



# MINUTES

## Regular Town Council Meeting

4:00 PM - Tuesday, September 12, 2023  
Council Chambers

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The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, September 12, 2023, 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

**COUNCIL EXCUSED:**

**STAFF PRESENT:** Attorney Stacy Eggers, IV  
Town Manager Bob Pudney  
Interim Town Clerk Emily Haynes

### 1. CALL TO ORDER

### 2. ADOPTION OF AGENDA

- 2.1. Mr. Pudney requested to amend the agenda to remove item 6.3 Proclamation of Appreciation for the absence of Calder Smoot, to which Mayor Kaufman requested a motion to amend the agenda.

#### **Motion**

Jimmie Accardi made a motion to amend the agenda to remove item 6.3 Proclamation of Appreciation Weidner Abernethy seconded the motion. CARRIED. unanimously.

### 3. INVOCATION- DEWEY CYCLONE BRETT

### 4. PLEDGE OF ALLEGIANCE

### 5. PUBLIC COMMENT

- 5.1. Public Hearing for Driveway Connections and Public Nuisance proposed text amendments.

Mayor Kaufman requested a motion to open public hearing on Driveway Connections and Public Nuisance. Weidner Abernethy made a motion to open the Public Hearing and Kelly Melang seconded. motion passed unanimously. 4-0

No one elected to speak during the Public Hearing and Mayor Kaufman requested a motion to close the Public Hearing.

### **Motion**

Kelly Melang made a motion to close Public Hearing on the topic of Driveway Connections and Public Nuisance Weidner Abernethy seconded the motion. CARRIED. unanimously.

- 5.2. Lynn Bernstein of 304 Lakeledge Road spoke on the importance of outreach regarding projects to all residents both full and part time in the community. We are your support network and we must be educated in order to support your programs and nothing is more important for our future and our water sources than the current Lake Coffey project. There are many people who don't know about the water system project or how far along the project has come. Please enhance your outreach program for the sake of our community and future.

Leonard Hayet of 498 St Andrews I've been in several communities in the past and I've noticed in this community how clean and orderly many of the streets are and I'm aware it takes a lot to maintain them. There are a few houses that have been abandoned and the streets end up being worse and the properties on those streets end up being less valuable. In a small community like this we should have a certain level of proper cleanliness and proper continue of our houses and properties. I don't believe we have zoning our laws that require minimum values but I would like to see some minimum values set in place.

## **6. SPECIAL PRESENTATION**

- 6.1. NC Wildlife, Scott Loftis Mountain Aquatic Habitat Coordinator  
6.2. Re-name the Beech Mountain Visitor Center Resolution

### **Motion**

Jimmie Accardi made a motion to approve the resolution to re-name the Beech Mountain Visitor Center Weidner Abernethy seconded the motion. CARRIED. unanimously.

## **7. CONSENT AGENDA**

- 7.1. Adoption of Minutes  
7.2. Correction Quitclaim Deed  
7.3. Water and Sewer Resolution

### **Motion**

Weidner Abernethy made a motion to approve and adopt the attached Resolution. Kelly Melang seconded the motion. CARRIED. unanimously.

**7.4. Amendment to the FY 2024 Budget**

**Motion**

Weidner Abernethy made a motion to approve the amendment to the FY 2024 budget Kelly Melang seconded the motion. CARRIED. unanimously.

**7.5. Order to Collect 2023 Taxes**

**Motion**

Weidner Abernethy made a motion to approve order to collect taxes Kelly Melang seconded the motion. CARRIED. unanimously.

**8. NEW BUSINESS**

**8.1. Planning Board Appointment**

**Motion**

Jimmie Accardi made a motion to appoint Tim Holland as a Planning Board member Kelly Melang seconded the motion. CARRIED. unanimously.

**8.2. Water System Asset Management Program**

**Motion**

Kelly Melang made a motion to approve the Water System Asset Management Program Weidner Abernethy seconded the motion. CARRIED. unanimously.

**8.3. Ordinance amending § 91.04 Driveway Connections and § 94.03 Control of Other Nuisances of the Town of Beech Mountain Code of Ordinances**

**Motion**

Weidner Abernethy made a motion to approve Ordinance No. 2023-03 Jimmie Accardi seconded the motion. CARRIED. unanimously.

**8.4. Land Lease agreement with Walter Clifton Elder Sr. Revocable Trust.**

**Motion**

Kelly Melang made a motion to approve the Land Lease agreement with Walter Clifton Elder Sr. Revocable Trust Weidner Abernethy seconded the motion. CARRIED. unanimously.

**9. TOWN MANAGER AND STAFF REPORTS**

**9.1. Managers report and note updates**

Town Hall / Visitors Center project update – Behind schedule, had some water damage from the rain. The contractor is responsible for the damage. Will be moving to connect to the existing Town Hall building this week.

New swings and surface at the dog park playground. Work to begin this week. Funded 100% by the TDA.

Pinnacle well site – Walls for the building are up, well pump is installed. Additional work is progressing. On schedule.

Water restrictions – Lake Buckeye is falling, using the Shane Park well as needed. Phase 1 voluntary water restrictions are expected to continue and may be required to move to phase 2. We have been in violation most of the past 30 days. Usage has been above average 14 / 35 days this period.

Lake Coffey project – Geotech drilling has begun three weeks to determine the substrate of the land below. This will provide the details necessary for the design of the dam.

Funding: 1. The state budget is expected to be released this week.

FEMA grant has been **paused** due to funding issues. Thank you to representative **Virginia Foxx** for sending us an update.

General obligation bond will be on the November ballot.

Skiloft Road project –only two bids were received on 9/5, which does not meet the state requirements for a project of this size. We have re-advertised a second bid opening on 9/14. **I would like to request the mayor call a special meeting to award the bid for 9/19 at 4:00 pm.** Time is of the essence, work must begin 4/1/24. Materials must be ordered.

The town still has vacant positions on the:

Planning Board 1

TDA 1

Board of Adjustment 1

Interested citizens are asked to complete an application with the Town Clerk.

Tax bill printing error. The tax rate is listed as .68/100. Should show .65/100. The tax calculations are correct for the .65/100 rate.

The next and last farmers market is set for October 6th.

- 9.2.** Town Manager Bob Pudney requested Mayor Barry Kaufman call for a special council meeting on or about the 19th of September for the purpose of

presenting the bids for Skiloft Road to council, to which Mayor Kaufman called for a special council meeting to be held on September 18th, 2023 at 9:00am.

### **Motion**

Kelly Melang made a motion to hold a special council meeting on September 18th at 9:00am Jimmie Accardi seconded the motion. CARRIED. unanimously.

- 9.3. July 2023 Finance and Budget Report
- 9.4. Fire Department Monthly Report
- 9.5. August 2023 Recreation Report
- 9.6. Police Department Monthly Report
- 9.7. Public Works Reporting August
- 9.8. Planning and Inspections Monthly Report for 2023-08
- 9.9. TDA Report September 2023

## **10. TOWN COUNCIL COMMENTS**

- 10.1. Councilmember Kelly Melang Thanked everyone who had a part in installing the Beech Mountain Historical Society marker. On behalf of the historical Society thank you to; Calder Smoot who played an important role in the placing of the marker, The Fire Chief for all the hard work getting this project done, the Mayor for remarks made, Daniel Davis, Michael Holland, Fred Pfohl and the Police Department for making everything go smoothly.

Councilmember Weidner Abernethy responded to Lynn Bernstein's public comment on public outreach and stressed the importance of not sharing misinformation. Attendance to council meetings or watching meetings online is beneficial for proper information regarding projects in the town. Please schedule a visit with the Town Manager Bob Pudney to get current updates and accurate information. Our part time residents voice does matter. The information shouldn't be an opinion it should be direct and accurate. Regarding our General Fund we had discussed several months ago taking some of the additional funds we have in general fund and investing it in the old Public Works facility before it gets to dilapidated. Our audit presentation will be in December and we should invest the additional funds to some projects that need to be completed. The community member who spoke on how well Beech Mountain looks, thank you. Beech Mountain doesn't hear many positive comments and I think that from where we were years ago being run down and old looking town to today and the improvements that have been made needs to continue being maintained to look as good as it can. The decision for the bear proof garbage cans is one effort to keep our town clean and we have had very minimal bear messes since that decision was set forth. Thank you all for your attendance to today's meeting.

Mayor Barry Kaufman stated we get a lot of people asking us why we do special presentations and that is because the people volunteer their time for years deserve to be thanked and recognized. We ask for people to apply to fill vacant seats on boards and we don't see response for volunteers yet we have

various community members who have spent countless hours volunteering to the town and those community members deserve to be recognized for their dedication to Beech Mountain. Such as Ms. Elena Kontinos who has been a friendly face since I was just visiting Beech Mountain going into the Brick Oven and then to the Visitors Center she was always there with a smile and willing to assist in any situation presented to her. This is why we feel it is important to recognize community members. Unfortunately Calder Smoot wasn't able to attend tonight's meeting but we want to recognize him as well. Calder Smoot has practically served on every board and done so many different things to better the town. It very important to honor those who have had a hand in making Beech Mountain the town it is today. I would like more volunteers to come out and join different boards and again if you really want to know what's going on within the town this is a great way to be involved. There are ample opportunities, please apply online or at Town hall during business hours. The Volunteer Fire Department will be celebrating 50 years of service for their members on September 23rd, 2023.

## 11. ADJOURNMENT

11.1. Mayor Kaufman requested a motion for adjournment at 5:05pm

### **Motion**

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

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Town Clerk

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Mayor, Town of Beech Mountain