

The regular meeting of the Village of Cedar Rock was held at Cedar Rock Country Club on February 18th, 2025, beginning at 11:30 a.m.

Call to Order: Mayor Bob Floyd called the meeting to order at 11:30 a.m.

Attendance: Present were Mayor Bob Floyd, Mike McClinton, Mike Shows, Pamela Mayberry, Ernie McAteer, and Daniel Odom.

Adoption of Agenda: Upon consideration of the February 18th, 2025 meeting agenda, Mr. Ernie McAteer made a motion to approve the agenda as presented. Mike McClinton seconded the motion, motion carried unanimously.

Approval of Minutes: Upon consideration of the minutes of the January 21st, 2025 regular meeting of the Village Council, Mr. Mike McClinton made a motion to approve the minutes as presented. Ernie McAteer seconded, motion carried unanimously.

Committee Reports

Administrative: No new updates.

Transportation: Ernie McAteer provided a transportation update. Mr. McAteer informed council that Diversified Landscaping had removed the trees and brush within the Duke Energy utility Right-of-Way from Hurricane Helene. Mr. McAteer noted that the utility easement must be kept clear of brush and debris, despite the potential for unsightliness. Mr. McAteer also informed council that Diversified Landscaping had completed preparations for potential winter weather on Wednesday, February 19th, and would be ready to conduct and necessary road clearing or plowing. Mrs. Mayberry inquired about the County debris removal operation and if debris located along Mountain Circle, placed in the ROW by the property owner, would be removed by the county. Mr. Odom responded that if the debris is not Hurricane related and had simply been placed in the ROW, it would likely need to be picked up by the Village contractor for brush and limb removal. Mr. McAteer asked if the County contractors would be picking up from several large locations which are Hurricane related, to which Mr. Odom confirmed that the county would. Mr. Odom advised that much of the delay in debris removal is due to the size of the remaining debris, and the need for heavier equipment to safely remove larger and heavier debris. Mr. Floyd asked if FEMA would reimburse any further pickup of brush and limbs completed by Diversified Landscaping. Mr. Odom stated that those pickups would not be reimbursable because they are not linked to Hurricane Helene and are the result of miscellaneous yard work. Mr. Floyd asked what the Council should do about larger items that may not be picked up by Diversified Landscaping. Mr. Odom replied that the original large stumps and debris would be picked up by the County, but that the council would have to decide whether or not to contract out the removal of larger items that are not Hurricane related. Mrs. Mayberry stated that the Village designated size requirements for brush and limb pickup and that if the limbs placed in the ROW do not meet requirements, they are the residents responsibility. Mr. Floyd directed Mr. Odom

to reach out to the County to confirm that the Village's remaining debris is still on the list for pickup. Council requested that a reminder email be sent out to the Village to clarify debris pickup requirements, which would include instructions for grass clippings to be bagged, no dirt, and no rocks.

Code Enforcement: No new updates.

Planning Board: No new updates.

Financial Report/Staff Report: Mr. Odom provided the Finance report for the Village. Cash on hand stands at \$277,666.02. Cash investments at \$405,000.00, with pending expenditures of \$1,300.00. Mr. Odom also provided an update on expenditure trends. Mr. Odom noted that sales tax collections had been very strong the last few fiscal years, but that statewide, sales tax collections were beginning to plateau, and decrease in some counties. Mr. Floyd asked if the Village's current sales tax projection of \$75,000.00 was still accurate. Mr. Odom stated that it was indeed accurate and conservative. Mr. Shows inquired about the timing of the revaluation and when that would take effect in property tax collections. Mr. Odom replied that the new property values are effective January 1, 2025, and would apply to the FY 26 budget cycle. Mr. Odom shared that he had begun budget projections for revenue increases, and Mr. Floyd advised that the next meeting may be a good time to begin discussions. Mr. Odom then provided the Administrative Staff Report for the Village. Mr. Odom began with requested board actions: **FY 2025 Auditing Contract and Management Representation letter.** Mr. Odom presented the FY 2025 proposed audit contract and management letter provided by Misty Watson, CPA. The total cost is \$7,200.00. Mr. Floyd noted that this rate is much less than rates charged by previous audit providers. Mr. Shows made a motion to approve the contract and representation letter as presented, Mr. McClinton seconded, motion carried unanimously. **Professional Engineering Services Agreement:** Mr. Odom presented the final agreement between West Consultants, LLC., and The Village for Professional Engineering Services. West Consultants will be preparing designs, cost estimates, H&H studies, and meeting permit requirements for the Culvert projects. Construction administration will be an extra cost as needed. The not to exceed amount for the contract is \$77,000.00. Mr. McAteer made a motion to approve the agreement as presented, Mr. McClinton seconded the motion, motion carried unanimously. **Unifour Hazard Mitigation Plan Adoption:** Mr. Odom presented the Unifour Hazard Mitigation Plan. Mr. Odom stated that the plan is a prerequisite to receiving any emergency management related funding. The plan assesses the Village's hazard risks and threats, and proposes potential solutions and mitigation measures to reduce those hazards. Mrs. Mayberry made a motion to adopt the plan, Mr. McClinton seconded the motion, motion carried unanimously. **Budget Amendment 2025-6:** Mr. Odom presented a budget amendment to authorize the pass-through of \$2,900.00 in Fire and Rescue tax to Kings Creek Volunteer Fire Department. Mrs. Mayberry made a motion to approve the amendment, Mr. Shows seconded the motion, motion carried unanimously. **Budget Amendment 2025-7:** Mr. Odom presented a budget amendment to appropriate \$6,000.00 from fund balance for snow removal expenses. Mr. Odom stated that the previous snow storm and purchase of a pallet of salt had depleted the Village's snow removal budget, which was at \$10,000.00. Mr. Odom recommended that the funds be appropriated from fund balance, so they could easily be returned if the Village did not receive additional snow. Mr. Shows made a motion to approve the amendment, Mr. McClinton seconded the motion, motion carried unanimously. **WPCOG Annual Dues:** Mr. Odom presented the WPCOG annual dues assessment for the Village. The WPCOG assessments provide the Village with membership in the WPCOG and access to the services provided by

the WPCOG, which include planning, code enforcement, community development, and emergency management. The total assessment is \$586.22. Mr. Odom shared that an extra assessment is included for the local match for NC Rail from Salisbury to Asheville. Mr. Shows expressed doubt that a rail line from Salisbury to Asheville is a feasible project. Mrs. Mayberry made a motion to approve the assessments as presented, Mr. McAteer seconded, motion carried unanimously.

Project Updates: Mr. Odom provided updates on the Village's culvert repairs and Access Resiliency project. He reported that the Village was selected by NCDPS to continue in the FEMA grant application process but can only apply for either construction or design funding. If applying for construction funding, the project must be designed by October 31st, requiring upfront payment for design costs. The amount of the Cash Flow Loan the Village receives will impact its ability to cover design expenses. If the Village applies for design only, the deadline is March 21st, 2025.

Mr. Floyd directed Mr. Odom to obtain a more accurate cost estimate for the design phase. Mr. Shows expressed concern about initiating the project without assurance of federal reimbursement. Mr. Odom clarified that the Access Resiliency Project would be funded through a grant, meaning funds would be provided upfront. Regarding the culvert repairs, Mr. Odom noted that FEMA is expected to reimburse 50-70% of project costs.

Tree Removal Request – Stoney Brooke Drive:

Mr. Odom presented a letter from the NC Forestry Service recommending that the responsible party address tree removal in front of the subject property on Stoney Brooke Drive. He requested council direction on how to proceed and suggested implementing a policy requiring homeowners or requestors to demonstrate a safety risk for tree removal. Mr. Floyd stated that the Village has historically removed hazardous or leaning trees but would consider a policy requiring property owners to provide evidence from NC Forestry Service or a tree professional proving a safety concern. Mrs. Mayberry agreed, noting that similar procedures exist in insurance claims.

Mr. Shows raised concerns about GIS inaccuracies in depicting ROW lines. Mrs. Mayberry confirmed that GIS is for reference only and not to scale. Both recommended consulting an attorney to determine liability. Mr. Odom asked whether an attorney or a surveyor should be consulted, and Mr. Floyd suggested using a general rule of thumb of 30 feet from the centerline for practical purposes, and directed Mr. Odom to seek legal guidance on the validity of said rule of thumb. Mr. Odom agreed to seek legal guidance on this topic. Mr. Floyd proposed developing a formal policy establishing ROW responsibility and requiring property owners to demonstrate a public safety risk before tree removal. Mr. McAteer added that the Conservancy should be included in the policy discussion.

Old Business:

- **Griffith's Security:** Mr. Bob Floyd presented a proposed contract between the Village of Cedar Rock and Griffith's Security, outlining the services to be provided at a set hourly rate. Mrs. Mayberry recommended that Village contracts not exceed a duration of two to four years and requested an addendum specifying an effective and expiration date. The contract will expire on

June 30, 2026. She also requested that Griffith's Security be instructed to itemize cleaning fees in invoices. Mrs. Mayberry made a motion to approve the contract with the addition of the effective and expiration terms. Mike McClinton seconded the motion, which was approved unanimously.

Kings Creek VFD: No new update.

Public Comment: Village resident Daniel Morgan spoke during public comment, and inquired about the power failure during Hurricane Helene and the subsequent Spectrum service outage. He asked whether the Spectrum utility box could be connected to a different power source to ensure service continuity. The Council informed Mr. Morgan that Duke Energy controls power provision to Spectrum's infrastructure and that any updates to the power line feeding the Spectrum box would be Duke Energy's responsibility, as noted by Mr. McAteer.

Mr. Morgan also asked about the water source for fire hydrants serving the Village and their functionality. The Council explained that the Kings Creek Fire Department maintains the hydrants, while Caldwell County supplies water purchased from the City.

Additionally, Mr. Morgan inquired about a property for sale adjacent to the Village limits and whether it would have access to Village roads. The Council confirmed that access to Village roads would not be granted.

Adjournment: Council Adjourned at 12:20 p.m.