



MINUTES

Regular Town Council Meeting

4:00 PM - Tuesday, March 9, 2021
Council Chambers

The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, March 9, 2021, 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
Town Manager Bob Pudney
Town Clerk Tamara Mercer
Director of Special Projects Riley Hatch
Finance Officer Steve Smith

1. CALL TO ORDER

2. ADOPTION OF AGENDA

2.1. Mayor Kaufman requested a motion to adopt the amended agenda.

Note: Prior to the Council meeting, the Town Manager, Mr. Pudney added under New Business- the Mooradian Estate donations.

Motion

Jimmie Accardi made a motion to adopt the amended agenda and Kelly Melang seconded the motion. CARRIED. unanimously.

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT-NONE

5. CONSENT AGENDA

- 5.1. Adoption of Minutes- Council Budget Retreat 1/28/2021 & Council regular meeting 2/9/2021
- 5.2. FY 2021 Audit and Financial Statement Preparation
- 5.3. Watauga River Intake Capital Project Ordinance No. 2020-03
- 5.4. FY 2021 Budget Ordinance Amendment #2021-03
- 5.5. Tax Releases & Refunds

Motion

Jimmie Accardi made a motion to accept the consent agenda items as follows: adoption of the minutes of the Town Council Budget Retreat from January 28, 2021 and the regular meeting minutes of Council from February 9, 2021 and to approve the Fiscal Year 2021-2022 auditors contract with C. Randolph CPA, PLLC for \$14,300 and to approve the Watauga River Intake Capital Project Ordinance No. 2020-03 name change to Source Water Development Capital Project and to approve the FY: 2021 Budget Ordinance Amendment No.2021-03 to close-out the Sled Hill #2, Streetscape Multi-use Path Project and the fire damage at Buckeye Recreation Center and to approve the tax releases and refunds as submitted from the tax department and Erin Gonyea seconded the motion. CARRIED. unanimously.

6. NEW BUSINESS

6.1. Reuben and Barbara Mooradian Donation

The counsel for the Reuben and Barbara Mooradian estate, Mr. Di Santi stated that on the sad occasion of Ms. Barbara's passing, she funded through her last will and testament, donations to the Avery County Humane Society and to the Beech Mountain Volunteer Fire Department and Police Department, respectively. Attorney Di Santi reviewed the history of Reub and Barbara moving to Beech Mountain 46 years ago. Reub was the Fire Chief and Barb was the town's first clerk. Prior, they had spent the early '70s in the Fort Bragg area. He presented the checks respectively to Ms. Charlene Calhoun of the Avery County Humane Society, and to Chief Barnett of the Beech Mountain Police Department and to Jim Brooks of the Fire Department in the amount of 1-million-dollars divided amongst the organizations as designated by the estate.

Mr. Brooks recounted the history of Reub and Barb over the years and their many contributions to the mountain community and added they will be greatly missed.

Attorney Di Santi added that the estate accountant will file taxes and they estimate another disbursement of moneys to the organizations. The acceptance signatories by Mayor Kaufman and Mr. Pudney and Mayor Kaufman stated the Mooradian's were a great town asset, and he was thankful for their generosity, to which Councilmember Gonyea agreed noting the emotional moment.

Mr. Pudney stated that a framework for the Fire Department's donations would be set up as a matter of policy for the expenditures and the money will go towards service to the community. Mr. Pudney noted that as the Fire Chief, Mr. Mooradian set up the first 42 hours of training. He was a colonel of special forces in the army and had a master's in business, Reub believed in organized training and service and the mountain is blessed for his foresight.

7. TOWN MANAGER AND STAFF REPORTS

7.1. Budget and Financial Reporting for January

Mr. Pudney noted that the previous consent agenda items for the Finance Department closes out those projects and puts them in line for the department budgets for the Streetscape side path, Sled Hill #2, and for the fire damage that occurred at Buckeye Recreation Center. He pointed out page 61 of the summary for the sewer in expenditures column, those were from January of 2021, and we spend approximately \$30,000 in the budget.

7.2. Town Manager's Report

Mr. Pudney provided the COVID-19 report stating the State is now vaccinating groups 1-3 for those persons over 65, healthcare workers and essential workers. We have sent in our staff list to the Health Department and are working towards employee inoculations. The Fire and Police Departments are at almost 100% vaccinated. He reviewed the criteria for the Governor's rules and restrictions. For the public, that is at 25% capacity for indoor facilities, with 6' between distance and mandatory masks. We are at 50% capacity for Buckeye Recreation Center. Town meetings are still held remotely until we can reduce the social distancing rules due to the venue size.

The TDA has funded two new town signs at the intersection of Highway 321 and for Buckeye Creek Road. These were 100% funded by the TDA.

1. Solid waste update-

- a. Surveyed current commercial account customers and Mr. Pudney reached 10.
- b. None wanted to pay the monthly fee for a monthly town service. \$175 for Republic / \$448 for an 8 cubic yard from the Town. Two currently use Republic services, one reports great service, the other said it was good but had missed pickups. A third business reported he manages a complex that has a 90% good service with missed pickups.
- c. Several reported missed pickups by the town as well.
- d. One time per week pickup is not enough.
- e. One stated they do not want dumpsters at any price.
- f. Space for dumpsters is a concern.
- g. One suggested multiple remote compactor sites for businesses.
- h. Some choose to take their trash directly to the Convenience Center.

Proceeding with budgeting as directed. The Staff will be proposing a change to the Solid Waste Ordinance to require single family short-term rentals to install bear resistant bins. Staff is moving forward with securing a contract proposal from Republic for commercial dumpsters.

Homeowner construction debris will be accepted one day a month as is scheduled for last the Sunday of each month at the Convenience Center.

Mr. Pudney stated that we are proposing a change to the solid waste ordinance to require single family short-term rentals to install bear resistant bins. Mr. Pudney will work with Republic Enterprises regarding a service contract for commercial dumpsters similar to the current ones located in the Town. He stressed the importance to get the message out first and educate the businesses and we are working towards that goal until we have the proposed ordinance before the Town Council.

There was further question and answer period facilitated by the Mayor regarding loss of revenues to the town, personnel, equipment, expenses, fees and rates, and procedures for commercial garbage collection, storage, and tonnage of garbage. Mayor Kaufman reiterated that he was concerned with the consistency of service from a contractor and contract issues and problems working with the subcontractor, and Mr. Pudney acknowledged those concerns as well as the cost differences through the Town acting as the middleman or if the service was contracted individually.

State Revolving Loan (SRF) loan for water and sewer project –

- a. Sewer funding approved; water funding denied due to lack of available funding.
- b. Causes a problem and delay with moving forward.
- c. Requesting a six-month extension of the sewer project as we attempt to reapply to the state for the water project.
- d. Option to privately fund the water project. Additional 2% on a 3m loan over 20 years.

Mr. Pudney next discussed a matter of six lots in Eagles Nest requesting de-annexation. He stated that there is no ingress or egress into the Town and the lots do not receive any town services. the State representative Dudley Green is requesting the Town's input on the matter.

Attorney Eggers reviewed the procedural process for properties to petition for a local bill to move forward in the General Assembly to de-annex from a town. He noted that the properties may amount to approximately \$10,000 of annual tax revenue. It is within the purview of the State legislatures to include this on a bill, but it would need both the House and Senate approval to become law.

After discussion, there was a general consensus from the Council that the Town was not in favor of the request. Mr. Pudney added that he would follow-up with the matter.

7.3. Fire Department Monthly Report

7.4. EMS update and review of progress

- Avery County offered to increase the existing system for the benefit of the areas around Beech Mountain although it was pointed out this was met with resistance, still working on a proposal.
- Watauga is drafting a proposal. Spoke to county manager who said they can work up a plan and proposal. We will meet soon to review. Plan to include funding in upcoming budget.
- New town website – expect to go live by the end of the month, final edits are currently underway.
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- Public works project going well, site work to begin moving now that the weather has cleared. Interior work is nearing completion.
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- Projects-Bark Park bathroom preliminary plans and TDA input
- Bark Park playground preliminary plans and TDA input

- Employee health insurance rate
- Notified no rate increase for next budget year's insurance premiums
- Employees and administrators are managing the cost of the plan. Town's February report medical loss ratio 51.9%
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- Town's 40th birthday –
- Save the date flyer out for events on May 1st at Buckeye Recreation Center

7.5. Police Department Monthly Report

7.6. February Recreation Report 2021

7.7. TDA Report March 2021

7.8. Department of Infrastructure Reports

7.9. Planning and Inspections Report 2021-02

7.10. Town Manager's Report and Update

8. TOWN COUNCIL COMMENTS

- 8.1.** Councilmember Melang stated that the Ski Resort's event Runs for Buns raised over \$33,000 for colon cancer research. The Beech Mountain street clean-up is scheduled for March 20 and May 7th for anyone who wishes to volunteer.

Councilmember Abernethy stated that we should have solar lights on the sign at Buckeye Road entry as it is dark there so solar lighting, to which Mr. Pudney agreed as there is no power at the location. It is a NCDOT roadway, but we will work with the department.

Vice Mayor Accardi thanked Kevin and Sandy Carr for crafting the 40th birthday signs and to the Mooradian family for their gracious and generous contribution as we are grateful.

Councilmember Gonyea agreed. She was extremely moved, and the money will go to great purpose. The playground sketch looks great, and the public, new families, and visitors can use this new facility year-round. She thanked Mr. Merritt for the architectural design.

Mayor Kaufman is hopeful we will have full citizen participation at our meetings soon. The 40th birthday celebration on May 1st will be an exciting event for the mountain.

9. ADJOURNMENT

- 9.1.** There being no further business, Mayor Kaufman requested an adjournment at 5:30 p.m.

Motion

Erin Gonyea made a motion to adjourn the meeting and Kelly Melang seconded the motion. CARRIED. unanimously.

Town Clerk

Mayor, Town of Beech Mountain