capital outlay land and building improvements.

SEWER FUND	
Unrestricted Net Position	\$ 3,501,841
Cash Flow from Operations	\$ 673,075
Required Debt Service	\$ 180,514
Quick Ratio	19.88%



- ▶ Unrestricted net position increased \$747,154, or 27%, over the Prior Year due to increase in charges for services.
- ▶ Cash flow from operations increased \$266,130 or 65%, over the Prior Year
- ▶ Required debt service decreased \$2,979, or -2%, over the PY.
- ▶ Quick Ratio over the past 3 years has been 13.84% (2022), 14.72% (2023), and 19.88% (2024). The LGC is typically concerned with units that have a Quick Ration below 1.

Ms. Brown encouraged the Board member to review the Management Discussion and Analysis portion of the packet. She said it is a summary of what occurred in FY 2024, reasons for increases and decreases as well as a look forward to the FY 2025 budget.

Approval of Contract for services to be rendered from Tropical Storm Helene.

Manager Best said out of the six Request for Qualifications (RFQ) that were sent out, there were two returned. One being from WithersRavenel and one from McGill and Associates. Ms. Best, Mr. Mehaffey, and Ms. Hagood all have reviewed them and together recommends WithersRavenel.

Alderman Phillip Wight questioned the urgency of approving the contract and expressed concern about not receiving the contract in time to review it before the meeting.

Mr. Mehaffey said RFQ's have been done over the years for different projects and this is something that is required by FEMA because of the cost. Some of the projects will be sewer projects and some of them will require streambank restorations worth hundreds of thousands of dollars.

Aldermen Wight asked if this could be put on the agenda for next month to review the Contract. He expressed concern that there was no dollar amount stated on the Contract. Mr. Mehaffey explained that when an RFQ is sent It is illegal to ask for a dollar amount.

Alderman Tim Wise said the \$200,000 that was approved last month was for cleanup from Hurricane Helene and that money will be reimbursed. The contract that needs to be approved today is to select the engineer to do restorations from damage caused by Hurricane Helene.

Mayor Eveland said this contract is something that we knew that was going to have to be done. It took a month to get the bids back. FEMA has some very specific requirements and guidelines on each of these projects that have to be done. It has to be done this way to get reimbursement from FEMA.

Alderman Wight continued to express concern about receiving the contract thirty minutes before the meeting. Manager Best apologized for sending it out so late and said she sent it out as soon as she received it and time was of the essence.

Manager Best explained accepting the contract is not agreeing to a money amount but is accepting WithersRavenel as the engineering firm.

A motion was made by Alderman Jim Owens to approve the contract for WithersRavenel for services to be rendered from Tropical Storm Helene. Motion passed 4 to 1. Mayor Mike Eveland (yes), Alderman John Hinton (yes), Alderman Tim Wise (yes), Alderman Phillip Wight (no).

Resolution 24-14: Prohibiting Viewing of Pornography on Town Networks and Devices.

Manager Best said Resolution 24-14 Prohibiting Viewing of Pornography on Town Networks and Devices per N.C. General Statute 143-805 became law effective October 1, 2024. The Town of Maggie Valley is following suit.

Attorney Gulden discussed and reviewed the Resolution with Board members.

A motion was made by Alderman Tim Wise to adopt Resolution 24-14 Prohibiting Viewing of Pornography on Town Networks and Devices. The motion carried unanimously.

Other Business

There was no other business.

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. 11 tons.
- Monthly Solid Waste approx. 49 tons.
- Monthly White Goods/Electronics 1 pick-ups.
- Picked up miscellaneous residential brush and debris. 238 brush pick-ups that totaled 27 loads of brush.
- Continue maintenance and repairs on Welcome Banners, Miss Maggie Banners and fall 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 3 Public Works vehicles/equipment 0 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.
- Valley View subdivision on Jonathan Creek behind the CO-OP has started grading and installing infrastructure. We inspect their progress daily.
- The new doors in the Town Hall Cafeteria have been installed.
- Public works continues working on employee safety training.
- We are continuing construction of the Public Works 50x100 storage building. Concrete is completed. Garage door is scheduled to be installed. Jack is creating a list of electrical supplies we need to start wiring once garage doors are installed.
- Public Works installed the Elk Warning signs in the locations requested.
- Public Works staffed 2 successful events at the Festival Grounds in August.
- We continue working on storm related issues. Woody debris, streets, parks, creek banks and buildings.

Mr. Mehaffey said the law requires the Town to go through the process of qualifying an engineering firm to do the storm related repairs to get reimbursement for these projects. He said it is a lengthy process.

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 2550' feet of sewer line, inspected 12 sewer connections/installations, repaired/leak stopped 4 damaged manhole and inspected 4 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 fifty-two 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 thirteen 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.

Manager Best said she has spoken with the Army Corp of Engineers and they will be requiring a “Right to Entry” signed agreement from all property owners where there will be debris removal from the creek.

Mr. Mehaffey discussed debris removal, he said if we have to get a “Right of Entry” agreement from each property owner, it could take months to get this done.

Matthew Boger, Police Chief

Incidents

- During the reporting month of October, the Maggie Valley Police Department (MVPD) investigated twenty-eight incidents, which included Breaking and Entering, Property Damage, Drug Violations, Simple Assault, Trespassing, Fraud, Hacking/Computer Invasion, Weapon Law Violations, Motor Vehicle Theft, and Fondling.

Arrests

- Maggie Valley Police Officers arrested five individuals, resulting in seven charges, which included Trespassing, Drug Violation, Assault, and Weapon Law Violations.

Motor Vehicle Traffic

- Maggie Valley Police Officers investigated nine motor vehicle accidents for the reporting period and issued seventy-eight traffic-related charges. Seventeen percent of charges were for speeding (2 citations and 12 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.
- The department spent the first portion of the month addressing the aftermath of Hurricane Helene. Phone lines and internet services were down for quite some time after the storm causing limited communications with dispatch services.

- During this time, many welfare checks were conducted on residents affected by the storm but were not documented in the CAD system.
- Lieutenant Wood responded to a civil disturbance. The individual had left the scene. Lt. Wood observed the vehicle in question attempt to evade law enforcement. The driver was located and arrested for DWI and weapon law violations.
- Officer Flowers responded to a sexual assault case. Detective Crocker was called on scene. A report was documented and Detective Crocker continued investigating the case.
- K-9 Officer Bellows responded to a domestic disturbance. The altercation was resolved for the night. The next day, a search warrant was conducted at the residence. Multiple guns, ammo, and narcotics were seized.
- Officer Herbertson responded to a domestic assault. The subject was arrested and charged with assault as well as assault by strangulation.
- Officer Riddle responded to a hit and run. The incident involved a van and a motorcycle. The driver of the van caused the damage to both vehicles then fled the scene.
- Officer Kelley responded to an assault. After investigation, Officer Kelley concluded that the caller was the aggressor and not the victim as reported. Both parties were advised of the appropriate action.
- Officer Crowe assisted HCSO and Emergency Services with an overdose. The subject later passed away at the hospital. A report was documented at Lieutenant Greene's request in reference to a possible death by distribution case.

Evidence Processing (E/P)

- Evidence Technicians O. Murphy and S. Justice processed eighty-seven items for the month. Evidence includes narcotics, paraphernalia, electronics, weapons, ammunition, tools, and other stolen merchandise from Lowe's.

Investigations (CID)

- Assisted with Flood Relief.
- Detective Crocker investigated a report of a juvenile sexual assault case. Several forensic interviews have been scheduled and conducted.
- Detective Crocker assisted Lt. Wood with a search warrant of a residence on Campbell Creek Road in reference to a felon possessing several firearms. 8 total firearms and a very large quantity of ammunition were taken from the scene.
- Another forensic interview was conducted in reference to the human trafficking case.
- Lt. Greene took criminal charges on a fraud case.
- Lt. Greene continued working on a solicitation of a minor case with more information coming about.
- Lt. Greene assisted the Haywood County Sherriff's Office with an overdose death investigation.

K9 Program

- The K9 teams logged thirteen training events and two deployments.

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 as well as the undocumented CFS during Hurricane Helene. 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

- MVPD staff worked diligently during the storm to keep our community safe during Hurricane Helene and perform welfare checks on those affected!
- Sergeant Mackey passed out candy for Halloween at Maggie Methodist Church's and Dellwood Baptist Church's Trunk-Or-Treat events!

Chief Boger said due to displaced citizens, the calls for service have increased due to the temporary residents living in hotels.

Noah Taylor, Assistant Town Planner

- Twelve Residential Permits: Three new structures at Creek Walk. Eight lot Subdivision and Renovation at 356 Panoramic Loop.
- Four Commercial Permits: Chicos Tacos Food Truck Permit, Kobe Express Sign Permit, Park Model Replacement at Stonebridge, Sign Permit for Mountain View Estates.
- Five Floodplain Permits: (Tropical Storm Helene) Mini Splits at 12 Indian Trace and 2375 Soco Road. HVAC at Maggie Mountaineer Crafts and 5 Rachels Circle. Shed at Grandfather Way.
- Fifteen In person Consultations: Twelve for Tropical Storm Helene Recovery, Permitting Software, Subdivision, and Floodplain.
- One Final Zoning Compliance for 88 Katua Trail.
- One Notice of Violation for Solid Waste at 2451 Soco Road.
- One Resolved Violations for Solid Waste at 2451 Soco Road.

Mayor Eveland asked who is assessing the trailers, Mr. Taylor said the county is doing the assessments.

Mayor Eveland said the Town has lived up to its reputation in getting things done.

Adjournment

A motion was made by Alderman Tim Wise to adjourn the meeting at 7:27 pm. The motion carried unanimously.

Attest:

s/Mike Eveland

s/Vickie Best

Mayor Mike Eveland

Vickie Best, Town Manager

s/Kathy Johnson

Kathy Johnson, Town Clerk