



MINUTES

Regular Town Council Meeting

4:00 PM - Tuesday, July 12, 2022
Council Chambers

The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, July 12, 2022, 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

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 Jimmie Accardi seconded the motion. CARRIED. unanimously.

3. INVOCATION- CYCLONE BRETT

4. PLEDGE OF ALLEGIANCE

5. FEATURED LOCAL BUSINESS- HAMMER IN HAND CONSTRUCTION, TUCKER ROSENBUSCH

5.1. Mr. Tucker Rosenbusch owner of Hammer In Hand Construction, noted that upon his return to Beech Mountain he started his new business, prior he has lived here for 22 years. Mr. Rosenbusch is a second-generation Beech Mountain resident, serving on the Ski Patrol at the Resort and recently joined

the Volunteer Fire Department. He is happy living and working in Beech Mountain and to give back to our community.

6. VICE MAYOR'S ADDRESS TO THE COMMUNITY

6.1. Vice Mayor Accardi prepared a statement to address the general public at the regular meeting. He said the purpose of this statement is to address the hurtful rumor mills, dispel any misinformation or alarms, and speak on what he stands for as a Town Council Member.

Mr. Accardi addressed the questions as to where he lives and said he was born and raised on Beech Mountain. Attended Valle Crucis Elementary School, Watauga High School, and graduated from Appalachian State University. After graduation, he moved to Klonteska, which is in the town limits of Beech Mountain. He then purchased a condo at the Pinnacle Inn, where he and his mother, and fiancé McKenzie resided for a time. The property is located in the town limits. When he and McKenzie learned they were having a baby boy, they moved above the Brick Oven, since they needed more room. The Brick Oven is in the town limits and where he currently lives.

The residence at the Brick Oven happens to be where his mother and father raised himself, his brother, and sister. The address is 402 Beech Mountain Parkway. For the record Vice Mayor Accardi said his driver's license and voter registration is listed as 402 Beech Mountain Parkway.

Vice Mayor Accardi next addressed the TDA grants and funding. Mr. Accardi noted that the TDA receives occupancy taxes from visitors. It does not come from the General Fund. Through the TDA Board's grant awards process, businesses can get help to further improve the curbside appeal of their businesses, which improves the entire mountain. This is a tool that any business owner can apply for by submitting an application. Every business is highly encouraged to do so.

He said there has been misinformation about the properties on Beech Mountain which he owns. In the chain of emails that were sent out, it is misleading to only list selective properties. They failed to mention the other properties which Vice Mayor Accardi owns on Beech Mountain. Those that he also has to pay property taxes on. For clarification, his last tax period payment to the Town of Beech Mountain was \$10,697.86. The payment to Avery County was \$8,542.90, for a total of \$19,240.76 paid in taxes.

The emails and social media incorrectly stated that he lives in Woodland Hills, not the correct name, the subdivision is called Woodland Meadows. His father and Vice Mayor Accardi share the same name. The house that's being talked about on social media is the house that his father and mother built 22-years ago. After three years of construction, this became their family home. This is where Mr. Accardi senior resides. The home is not 8,000+ square feet.

Mr. Accardi noted that to appeal a residential or commercial re-evaluation one must contact the county to be educated on how tax re-evaluation works.

The Town of Beech Mountain has nothing to do with assessed tax values on residential and commercial properties.

Vice Mayor said there is misconduct with social media, emails, and boundaries in regard to social media and his business. He said he will not engage nor respond to nasty comments such as being called a bastard, being called disgusting, a scoundrel, being told to resign. That all may not sound like it hurts, but when you are the one being targeted it does. It is unnecessary when it comes to performing Town Council duties in the town.

He said this type of harassment crosses the line when it comes to people coming after McKenzie, his fiancé, his family, and the employees. For example, McKenzie was approached multiple times being questioned where she lives and who their baby will live with. Not to mention constantly being attacked by social media trolls every day. And some 'Customers' came in on a mission to harass the employees and question them. Someone actually said, "where does he (Jimmie) actually live" and "can you show me" the young lady working was borderline creeped out by the older gentleman who asked her this.

Vice Mayor Accardi said people with problems with a policy decision by Council, should approach him in person, call his cell phone, talk directly or just continue to hide behind the keyboard, but do not approach his pregnant fiancé, family, or the employees of the business.

Vice Mayor Accardi said that for the duration of his term on Town Council, he will work on fine tuning this year's budget and to save tax dollars. He will focus on amending this year's budget, revisiting certain items, and to have a more aggressive fiscal responsibility for items such as capital improvements. Not the employee cost of living (COLA), this should not be a discussion as the Town is keeping up with inflation and competing against the private sector with the recruiting of our Town employees. The town employees are the backbone of our Town.

What Vice Mayor Accardi hopes to see omitted from the 2022-2023 fiscal year budget is the \$800,000 Town Hall expansion project which is funded half through the TDA, and half through the General Fund. He hopes to earn the other council members' support as one of the first items to address and postpone the project.

He noted that his vision has been too narrow. It is not the people who said mean and nasty things on emails and social media, it is the people that approached him as a citizen that made all the difference to help broaden his vision. Moving forward, if it is possible to revisit the tax millage rate, he would like to reconsider the vote and adjust the tax millage rate for all property owners on Beech Mountain. Regardless, if this is possible this year or not, his new mission for the duration of his term is to lower the budget and tax millage rate.

Vice Mayor Accardi said he is not a polished politician; he is a businessman. He will work even harder to reduce the budget and to reduce the tax millage rate. Vice Mayor Accardi added for further clarification, or details

regarding this statement, please call, or speak with him directly for more information.

7. PUBLIC COMMENT

7.1. Mr. Mitch Muley of 3441 South Beech Mountain Parkway, was opposed to the tax millage rate as it has doubled his taxes and places an unfair burden on the taxpayers. He disagreed with the employee COLA in the budget. Mr. Muley worked in civil service and some years, he received nothing. He was concerned with zoning issues around town such as the gym walls next to Klonteska. He questioned the signage regulations as there are too many signs. He was not against commercial signage, but they need to be tasteful, and rules should be in place. The dumpsters are ugly and Mr. Muley was not in favor of the Solid Waste Ordinance passed in 2021. The newly implemented procedures at the Convenience Center does not allow Klonteska residents to use the facility. He suggested the town look at Republic Service commercial garbage collection agreement as the dumpsters are unsightly. He reiterated he is against the solid waste ordinance. The new parking lot is not used in the summer. There needs to be crosswalks and sidewalks along Beech Mountain Parkway for safety and to keep the town peaceful.

Mr. Brian Coggin of 497 St. Andrews Road recounted his history of moving here. His residential property was assessed at \$460,000 and he bought the house for \$90,000 years ago. He is concerned as his tax rate more than doubled. He has a petition with 200 signatures against the tax rate. Signatures of those homeowners who cannot vote due to this is their second home or the house was inherited. Mr. Coggin was in favor of voting on a new budget and not the adopted budget.

Mr. Robert McMichael of 710 Pine Ridge Road, said the citizens are experiencing economic shocks with gas prices, groceries, and tax bills. He said there should be a new discussion on the budget and for there to be a citizens' budget forum.

Dr. Murray Miller of 107 Golfview Road thanked the Council for their support and authorization regarding the new EMS Station. He said the Mountain Ambulance non-profit is made up of our volunteers in the Fire Department still works with the contractors at the EMS Station. The First Responder unit needs to replace the old ambulance. The cost estimate is \$300,000. The non-profit will look to fundraising from the community. Dr. Murray said he is a nonvoting taxpayer and expressed his support of the budget. He is asking all property owners to support, the Beech Mountain Ambulance and Healthcare Foundation. Dr. Murray has pledged \$100,000 towards a new ambulance and he encouraged the community to participate.

Ms. Christy Bonestell of 110 Overbrook trail, addressed the Town's rumor situation. She said no-one wants to pay taxes, but she disagreed with the treatment of some council members and town staff. Ms. Bonestell disagreed with the on-line community's name calling and rumors, so she encouraged citizens to participate in town business to understand the issues or volunteer on a board, group or committee.

Ms. Lynn Bernstein of 304 Lake Ledge Road thanked council for their service, and she offered advice to increase communications from the Town to the public via social media and educate the community regarding town business. She said there is a lack of support for the community. She is in favor of a lowered or reassessed tax rate.

Ms. Dava Lipsky of 102 Ladybug Lane, said she has been coming here for 40 years during the summers. She was not in favor of the dumpsters and the signs on the dumpsters. There should be wooden fencing and landscaping as the blue dumpster is an eyesore. Ms. Lipsky was in favor of new regulations and changing the ordinance.

Ms. Maggie Taylor of 426 Charter Hills Road said she also lived at the Pinnacle Inn, recounted her history on Beech Mountain. Ms. Taylor said she is on a fixed income, and she volunteers with reading programs and donates books. She questioned if the tax increase was due to the water reservoir project, combining the two lakes. Ms. Taylor thanked Council for supporting the EMS Station.

Mr. Mike Murgio of 101 Pinnacle Ridge Road said he was pained to hear that there are personal attacks on-line. The dumpsters are horrible. The EMS Station is great addition. He was not opposed to raising salaries. Mr. Murgio suggested there be a budget committee of citizens and for the ideas and input to be from citizens not staff. He suggested the town start budget process in August. Mr. Murgio disagreed with the 60% reserves. He said other towns have as little as a 1% reserve. Beech Mountain's reserve is too high and that is why the tax rate is so high and makes no sense. Projects should be funded long-term, over five to ten years and he disagreed with the process of funding capital improvements in the budget as front end loaded. He said the town should spread the financing out over years.

Mayor Kaufman closed the public comment portion of the meeting.

7.2.

8. **CONSENT AGENDA**

8.1. Adoption of Minutes

8.2. Resolution of Acceptance State of North Carolina ARPA Funds

Mayor Kaufman requested a motion to adopt the consent agenda items.

Motion

Kelly Melang made a motion to approve the items on the consent agenda consisting of: regular meeting minutes of June 14, 2022, and Res. No. 2022-08 Accept American Rescue Plan Funds Granted by N.C. State for \$1,000,000.00 and Weidner Abernethy seconded the motion. CARRIED. unanimously.

9. **NEW BUSINESS**

9.1. Capital Budget Ordinance No. 2022-05

Mayor Kaufman requested a motion to accept the Capital Budget Ordinance No. 2022-05.

Motion

Weidner Abernethy made a motion to approve Capital Budget Ord. No. 2022-05 for 2022 Water Service Line Replacement Project No. SRP-D-ARP-0089 and Kelly Melang seconded the motion. CARRIED. unanimously.

10. TOWN MANAGER AND STAFF REPORTS

10.1. Town Manager's Report

Mr. Pudney said that Governor Cooper's Office will announce on August 15th at 5:00 p.m. that the State of Emergency under COVID-19 ends for North Carolina.

Local House Bill 1044 moved through the legislation short session in Raleigh, which included the de-annexation request for the six Beech Mountain parcels. The bill added another six parcels which the town objected to, those were removed, and the original six parcels passed for de-annexation out of the town limits. House Bill 1158 regarding protected local municipal tree regulations has stalled in committee. We will try again in the next legislative session.

The Town held the EMS Station dedication ceremony on June 25th. In the first 45-days of operation, the EMS Station has reduced the average emergency response time to 7.21 minutes.

The Bark Park improvements project is nearing completion, we have installed new fencing and gates, new benches and added shade structures. The parking lot sealed and striped. Mr. Pudney thanked the TDA for support and funding.

Mr. Pudney reviewed the potable water projects such as the raw water well #1 on Pinnacle Ridge, which is viable, and a contract bid opening will occur July 28th. The Town encourages water conservation as we move to low lake levels. Water treatment is utilizing the wells such as at Shane Park. There are higher manganese levels, so the treatment plant compensates for that. State water project grants will be awarded, and the town looks to receive the four-million-dollar grant (\$4,000,000.00) and a four-hundred-thousand-dollar grant (\$400,000). The final legislative vote is on Thursday.

The 15-million-dollar BRIC (Building Resilient Infrastructure and Communities) grant will be decided this month, which looks promising for the Lake Coffey/ Lake Santis water reservoir project.

Mr. Pudney presented the Solid Waste report, noting the six-month trend wherein solid waste was reduced by 334-tons which equals \$20,000 cost savings in tipping fees plus time and material to collect and dispose of refuse.

He also noted the report on page 52 for a record 83 building permits issued this month. Parks and Recreation revenues up for the month at \$16,800. We see those increasing revenues trending, while the TDA reports revenues are leveling off. While we are substantially higher than pre-pandemic, this is likely the new normal for occupancy on the mountain.

The Planning Department is working on proposing zoning amendments in the Code relating to amusements. The issue is going to the Planning Board this month and to Council in August for a requested Public Hearing in September.

The Mountain Ambulance Foundation is fund raising for a replacement medical response vehicle at approximately \$300,000.00. The effort is spear-headed by Dr. Murray Miller.

There is a request to repaint the Emerald water tank at Emerald Mountain, Inc., who would fund the expense. There was a discussion regarding repainting the water tank and different shades of green were submitted. Councilmember Abernethy believed the tank color should remain consistent, and Vice Mayor Accardi and Councilmember Gonyea said it warrants more discussion. Mayor Kaufman noted the subject should be tabled for further discussion. Mr. Carter Leidy was present and requested a decision before Autumn at Oz as the green color is more aesthetically appealing. There was discussion as to ownership and easements and Mr. Pudney stated we would look into surveys and easements with the Attorney's Office and bring the information before Council in August.

- 10.2. Budget and Finance Report for May 2022
- 10.3. FY 2022 Budget Adjustment
- 10.4. Fire Department Monthly Report
- 10.5. Police Department Monthly Report
- 10.6. DOI July 2022 Report
- 10.7. June 2022 Recreation Report
- 10.8. Planning & Inspections Report 2022-06
- 10.9. TDA Report July 2022

11. TOWN COUNCIL COMMENTS

- 11.1. Councilmember Melang inquired about the recycling procedure from taking the Convenience Center recycle materials to Watauga and Mr. Pudney said it is not completed, but we will still take the mixed load to Watauga County. Councilmember Melang trusts staff to estimate the costs for budgeting and people need a reason to come to Beech Mountain. She encouraged people to run for office next year.

Councilmember Abernethy asked the attorney about the budget process regarding changing the millage rate, to which Attorney Eggers stated the Annual Budget should be adopted by Council no later than July 1st every year. As the budget is adopted and is set, he would have to research State Statute and parliamentary procedure regarding changing the millage rate. A majority of council members may reconsider it, but we need to remain in compliance with the department of revenue. Councilmember Abernethy wishes to revisit the rate as he was in favor of .63 cents.

Mr. Pudney answered questions regarding the zoning and regulations for landscaping and Ferris wheels, which the Planning Board and zoning official are addressing. The multi-use Forked Trail is in progress as we work on the easements. The greenspace at the old dump/ recycle center will install more landscaping and trees. Councilmember Abernethy noted the new EMS Station will help the Resort Ski Patrol with accidents as we reduce response rate from 45-minutes to about 7-minutes and we should go back to recording the work sessions and budget meetings.

Councilmember Gonyea thanked the citizens and positive comments correcting misinformation. She disagreed with mean spirited and hurtful rumors about council members and also her personal life. Councilmember Gonyea has been on Beech Mountain since 1999 and she returns her council member money stipend back to the town since serving on council. The town projects have improved the town. The town looks better via improvements, landscaping, growth, and development. There are five scheduled budget meetings, which are scheduled throughout the year. They are posted and advertised, and one can watch the meetings in archives.

Vice Mayor Accardi inquired into the Town Hall/ Visitor Center expansion project, to which the Mayor said it is planned during a two-year period. Councilmember Abernethy inquired about cutting costs such as evaluating the need for a recycle center.

Mayor Kaufman said there is a fine if the dumpsters do not include enclosures, to which Mr. Pudney answered the fine is \$100 a day. The commercial dumpster is required to include a fencing enclosure as the dumpsters should be covered.

Mayor Kaufman reiterated the annual budget meeting work sessions and meeting procedures and processes for attaining consensus for council members goals and project lists. Town projects are funded through revenues from permitting and TDA occupancy taxes and/ or sales taxes. The projects and goals are reassessed every year and again next year. The town has boards, and committees and openings occur, and he encouraged citizens to submit applications to serve. The Council welcomes emails, phone calls, and suggestions. Local government is transparent, meetings are open to the public, and can be viewed on-line. Elections will be held in eighteen-months. In the last election, the council members ran unopposed stated Mayor Kaufman.

12. ADJOURNMENT

12.1. There being no further business, Mayor Kaufman requested a motion to adjourn at 5:30 p.m.

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

Motion

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

Town Clerk

Mayor, Town of Beech Mountain