



# MINUTES

## Regular Town Council Meeting

4:00 PM - Tuesday, March 10, 2020  
Council Chambers

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The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, March 10, 2020, at 4:00 PM, in the Council Chambers, with the following members present:

**COUNCIL PRESENT:** Mayor Barry Kaufman  
Vice Mayor Jimmie Accardi  
Councilmember Weidner Abernethy  
Councilmember Kelly Melang  
Councilmember Erin Gonyea

**COUNCIL EXCUSED:**

**STAFF PRESENT:** Attorney Stacy Eggers, IV  
Interim Town Manager Bob Pudney  
Town Clerk Tamara Mercer  
Public Utilities Superintendent Daniel Davis  
Building Inspector Jeff Fish  
Director of Tourism and Economic Development Kate Gavenus  
Public Works Superintendent Matthew Clawson  
Town Planner Preston Yates  
Police Captain Renee Carpenter  
Director of Special Projects Riley Hatch  
Parks and Rec Director Sean Royall

### 1. CALL TO ORDER

### 2. ADOPTION OF AGENDA

2.1. Mayor Kaufman requested a motion to adopt or amend the agenda.

#### Motion

Jimmie Accardi made a motion to adopt the agenda as presented and Weidner Abernethy seconded the motion. CARRIED. unanimously.

### 3. INVOCATION- CYCLONE BRETT

### 4. PLEDGE OF ALLEGIANCE

## **5. PUBLIC COMMENT**

- 5.1. Mr. Nick Wilson of 513 Charter Hills Road requested the status of quantity and the quality of Beech Mountain's drinking water. Mr. Wilson asked what the town was doing about coronavirus for employees and visitors arriving on the mountain.

## **6. CONSENT AGENDA**

- 6.1. Adoption of Minutes: Council Planning Retreat January 23, 2020 and regular meeting minutes February 11, 2020

### **Motion**

Weidner Abernethy made a motion to adopt the consent agenda items, Town Council Planning Retreat minutes from January 23, 2020 and the Council regular meeting minutes of February 11, 2020 and Jimmie Accardi seconded the motion. CARRIED. unanimously.

- 6.2. Proposal for Audit Services and Financial Statement Write Up

### **Motion**

Approve the terms for audit services as detailed in Section II of Proposal to Perform submitted by C. Randolph CPA, PLLC

## **7. PUBLIC HEARING FOR THE BUCKEYE LAKE PROTECTION ORDINANCE**

- 7.1. Mayor Kaufman requested a motion to open the Public Hearing for the Buckeye Lake watershed protection Ordinance.

### **Motion**

Weidner Abernethy made a motion to open the Public Hearing for citizens to address the proposed ordinance concerning the watershed protection at Buckeye Lake and Erin Gonyea seconded the motion. CARRIED. unanimously.

- 7.2. Mr. Frank Steele of 107 Christie Way said that he read the ordinance and had no objections to the well drafted ordinance.

## **8. NEW BUSINESS**

- 8.1. Buckeye Lake Protection Plan - Parks and Recreation General Rules Amendment - Public Hearing

Mr. Preston Yates said the proposed amendments to the ordinance are recommended as a part of the Shane Park project updating the language, so the ordinance is consistent with the project plans.

Mr. David Hellenthal of Holiday Beech Vilas asked what the difference was between fishing in the lake and swimming. He noted there are beer cans, fish cleaning and litter from fishing and he preferred allowing swimming.

Mr. Pudney said the lake is classified as WS2, Drinking Water Supply which is protected by the State. As a WS2 classification, no bodily contact is permitted under the water supply regulations. The Lake is the Town's reservoir.

Mayor Kaufman made a motion to add a modification to the ordinance under 93.23 L) *Pets in the Buckeye Lake Recreation Area shall be under the direct care and supervision of a person at all times. Pets may have no contact with the water.* to reflect a consistency with the Protection Plan under IV. Activities and Uses: (L) section *'Pets in the Buckeye Lake Recreation Area shall be on a leash at all times under direct care.'* Therefore, the previous section shall add the words 'on a leash' and the verbiage in the sections are the same and consistent. Vice Mayor Accardi moved to include that language in the ordinance and Councilmember Gonyea seconded the motion. Mayor Kaufman clarified this language is added in the ordinance for Buckeye Lake only and has no reflection on the rest of the town.

The motion passed unanimously.

Mayor Kaufman also addressed another modification for the Buckeye Lake Protection Plan under section (L) to include pets on a leash, to which Councilmember Abernethy made a motion to adopt and Vice Mayor Accardi seconded the motion.

The motion passed unanimously.

Mr. Pudney reiterated the changes as made in the motions and Mayor Kaufman pointed out that this shall be reflected in the Ordinance and is included in these minutes for reference.

There was further discussion of the regulations, maintenance, and enforcement of the Ordinance and Buckeye Lake Protection Plan by the Parks and Recreation Department and the park schedule, patrolling the park and general usage by the public. Mr. Pudney noted the public hearing procedure regarding closing the hearing portion.

In response to Councilmember Melang's question regarding the fee schedule, Mr. Pudney stated that the newly adopted ordinance would modify the Parks and Recreation Fee Schedule. Those fees would be presented to Town Council in the upcoming Fiscal Year:2020-2021 Budget for Council's review and included in the budget for implementation. Mr. Pudney further clarified the Parks and Recreation: Organizational Structure; General Rules for Parks of the town of Beech Mountain Code of Ordinances and the maintenance schedule.

Mayor Kaufman made a motion to close the Public Hearing and the

motion was seconded by Councilmember Gonyea.

The motion passed unanimously.

**Ordinance No. 2020-01**  
**TOWN OF BEECH MOUNTAIN, NC**  
**AN ORDINANCE TO AMEND THE BUCKEYE LAKE PROTECTION**  
**ORDINANCE**

**WHEREAS**, the Town of Beech Mountain prioritizes the quality of water in its drinking water reservoir and desires to maintain the pristine quality of this resource; and;

**WHEREAS**, the Town of Beech Mountain also acknowledges the benefits to the community of recreation and a healthy lifestyle; and;

**WHEREAS**, Beech Mountain recognizes the importance of recreational amenities to its economy and its success as a tourist destination; and;

**WHEREAS**, the Town of Beech Mountain finds that certain recreational uses of its drinking water reservoir are not harmful to water quality when governed by a set of reasonable standards and regulations;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEECH MOUNTAIN, NORTH CAROLINA, THAT:**

**SECTION I.** The Code of Ordinances, Chapter 93 (Parks and Recreation), Sections §93.20 through §93.27 are hereby amended to read as follows:

**§ 93.20 PURPOSE.**

The purpose of this subchapter is to set forth for the town the conditions to regulate activities and recreational use of Buckeye Lake and the surrounding area by the general public and organized groups and to protect the water in this reservoir as a high-quality drinking water supply.

The public is reminded and encouraged to report any suspicious or unauthorized activity to the appropriate authorities.

- A. For the purpose of Sections §93.20 through §93.27 only, the terms “creek” and “stream” shall be interchangeable and shall refer to Buckeye Creek and its tributaries unless otherwise specified.
- B. For the purpose of Sections §93.20 through §93.27 only, the terms “lake” and “reservoir” shall be interchangeable and shall refer to Buckeye Lake reservoir unless otherwise specified.

**§ 93.21 FACILITY OPERATING SCHEDULE.**

(A) The Buckeye Lake recreation facilities will be open only during daylight hours. The Shane Outpost Park campground and associated facilities shall be open and operated in accordance with the Buckeye Lake Protection Plan and the Shane Outpost Park rules and regulations. The exact schedule for days and hours that the facilities are open to the public will be determined by the town. The primary access to the lake (via the driveway that extends to the boat launch area and the fishing pier) shall be gated and locked at all times when the facilities are closed. Regular police patrols shall observe for unauthorized access or use of the lake during periods when the facilities are closed.

(B) At the discretion of the Town Manager (in consultation with the Utilities Director), the facilities may be closed for public use during inclement weather

or for any reason that may degrade water quality or compromise public safety.

### **§ 93.22 FEES AND RATES FOR USE OF THE FACILITIES.**

Rates and fees for fishing, boating, camping or other activities, if any, will be as established by the Town Council and shall be posted in the Buckeye Recreation Center.

### **§ 93.23 ACTIVITIES AND USES.**

- (A) Public boating shall be permitted only in vessels owned and provided by the Town. These vessels shall be non-motorized, non-trailer types such as canoes, kayaks, and row boats/john boats. Approved vessels shall be of a design where no contact with the water is made by the occupants.
- (B) Boating shall be restricted as to locations designated by the Town Manager (in consultation with the Utilities Director), but in no case within 150 feet of the water supply intake facilities. No boat shall touch shore except at the designated boat launch area/dock.
- (C) No more than five boats shall be permitted on the lake at any given time.
- (D) Reckless boating shall not be tolerated and any offender shall be removed from the lake and subject to a civil penalty for violating this subchapter.
- (E) Bank fishing will only be allowed in areas designated and identified by signs on site. These areas are further described as follows:
  - (1) The pier and the bank of the Lake directly south of the pier for a distance of 400 feet;
  - (2) The cove where Buckeye Creek enters the Lake, including an area extending along the bank 120 feet on the south side of the mouth of the creek and 275 feet along the bank on the north side of the mouth of the creek; and
  - (3) The pointe: an area of 200 feet along the bank of the Lake on the peninsula opposite Buckeye Water Treatment Plant.
  - (4) Buckeye Creek: the area of Buckeye Creek from the cove where Buckeye Creek enters the lake to the location where Buckeye Creek flows under Buckeye Creek Road.
- (F) Fishing from boats owned and provided by the town is permitted.
- (G) Regulations of the North Carolina Wildlife Commission shall apply for fishing and boating activities.
- (H) Picnicking will be permitted only in designated areas.
- (I) Campfires will be permitted only in designated areas and in approved fire rings under the following circumstances:
  - (1) A campfire permit must be obtained from the town in conjunction with a camping permit;
  - (2) All fires must be confined to the fire ring, must be continuously attended, and must be completely extinguished before leaving;
  - (3) The permit holder must provide firewood. Leftover firewood can be stacked in a designated area for use by others;
  - (4) Persons building fires will be responsible for any damage that may occur as a result of a fire; and
  - (5) Fires are not permitted in any other areas of the park.
- (J) Educational activities will be permitted as follows:
  - (1) The Buckeye Recreation Center may operate children's summer camps.

Programs at the lake typically include elementary instruction in hands-on biology, environmental education, wildlife viewing, and fishing education.

(K) Hikers or pedestrians shall stay on designated, marked paths. Motorized vehicles are prohibited from hiking paths.

(L) Pets in the Buckeye Lake Recreation Area shall be on a leash at all times and under direct care and supervision. Pets may have no contact with the water.

(M) Users shall confine activities to those areas which are designated for public use and shall in no instance enter other surrounding lands of the lakes.

(N) Swimming or any bodily contact with the water is strictly prohibited. Any user observed swimming, rolling a kayak, or in any other way, showing disregard for any of the stated regulations or otherwise contributing to degradation of water quality or abuse of these facilities may be restricted from using the lakes for a period of time as designated by the Town Manager or his or her designee.

(O) Hunting or trapping of wildlife will not be permitted on the premises of Buckeye Lake.

(P) Discourteous or abusive language or acts of violence or intimidation are not allowed.

(Q) No horses, cattle or domestic animals are permitted to water, wash or wallow in the reservoirs.

(R) No activity shall occur within the buffer area surrounding Buckeye Lake that does not comply with local zoning restrictions and 15A NCAC 02B.0214.

Within 1/2 mile in all directions from the normal pool of the reservoir exists a WS-II Critical Area (CA). The CA is designated by the state to provide additional protection in close proximity to a drinking water supply intake. Being within the CA of a WS-II watershed requires that non-exempt development (disturbed or built upon area) occupy no more than 6% of the land owned or leased, and have a minimum of a 30-foot stream buffer.

A 50-foot undisturbed buffer is in effect from the normal pool of the reservoir in conformance with 15A NCAC 18C.0403(f).

A 30-foot stream buffer is in effect for all tributary streams to the reservoir within the Critical Area in conformance with 15A NCAC 02B.0214.

Refer to Sections 154.165 and 154.215 of the Town of Beech Mountain Code of Ordinances for additional stream buffers beyond the WSII Critical Area.

(S) The cleaning of fish is prohibited in Buckeye Lake, Buckeye Creek, the Buckeye Lake area, and the Shane Outpost Park area.

(T) No discharge of firearms or fireworks (other than those approved for public show by the town) are permitted in the Buckeye Lake Recreational Area.

(U) Overnight tent camping is permitted in designated areas only and in compliance with the Buckeye Lake Protection Plan and the Shane Outpost Park rules and regulations.

(V) Trash and debris shall be carried out or placed in receptacles provided. Littering is strictly prohibited.

(W) Acts of degradation to water quality or desecration of trees or plant life will not be tolerated.

#### **§ 93.25 USER SAFETY.**

(A) To ensure safety, each person using the lake must sign their name in Buckeye Lake's register. The user responsible for small children shall be

- required to list the names for each child after his or her name on the register.
- (B) Not more than four adults, and fewer depending upon the weight rating of the boats, may occupy a boat at any time. All boats shall be equipped with at least one Coast Guard approved life preserver for each person on board.
- (C) Persons under 16 years of age shall be permitted on the lake with supervision of an adult who will assume full responsibility. These individuals are required to wear U.S. Coast Guard approved floatation devices.
- (D) The town or its designee is authorized to deny, suspend, or restrict the use of Buckeye Lake's impoundment premises or parts thereof to persons or groups who fail to comply with applicable laws or any regulations adopted hereunder including those for personal safety.

#### **§ 93.26 SANITATION.**

- (A) Adequate sanitary sewage facilities shall be available in the recreational area. The nearest public restrooms are located in the Buckeye Recreation Center above the water treatment plant. There are also facilities located at the Picnic Shelter. Public restrooms shall be provided in the Shane Outpost Park campground area.
- (B) Sufficient containers shall be provided at convenient locations for deposit of refuse and garbage. In no instance shall trash or refuse of any kind be thrown into the water.
- (C) Waste left by domestic animals must be removed by the animal's owner or caretaker.
- (D) No person shall do any act to impair or degrade water of the reservoirs.

#### **§ 93.27 ENFORCEMENT OF REGULATIONS.**

- (A) A copy of these regulations shall be posted at the boat access, in the Buckeye Recreation Center, and in the Shane Outpost Park campground area and shall be available for every person to read before using the premises.
- (B) The town shall be the official custodians in charge of the reservoir and surrounding premises. The Town Manager (who shall be in consultation with the Utilities Director on matters related to water quality and protection), and staff members such as the Town Manager may designate, shall be the executive agents of the town in maintaining and enforcing all regulations and policies which have been adopted.
- (1) Subject to the discretion of the Town Manager, the primary responsibility for the day to day recreation use and maintenance of the lake facilities and protection of its water shall rest with the Recreation Director and staff members of the Buckeye Recreation Center as designated by the Recreation Director. Staff members shall perform inspections of the lake facilities at least once daily and at other times as needed to ensure compliance with adopted rules and regulations and policies.
- (2) Other employees of the town, under the authority of the Town Manager (in consultation with the Utilities Director) with responsibilities for protection of Buckeye Lake's water quality and in the enforcement of these regulations include the employees of the Buckeye Water Treatment Plant and the employees of the Beech Mountain Police Department.
- (C) Appropriate state and local law enforcement authorities will be called upon for assistance as required.
- (D) Permission for the use of the premises may be denied or voided for any

person, group, or activity which is considered in any way threatening to the security and safety of any person or damaging to the facilities, equipment, or water quality.

(E) The town and its staff are authorized to direct persons whose presence and/or use of the facilities are in violation of law or regulations to leave Buckeye Lake's premises.

(F) The first violation of this subchapter shall subject the offender to a civil penalty in the amount of \$100. A second violation shall subject the offender to a civil penalty in the amount of \$500. A third violation shall subject the offender to a civil penalty in the amount of \$1,000 and a permanent ban from using Buckeye Lake.

SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Town of Beech Mountain Code of Ordinances as soon as practicable.

SECTION III REPEALING CONFLICTING ORDINANCES. All ordinances or portions of ordinances in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed only to the extent necessary to give this Ordinance full force and effect. It is the intent of the Town of Beech Mountain not to repeal, any ordinance or part thereof not in conflict therewith; and all such ordinances and parts thereof are hereby declared to remain in full force and effect.

SECTION IV. SEVERABILITY CLAUSE. If any section, part or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Town Council in passing this Ordinance that its parts shall be severable and all other parts of the Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION V. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

**Ordinance No. 2020-02**

**TOWN OF BEECH MOUNTAIN, NC**

**AN ORDINANCE TO AMEND CHAPTER 93: PARKS AND RECREATION: ORGANIZATIONAL STRUCTURE; GENERAL RULES FOR PARKS OF THE TOWN OF BEECH MOUNTAIN CODE OF ORDINANCES**

**WHEREAS**, the Town of Beech Mountain acknowledges the benefits to the community of recreation and a healthy lifestyle; and;

**WHEREAS**, the Town of Beech Mountain recognizes the importance of recreational amenities to its economy and its success as a tourist destination; and;

**WHEREAS**, the Town of Beech Mountain strives to plan, construct and maintain a variety of facilities, parks and natural spaces that improve the quality of life for all residents;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEECH MOUNTAIN, NORTH CAROLINA, THAT:**

**SECTION I.** The Code of Ordinances, Chapter 93 (Parks and Recreation), Section §93.05 GENERAL RULES FOR PARKS is hereby amended to read as follows:

### **§ 93.05 GENERAL RULES FOR PARKS.**

All users of town parks shall adhere to the following rules and regulations.

(A) All town parks open at sunup and close at sunset. Only registered campers may access Shane Outpost Park grounds and facilities during non-daylight hours.

(B) Motorized vehicles are prohibited on trails, walkways, ball fields and tennis courts.

(C) Overnight camping or parking is permitted for registered campers in Shane Outpost Park only; all other overnight camping or parking within the parks is prohibited.

(D) Dogs and other domestic animals shall be kept on a leash and under control at all times. Dogs may be allowed off-leash in designated areas of the Bark Park only.

(E) Litter left by animals must be removed by the animal's owner.

(F) Pets are prohibited in the playground area.

(G) Removal or cutting of any plant material (flowers, trees, shrubs) is prohibited.

(H) Hunting or trapping in the parks is prohibited.

(I) Swimming in lakes is prohibited.

(J) All fishing within park areas must comply with the rules established by the State of North Carolina.

(K) The rights of others must be respected at all times.

(L) Entering upon frozen lakes, ponds, or other bodies of water is strictly prohibited.

(1989 Code, Title IV, Ch. 78, § 5) (Am. Ord. 2015-05, passed 5-12-2015)  
Penalty, see Chapter 11, § 11.01

SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Town of Beech Mountain Code of Ordinances as soon as practicable.

SECTION IV. SEVERABILITY CLAUSE. If any section, part or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Town Council in passing this Ordinance that its parts shall be severable and all other parts of the Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION V. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

### **Motion**

Weidner Abernethy made a motion to adopt the Buckeye Lake Protection Ordinance and Buckeye Lake Protection Plan as revised by Council and Erin Gonyea seconded the motion. CARRIED. unanimously.

### **8.2. Buckeye Creek Road Paving of the back-gate**

The Buckeye Creek Road paving project to pave the roadway through to

the back gate was discussed. Mayor Kaufman stated the bid was for \$684,635.00 and Mr. Pudney stated this work would begin March 11th and we estimate the project to be completed by June.

Mr. Pudney noted that prepare work to be completed will be the culverts which will be replaced upsizing them and performing ditch work along with sewer manholes to be replaced and or repaired. Once completed the contractor's date can be scheduled for the paving. Mayor Kaufman suggested we coordinate with NCDOT to add the sign at Hwy 321. The way finder sign will direct travelers to Beech Mountain.

### **Motion**

Jimmie Accardi made a motion to adopt Resolution No. 2020-02 and to accept the contract bid for \$684,635.00 from Moretz Paving INC., to pave Buckeye Creek Road as specified in the contract and Erin Gonyea seconded the motion. CARRIED. unanimously.

### **8.3. 2018 Water & Sewer System Upgrade Project**

Mayor Kaufman noted the lowest bid received was for \$3,383,360.00 million dollars from Iron Mountain Construction Company, this was what was estimated three years ago. The Town re-advertised and received three quotes, one was over 6 million dollars. Mayor Kaufman stated the bid shall be contracted with Iron Mountain Construction, out of Mountain City, Tennessee and he requested a motion to accept the bid.

In response to Councilmember Abernethy's question as to the funding, Mr. Pudney stated the Town is using the State's revolving fund for Water and Sewer which was pre-approved by the State. After the Council approves the project contract, the State will finalize the loan documents. All contractor draws come from the State's revolving fund.

### **Motion**

Jimmie Accardi made a motion to accept the Iron Mountain Construction bid at \$3,383,360.00 for the 2018 Water & Sewer System Upgrade Project as specified in the contract under Resolution No. 2020-01 rehabilitation project and Erin Gonyea seconded the motion. CARRIED. unanimously.

### **8.4. Lake Coffey Bathroom Project**

Mayor Kaufman stated the Town will remove the Porto-potty and construct the bathroom. Building Inspector, John Merritt designed the site area layout and functional bathroom for Lake Coffey.

Mr. Pudney said we received a turn-key bid for \$18,000. Mr. Pudney explained the specs saying the hot water is electric with a heater vent. Water and sewer will be tied into the town's system. Parks and Recreation Department will perform the maintenance. The Town owns the land and Mr. Pudney further explained the site layout. Timeline for completion is estimated

in June by the time the fishing derby occurs.

### **Motion**

Jimmie Accardi made a motion to construct the bathroom facility at Lake Coffey and Erin Gonyea seconded the motion. CARRIED. unanimously.

## **9. OLD BUSINESS**

### **9.1. Town Hall Meetings**

There was discussion regarding scheduling and suggestions for topics for Town Hall meetings. It was determined by consensus that the next Town Hall meeting will be Thursday, June 11, 2020 at 5:00 p.m. at Buckeye Lake Recreation Center. Announcements will be posted on the website and on social media and a flyer will be inserted into the next utility bill notifying the public.

In response to Mayor Kaufman's question regarding the funding for the road paving on Buckeye Creek Road, Mr. Pudney answered that the monies were coming from the reserves and that he will bring a budget amendment before Council in April in order to fund that project from the reserves. A grand opening and ribbon cutting for Shane Park and for the road paving of the back gate can occur at the same time upon completion dates.

### **Motion**

Town Council discussion regarding Town Hall Meetings, topics and schedule.

## **10. TOWN MANAGER AND STAFF REPORTS**

### **10.1. Business Acknowledgement- Beech Mountain Ski Resort 1007 Beech Mountain Parkway**

General Manager Ryan Costin provided a report on the ski season and future plans. Mr. Costin represents the largest taxpayer and business on the mountain.

Mr. Costin said he appreciated working together with the town and community and he gave an overview and history of the ski resort noting that originally the winter ski season was 82 days and has grown to a November through March season including the summer mountain biking season. He highlighted their infrastructure improvements such as snow making abilities setting new standards competing with other resorts and said the biking experience has evolved with the town's offerings forming positive visitor, resident and tourist experiences.

### **10.2. January Monthly Financial Report**

Mr. Pudney pointed out the two submitted financial reports specifically the

reserves transfer of one million dollars from the Town's BB&T account to the NC trust fund accounts 2 & 3. The budget is currently at 58.33% of the budget. The departments are at 59.00% and as departments get in line with the benchmark for expenditures we will be within the proper expenditures by the end of the fiscal year.

### **10.3. Budget Report for January 2020 and Manager's Report**

Mr. Pudney addressed the public comment inquiry from Mr. Wilson, and stated the Governor announced a State of Emergency on March 10, 2020 due to Coronavirus. The Town departments and employees are encouraged to monitor health conditions and to protect the workforce. The Chief of Police, Mr. Barnett and Mr. Pudney attended an Avery County Health Department meeting regarding the Coronavirus which they state is far less deadly than the flu. Protocol to follow is the same for influenza such as hand washing, sanitizing and cover your cough, and be aware of health precautions. The Town will be monitoring information from the CDC, the State, and the County.

Mr. Wilson also asked about the water quality and the Town's water quality report from the State is available and we also scored #2 in the State for water taste quality which is coming out of our state-of-the-art new water plant. At this time Buckeye Lake is at full 100% capacity. The future Watauga Water Intake project is moving forward as a secondary water source. The Council held the workshop addressing this infrastructure issue and voted to get the project underway and to solicit a publicity (PR) firm and the Manager's Office has reached out to benchmark cities who have dealt with same problem.

The senior project leadership team will be spearheaded by Robert Heaton, retired Infrastructure Director. The Manager met with Banner Elk's Town Manager, Rick Owen, as he has insight as past Beech Mountain Mayor and we are meeting with the county administration on March 20th. The Watauga Water Intake workshop has details of the upcoming plans for the project and task force steps.

Mr. Pudney highlighted the Shane Park permitting and schedule for that project as well as the new Public Works Facilities construction and financing issues. Seasonal roadway maintenance crews will be hired for extensive clean-up of roadways, potholes, gravel roads and rights-of-way maintenance. Mr. Daniel Davis will research and find a company to conduct an analysis and an environmental study of the use of salt and its impact on the creeks to determine if there is a salt problem in our creeks.

He discussed the Dog Bark Park, the Public Works construction site noting that we added a silt fence around the town's topsoil. The topsoil is a commodity and we will stockpile it for now. The soil will be graded and seeded while on site. The Lake Coffey roof on the building is almost completed. It will be painted with an overhead door installed for equipment storage.

Mr. Pudney addressed the Water and Sewer lines replacement project, stating that property owners and residents will receive letters and door hangers as notification when the construction on their road/streets begins for the pipe

replacement throughout the town. The project is based on the weather and will continue in the spring through late fall as it is an aggressive schedule.

- 10.4. Fire Department Monthly Report
- 10.5. Police Department Monthly Report
- 10.6. Department of Infrastructure Reports
- 10.7. February Recreation Report-

Parks and Recreation Director, Sean Royal reviewed the upcoming recreation programs including the 'Lunch and Learn', summer camp scholarship program and the new basketball program.

- 10.8. TDA March Report
- 10.9. Planning and Inspections Report 2020-02

## 11. CITIZENS' AGENDA COMMENTS

- 11.1. Mr. Nick Wilson inquired into the painting and stripping of roads, to which Mr. Pudney said approximately 6 miles of roads are budgeted to be stripped.

Mr. Frank Steele stated that the bar has been set a high and he congratulated Council and the Manager's Office for working productively together.

## 12. TOWN COUNCIL COMMENTS

- 12.1. Councilmember Melang stated Public Works had performed a great job with snow removal, salting and gravel maintenance through the winter season.

Councilmember Abernethy stated his excitement regarding the most productive meeting from acknowledging businesses and infrastructure accomplishments such as the paving of Buckeye Creek Road back gate, to the water and sewer lines replacement, to the Lake Coffey bathroom and hiring seasonal workers to clean-up and maintain roadways. He agreed with reaching out to our neighbors regarding the Watauga Water Intake Project. Public Works is performing an exceptional job. Citizens report a positive experience and we have safe roads. Mr. Abernethy suggested using inset reflectors on roadways. He said the State portion has them and they are not inexpensive as the road must be grooved.

Councilmember Gonyea noted the progress and upgrades on the mountain are exciting, and she thanked Mr. Costin for working with the town on the behind the scenes with management and law enforcement of the vehicle parking in the town during the peak ski season.

Vice Mayor Accardi agreed and said generally the other businesses thank the Costin family for management of the Ski Resort. He joked and stated out of the 19 town manager applications received, none are from Bob.

Mayor Kaufman pointed out that the Police Department had 243 assists

in one month, safely helping to get people up and down the mountain, and he thanked the Police Officers.

**13. CLOSED SESSION - PURSUANT TO NC GS 143-318.11 (A)(3) (6)  
ATTORNEY CLIENT MATTERS AND PERSONNEL**

- 13.1. Mayor Kaufman requested a motion to enter into closed session for attorney client matters and personnel matters.

**Motion**

Jimmie Accardi made a motion to enter into closed session for attorney client and personnel matters and Weidner Abernethy seconded the motion. CARRIED. unanimously.

- 13.2. Mayor Kaufman requested a motion to reconvene from closed session into open session.

**Motion**

Jimmie Accardi made a motion to reconvene into open session from closed session and Weidner Abernethy seconded the motion. CARRIED. unanimously.

**14. OTHER BUSINESS- HIGH COUNTRY COUNCIL OF GOVERNMENTS**

- 14.1. Mayor Kaufman announced the upcoming April 16th dinner and meeting at 6:00 p.m. for the High County Council of Government quarterly meeting, hosted by Town of Beech Mountain at the Buckeye Lake Recreation Center. Our State representative Senator Deanna Ballard is the guest speaker. Topic of interest and discussion will be the Watauga Water Intake Project as well the tax question will be addressed.

**15. ADJOURNMENT**

- 15.1. There being no further business, Mayor Kaufman request adjournment at 6:18 p.m.  
Note: the minutes are not a verbatim record of the proceedings.

**Motion**

Weidner Abernethy made a motion to adjourn the meeting and Jimmie Accardi seconded the motion. CARRIED. unanimously.

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Town Clerk

