



MINUTES

Regular Town Council Meeting

4:00 PM - Tuesday, August 10, 2021
Council Chambers

The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, August 10, 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

1. CALL TO ORDER MAYOR KAUFMAN

2. ADOPTION OF AGENDA

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

Motion

Kelly Melang made a motion to adopt the agenda and Erin Gonyea seconded the motion. CARRIED. unanimously.

3. INVOCATION DEWEY CYCLONE BRETT

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENT

5.1. Ms. Sandy Carr of 505 Pine Ridge Road presented the new rack cards of information which were developed to combine channels of communication for visitors and citizens called 'Your Town Connection'. The card includes information for the new website, emergency and safety information for Code Red, Beech Radio, Beech TV and the Fire Department, government and social

media, and other useful links as well as the 'report a problem' button on the website. The 1st stop for information cards have been distributed, by mail and email, etc.

6. FEATURED LOCAL BUSINESS- MILE HIGH LANDSCAPING, MATT STOKES

- 6.1.** Mr. Pudney said he receives many inquiries regarding our beautification of roadways and roadsides and our parks, and he introduced the town's contractor, Matt Stokes. Mr. Stokes mows in the rain, inclement weather and we have even seen him mowing through snow and he is responsible to our roadways.

Matt said he has lived here for 20 years and enjoys highlighting the natural beauty of our area. Mr. Stokes thanked the town for the opportunity. He said he will continue to collaborate with businesses and the town to maintain the efficiency of our landscaping.

7. CONSENT AGENDA

- 7.1.** Adoption of Minutes- FY: 2021-2022 Budget Retreat on May 19, 2021, and Regular Town Council meeting on July 13, 2021
- 7.2.** FY 2021 Budget Amendment #2021-07
- 7.3.** Order to Collect 2021 Tax

Motion

Kelly Melang made a motion to adopt the consent agenda including the following: minutes of May 19, 2021, and July 13, 2021 and the Budget Ordinance Amendment #2021-06 for FY: 2020-2021 and the Order for the Tax Administrator to Collect Taxes and Weidner Abernethy seconded the motion. CARRIED. unanimously.

8. OLD BUSINESS

- 8.1.** EMS- Emergency Medical Services Station

Mr. Pudney stated that the town has received a grant of \$100,000 for the Emergency Medical Services Station from Dr. Miller's Ambulance Foundation. Mr. Pudney reviewed the two written proposals, one from Avery County and one from Watauga County, providing 24 paramedic unit on the mountain. The unit would provide housing for crews inside the town limits. Mr. Pudney is working on the terms and the financial proposals and would bring back the details for Town Council's consideration once he receives some guidance.

Mr. Pudney discussed some possible verbiage in the contract to both stipulate the need for services to remain in-town and a financial disincentive if the crews are drawn out-of-town. He explained how that would work as the EMS response team procedures and the Town's Fire Department procedures and how Avery County responds in the county and in Banner Elk, for Watauga

and also in Fall Creek. He will negotiate a disincentive to use it somewhere else and gave an example. There was a lengthy question and answer period and an open discussion.

A discussion ensued regarding financial fees, service response time and procedures, taxpayer costs, the EMS unit based at Fire Station 2, routes to the hospitals, and what happens if a call is run off the mountain for assistance elsewhere such as Eagles Nest.

In response to Councilmember Melang's question regarding insurance, Mr. Pudney said ISO insurance rating is different as that pertains to the Fire Department.

Dr. Miller commented that the discussion involves the residents, visitors, businesses, Beech Club and the back of the mountain and he was concerned with area impacts at Lees McRae College, Elk River and Eagles Nest. Citizens in attendance added their suggestions and an open dialogue ensued regarding the topic.

Mr. Pudney reminded the Council and citizens that the Town had, as per General Statute, advertised and held a Public Hearing on the subject which was approved previously (July 13, 2021) and we should not go backwards. He added council can direct staff as to the terms of the contract agreement.

After further discussion of the terms, Mr. Pudney said he will continue to develop an agreement between the Town and Avery and the Town and Watauga counties in order to bring those back to Council in September for Council's consideration. In response to Councilmember Melang's question, Mr. Pudney said he has included the project in the budget, but any additional funding would need to be requested as an amendment, but we have the project funded in this fiscal year budget. Mr. Pudney is simply finalizing costs and terms within a contract agreements. The town's current agreement with Avery County EMS services must be renegotiated at this time anyway so he will include the new terms and update Town Council in September.

9. NEW BUSINESS

9.1. Discussion- speed limit on Bark Park Way (renamed from Water Tank Road)

Mayor Kaufman stated that Bark Park Way is currently 25 mph. He listed the facilities there such as the two parks, the Convenience Center, and Public Works building traffic. There are pedestrians, dogs, and children playing and he questioned if Council wishes to lower the speed limit. Vice Mayor Accardi said he is there and sees cars race up to the trash dump. Police can patrol easily to catch speeders said Mayor Kaufman.

Councilmember Abernethy said we previously lowered 3 or 4 roads to 15 mph and people still go 25 mph, so if we change it on Bark Park Way others will want to change their road speed limit. He is opposed as it will set

precedent. Councilmember Melang was in favor of all or nothing and Councilmember Gonyea asked if we could add signage.

Mr. Pudney said we could add a radar speed sign which captures the average speed at peak traffic counts. After an open-ended conversation between council members and citizens in attendance, Mr. Pudney said we would add a traffic calming crosswalk from the park across Bark Park Way with signage, to which the Mayor, Councilmember Melang, Abernethy, and Gonyea agreed to adding signage and leave the road at 25 mph. Vice Mayor Accardi added that if this does not work the Council could revisit the issue.

9.2. National Wildlife Federation Certifies Beech Mountain a Wildlife Habitat- Wilson King

Mr. Pudney noted that Wilson King brought him the topic and a list and asked town look at a certified wildlife habitat and we are plaque.

Wilson King reviewed some background for submitting his suggestions to the town and he listed those suggestions again. Items listed was lowering gravel roads speed limits to 15 mph, rationalize our road maintenance program as scrapping roads does not fix them. Enforce a noise ordinance for a safe, clean quiet environment. Wildflowers planted on roadway margins and medians as bee pollinators are under stress. Beech Mountain is ideal for wildflowers and supports pollinators. Control commercial vehicles with an ordinance such as no engine breaking for commercial vehicles. A dark sky initiative. Light pollution affects our streets and parking lots. Streetlights should face down and not up in the sky.

Mr. King stated that receiving this wildlife sanctuary would make Leslie Hayhurst would happy as we are making progress. He said Mr. Pudney deserves credit for supporting the initiative. Now that Beech Mountain has recognition from the National Wildlife Federation, he hopes everyone supports our environment.

10. TOWN MANAGER AND STAFF REPORTS

10.1. Town Manager's Report

Mr. Pudney updated the public on the Covid-19 Delta variant. The Delta variant has increasing cases around the State and the Town follows the Governor's Executive Order regarding restriction. He is in contact with the State Health Officials on conference calls with the surrounding counties. Beech Mountain follows orders as per the Governor's Office and not other municipalities such as Boone. He has been receiving emails and calls regarding Covid-19 and monitors the situation daily, but we are not under a State of Emergency at this time. He reiterated that we follow the Governor's orders.

The SRF (State Revolving Fund) loan for the Town's second water and sewer infrastructure replacement project was approved at 1.16% interest rate.

The design and engineering are underway, construction to start in 2023 – 2024.

Mr. Pudney reviewed the topic of Republic Services and the commercial garbage collections. He said there has been a substantial capital investment for ex. dumpsters and equipment after the ordinance and franchise was approved in June. A team consisting of Daniel Davis and Debby Poston will meet individually with customers beginning next week to resolve outstanding issues. By September 30th the town will no longer service the commercial business garbage collections or multi-family customers garbage collections and that service will be with Republic. There is misinformation spreading in community concerning the upcoming August 17th Town Hall meeting. Everyone is invited to attend. The topic is Sanitation and trash.

Mr. Pudney said that Public Works Department had had a fuel spill in 1994 and this fuel spill site was mitigated by an outside contractor in 1994, 27 years ago. State solid tests in 1994 exceeded for “unrestricted” use. There was no ground water contamination. Final closure requires public notice. The Town hired S&ME Environmental Services of Asheville to complete the process, which also requires notice per statute. Staff is waiting for State completion of the project with a “no further action required” letter expected.

Project Updates:

- Paving and Striping of roadways underway
- Parking Lot- software app for paid parking has no upfront costs, system is a pay by phone app to be ready by October 1st
- Bark Park and Sled Hill Bathroom contract and construction underway
- E911 telephone system
- Genesis Lease terminated as per the Genesis non-profit folding
- End Of Summer Bash- Police Department hosting on 8/31/2021 from 4:00 - 7:00 p.m.
- Shane Park Camping success this summer
- Avery County hosts Hazardous Waste Collection Day 8/28/2021 in Newland
- Buckeye Lake water level update- below the spillway and lack of rain issues
- Lake Coffey/ Lake Santis Reservoir update- Engineering and design underway, Town Ski Resort agreement and partnership
- EMS Station update regarding contracts with Avery and Watauga counties
- Town Hall meeting on Tuesday August 17, 2021, topic Sanitation

Mr. Pudney provided an overview of the various current projects and he explained that the TDA funded walkway on Wedling Wed Way was still under construction and the pathway is being worked on.

In response to Councilmember Melang's question regarding the parking lot, Mr. Pudney explained the fees, the operation and how the app service would work. In response to the Mayor's question, Mr. Pudney said we researched other towns who use the software. It is a totally open system where

revenue will be up and expenses down due to there is no equipment to install, such as meters with solar panels or collections meters which maybe functional 60% at any time and not working 40% of the time. The 24-hour lot was funded by the TDA, and it will also house an electrical charging station for electrical vehicles. The lot provides additional parking with revenue. The rates will be set in the proposal which Mr. Pudney said will be brought before Council in September.

- 10.2. Fire Department Monthly Report
- 10.3. Police Department Monthly Report
- 10.4. Financial and Budget Reports for June - 2021
- 10.5. Department of Infrastructure Report
- 10.6. July 2021 Recreation Report
- 10.7. TDA August Report
- 10.8. Planning and Inspection Report 2021-07

11. TOWN COUNCIL COMMENTS

- 11.1. Vice Mayor Accardi thanked Dr. Miller for the EMS Station donation and said it will be a great addition to the mountain. He welcomed Michael Holland to the Building Department. He thanked Mr. Davis and Mr. Clawson who worked with the Public Works' Crews overnight to fix the broken water lines.

Councilmember Gonyea thanked Dr. Miller as well as the TDA. The TDA supports the town and town programs year-round. Due to their financial help, the taxpayers' taxes have not increased. She thanked Mr. Pudney for his leadership skills on the multi-projects concurrently implemented. We are excited to be designated a wildlife refuge.

Councilmember Abernethy thanked the employees and mountain ambulance donation, and citizens input and support. He said while people may disagree and have different perspectives the Council is working together. He thanked Bob for his leadership.

Councilmember Gonyea reminded everyone of the upcoming Town Hall meeting on Sanitation on August 17th. There is misinformation out there. She requests the taxpayers to attend the meeting to work together.

Councilmember Melang reminded everyone of the Hi-Lo Business Expo on August 26th which will unveil the Hi-Lo Adventure trail and the event takes place at Buckeye Lake. She noted that the bearicades and bear fines were working to keep the mountain clean.

Mayor Kaufman thanked Dr. Miller for the EMS Station donation and he reiterate that the EMS Station is for Beech Mountain and if we can help others,

he is not against that, but the project will bring an EMS Station on Beech Mountain.

12. CITIZENS' AGENDA COMMENTS

12.1. Ms. Eva Jones inquired about the overflow parking area by the sled hill, to which Mr. Pudney said that that is the Ski Resort's overflow lot and that the Resort controls their lot which does not affect the new town parking lot. Visitors or house rental occupants can still use the overflow lots by the resort next to the Brick Oven stated Mr. Pudney. It will cost \$25.00 for the day to park at the town lot. The town will utilize the app for people to pay on their phone.

Ms. Carr said she paid \$125.00 a day for their car at a hotel in San Francisco so \$25 is reasonable in her opinion. In response to her inquiry about cell phone service or lack thereof, Mr. Pudney said we are installing super WIFI for access. He said he was going to request this of the TDA, since it is a visitor expense. Ms. Carr believed Bark Park Way should be 15 mph since the sled hill and Park and Bark Park are a high traffic area.

Ms. Barbara O'Connell 151 Hornbeam Road stated she was concerned about the Bark Park signage and clarifying signage.

Mayor Kaufman stated that after no one else wished to speak, that he requests a motion to move into closed session. Councilmember Melang made the motion and Councilmember Gonyea seconded the motion to convene to closed session. The motion carried unanimously.

13. CLOSED SESSION - PURSUANT TO NC GS 143-318.11 (A)(6) PERSONNEL MATTERS

13.1. The Council moved to closed session regarding personnel matters.

14. ADJOURNMENT

14.1. The Council reconvened to the regular open meeting and there being no further business, Mayor Kaufman requested a motion to adjourn at 6:50 p.m.

Note: the minutes are not a verbatim transcript of the proceedings.

Motion

Weidner Abernethy made a motion to adjourn, and Kelly Melang seconded the motion. CARRIED. unanimously.

Town Clerk

Mayor, Town of Beech Mountain