



AGENDA
Regular Town Council
Tuesday, September 13, 2022
Council Chambers 4:00 PM

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MINUTES

Regular Town Council Meeting

4:00 PM - Tuesday, August 9, 2022
Council Chambers

The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, August 9, 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

1.1. Mayor Kaufman called the meeting to order.

2. ADOPTION OF AGENDA

2.1. Mayor Kaufman requested a motion to adopt the agenda. (Note: Staff requested agenda item 6.3, Fee Schedule Amendment under Consent Agenda, be removed from the agenda but the agenda was not revised to include this change. Staff also added agenda item 8.3. New Business, Creation of the American Rescue Plan Special Revenue Fund, which the Town Council addressed in the meeting.)

Motion

Kelly Melang made a motion to adopt the agenda and Weidner Abernethy seconded the motion. CARRIED. unanimously.

3. INVOCATION- CYCLONE DEWEY BRETT

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENT

5.1. Ms. Jana Greer of 504 Oz Road stated that she would read a letter from Page Leidy of Emerald Mountain INC., wherein the applicant's requests to repaint the water tank color to one of the green color options as submitted. The statement from Emerald INC, addressed the history of the color and requested Council's approval of repainting and restoring the water tank to a green color for Emerald Mountain theme park. The Leidy's will pay for the full expense of repainting. Mr. Leidy respectfully requested the first option of 'tree line green matte finish' in the application as the precedence has been set by the color green and is appropriate for the Land of Oz. Ms. Greer said that in her personal experience, people have climbed the tank in the past. Now that the tank is blue and is extremely noticeable, it draws more attention for people to climb, so the request is for safety and security as well as the color green is aesthetically appealing.

Dr. Murry Miller of Golfview Drive said the non-profit Mountain Ambulance received 20 checks totaling \$3,000 for a new ambulance for the EMS Station and he thanked the community for their support.

Mr. Rodney Morgan of 318 St. Andrews Road is a summer resident and said this is his first appearance at a Council meeting after living here 20 years. Mr. Morgan explained that he is handicapped and therefore must hire a contractor to clean the yard debris on his property. He took issue with the ordinance concerning yard debris removal. The ordinance is in violation of the Americans with Disability Act, since an able-bodied person has their trash removed by the town but since he must use a contractor, the town will not remove the yard debris. Mr. Morgan added a disabled person is not able to use the city pick-up service. He cited the Code as ordinance Chapter 50.13 E 1-5: "items materials upon request of customer as special pickup, etc." To exclude the disabled bodied was in violation of the ADA and Mr. Morgan provided the Federal Law under 'disability act'. He said he sent an email request for the agenda to address the issue. The town should correct this issue and make an accommodation by amending and making a minor change to the ordinance to allow the disabled to receive benefit of the city's services. Mr. Morgan said is willing to provide proof of disability.

Ms. Lisa Bauer of 3441 South Beech Mountain Parkway, requested to amend the solid waste ordinance regarding the requirement for enclosures at condominium dumpsters. Ms. Bauer said she is the president of her Association, and this is a hardship for the homeowners to erect an enclosure or screen around the dumpsters. The HOA is a non-profit they also have monthly assessments for the two sites for the Republic dumpster. She was not in favor of the added costs at approximately \$15,000 to \$30,000 for the 34 units. Maintenance costs are too expensive, and as president of the board, she noted rentals are down as this is a very quiet this summer. She was opposed to the \$100 per day fine, and requested consideration for condo-owner hardship.

Mr. Mitch Mulley of 3441 South Beech Mountain Parkway requested an update on the Attorney General allowing the Town Council to amend the annual budget. He asked the attorney to address the outcome of reassessing

the tax rate. He requested to use the Convenience Center as people do not want bearicades. The solid waste tonnage is down at Convenience Center, so since the program is working, he asked Council to amend the ordinance so the residents can use it again. Mr. Mulley agreed with Ms. Bauer regarding the fines.

Mr. Mulley noted that the Town needs to address the outdoor amusement code amendments at the public hearing. Mr. Mulley was opposed to all the business signs and t-shirts, and sandwich board signs, the commercial property climbing wall with buzzers, as it is an eyesore.

6. CONSENT AGENDA

- 6.1.** Adoption of Minutes
- 6.2.** Acceptance for the Revised State SRP Loan

Motion

Jimmie Accardi made a motion to adopt the minutes and approve the Revised State SRP Loan and Weidner Abernethy seconded the motion. CARRIED. unanimously.

- 6.3.** Fee Schedule Amendment- NOTE: This item removed from the agenda by Staff

7. OLD BUSINESS

- 7.1.** Emerald Water Tank Painting

Councilmember Gonyea noted the submitted proposed colors for the water tank in question. Councilmember Abernethy agreed that on Emerald Mountain the requested green color named 'tree line', would be appropriate. To which Councilmember Gonyea and Vice Mayor Accardi agreed. Vice Mayor Accardi stated the town should allow the applicant to repaint the water tank. Ms. Gonyea added the residents want it and with the security issues she agreed with the applicant. Councilmember Melang agreed.

Mr. Pudney requested that as Council makes a motion to approve the request, that the motion include using the town's vendor for purposes of consistency. The Leidy's had agreed to contract with the same vendor at a quote of \$12,400, stated Mr. Pudney. He said Staff has no issue with recoating the tank at the expense of the applicant, so the same vendor will recoat the water tank, and town will continue to maintain the utility tank.

Motion

Erin Gonyea made a motion approved the request to recoat the Emerald Mountain water tank using option 1, the color 'tree line' and the same vendor to

perform the painting and Weidner Abernethy seconded the motion. CARRIED. unanimously.

8. NEW BUSINESS

8.1. Resolution to adopt the High Country Regional Hazard Mitigation Plan

In response to Councilmember Abernethy's inquiry, Mr. Pudney explained that the State and FEMA requirements to adopt the regional Hazard Mitigation Plan is given through FEMA working with the State and counties and towns in our western North Carolina area. This is a comprehensive plan for all disaster responses and is a requirement for FEMA aid and disaster reimbursements with the formal adoption of the plan.

Motion

Weidner Abernethy made a motion to adopt the Resolution No. 2022-09, the High Country Regional Hazard Mitigation Plan and Erin Gonyea seconded the motion. CARRIED. unanimously.

8.2. Call for Public Hearing: Outdoor Amusement, Recreation, & Entertainment

Mayor Kaufman explained that by addressing the Code, we would allow the town to correct the ordinance. Currently the code does not address amusements comprehensively, so more control allows Staff to regulate such commercial enterprises. The example given by Mayor Kaufman would be if a Ferris wheel were to be erected. He suggested the citizens provide input at the Council's September meeting and Public Hearing. They welcome feedback and comments.

Motion

Kelly Melang made a motion to hold a public Hearing on September 13, 2022, for Outdoor Amusement, Recreation, & Entertainment code amendments and Erin Gonyea seconded the motion. CARRIED. unanimously.

8.3. Creation of the American Rescue Plan Special Revenue Fund

Mayor Kaufman requested motion for acceptance of the American Rescue Plan Special Revenue fund of \$103,000.

Motion

Kelly Melang made a motion for acceptance of the American Rescue Plan Special Revenue fund of \$103,000 and Weidner Abernethy seconded the motion. CARRIED. unanimously.

9. TOWN MANAGER AND STAFF REPORTS

9.1. Town Manager's Report

Mr. Pudney presented an update on projects and events beginning with the Parks and Recreation summer camp and successful summertime programs. We had exceptional participation which is reflected in the increasing and trending revenues.

The NCDOT is paving Beech Mountain Parkway and as this is a State Department of Transportation project, and the town has no control over the schedule. The work is moving faster than projected. The crews are working during the day due to safety issues.

The Farmer's Market was a great success, thanks to Mr. Fred Pfohl and all who worked putting this together. The team is planning for a second event Farmers' Market on September 2, 2022.

Mr. Pudney reported that unfortunately we were not awarded the BRIC grant, which if awarded, would have funded the fifteen-million-dollar Lake Coffey/ Lake Santis project. Mr. Pudney explained the scoring and process for reapplying. We continue to solicit additional grants and funding opportunities. The Lake Coffey project engineer is responding to the state regarding design levels, as we work towards an agreement for permitting. Continue to work with the resort for an agreement on the joint venture.

The Public Works department had drilled on Locus Ridge, but that water well was abandoned as there was not sufficient water capacity to continue. One well is currently working well through the draw down, and we are looking at the next well project for contractor bidding. The dumpsters should include enclosures. Violations and citing for non-compliance is \$100 day. Notices of fines are going out, we understand that contractors are difficult to employ, but staff has provided time for enforcement since last October stated Mr. Pudney.

Mr. Pudney reviewed the financial report on page 38. Fiscal year closed on June 30, and annual reconciliation was completed for the General Fund and Water/Sewer. The budget was 5.4% below budgeted expenditures. as we completed the year and less miscellaneous costs therefore, \$720,000 went back into fund balance. The Finance Department is currently working with the auditor on the fiscal year audit, and the report to be presented to council in December.

- Expenditures 5.4% below budget
- Budgeted \$1,720,984
- \$993,568 actual expenditures needed
- \$727,416 savings returned to fund balance

The EMS Station unit at Fire Station #2 reports were reviewed. The new unit is a success as response time waits for patients were reduced from averages of 40-50 minutes wait times to mere 10 minutes. The Avery County Manager reported and called the State Office and filed a formal complaint against the Town. Verbally the States' response was that the EMS unit may only respond to the Watauga County side, and we cannot use their services in Avery County. The Watauga County Manager is also working on the issue. The town doesn't have standing as State statute only allows for counties to respond. The written agreement to allow our unit to respond in Avery, was

never signed by Avery County. Mr. Pudney stated that Watauga County has offered to reimburse the moneys to Avery County for every call in Avery County that the unit would respond to, but as of yet we do not have a resolution. Due to licensing, district boundaries, and the unique situation of straddling the two counties, we will work through the politics and jurisdictional issues.

Mr. Pudney reviewed the Town Hall complex project and said we have spent \$70,822.90 to date for design and engineering, and the renovation will be ready to go out to bid within 60 days.

9.2. Budget and Finance Report for June 2022

Motion

Review

9.3. Police Department Monthly Report

9.4. DOI Report July 2022

9.5. Fire Department Monthly Report

9.6. July Recreation Report 2022

9.7. TDA August Report

9.8. Planning and Inspections Report 2022-07

10. TOWN COUNCIL COMMENTS

10.1. Mayor Kaufman asked the Attorney to address the process and procedures for adopting the annual budget, to which Attorney Eggers said he reviewed the State Law by statute the millage rate cannot be amended nor the debt service for the fiscal year. Once the millage rate is adopted by the Council for the 2022-2023 annual budget but maybe adjusted next year.

Councilmember Gonyea thanked meeting attendees. The Police Reports suggest cases are increasing. NCDOT is paving Beech Mountain Parkway and people are stuck in traffic, so Beech Mountain is not slowing down. She noted that there is a Public Hearing next month for gathering citizens' input to address the town's growth cautiously, so we don't become a carnival. She agreed that the blue dumpsters are ugly, so the ordinance requires an enclosure for commercial businesses and the condos. The garbage is collected by Republic Services and the dumpsters by Republic are not green or brown. Councilmember Gonyea reiterated that there is an issue with the Avery/ Watauga counties emergency services conflict and is a healthcare problem. We need emergency services, and we should not have to wait to fix this problem.

Councilmember Melang inquired into Forked Trail status, and pedestrian safety walking to the overlook. Mr. Pudney said that Parks and Recreation crews cut the trail thru and is 100% completed in portions. Crews used the new excavator to build the trail, portions completed as easements secured. We are working with the hotels and property owners to complete it to the Ski Resort.

On Christy Way and Skiway, the town with the TDA are working on the easements to complete it all the way to the resort. The trail head starts at the old recycling center thanks to Elders who provided property easements. In response to Councilmember Melang's question, we are recycling materials and separate the materials as mixed use, replied Mr. Pudney.

Vice Mayor Accardi noted that all councilmembers should contact the Watauga and Avery County commissioners, as the citizens are not being served by the process.

In response to Councilmember Abernethy's question regarding the Convenience Center costs, Mr. Pudney said a total \$325,624 is not available for budget cutting as we must fund the transfer dock, hauling containers to Watauga, recycling shed, as required by the state, therefore, the estimate potential costs available for reduction from the Convenience Center program is \$265,000 reported Mr. Pudney. This would entail closing the two compactors, to which Mr. Abernethy said he was not proposing closing the facility but was interested in what the amount would be and the savings. There are pros and cons for removing or keeping the sanitation programs.

Councilmember Abernethy encouraged citizens that are full time and part-time residents to voice opinions and participate in the meetings and provide input. In response to Mayor Kaufman's inquiry as to the Convenience Center facility usage, Mr. Pudney stated the staff can conduct a study although July would have been a good month to conduct recycling and garbage dump usage by citizens. Councilmember Abernethy and Councilmember Melang agreed conducting a citizens' usage study would provide Council with data and information. Mayor Kaufman cautioned cutting programs such as the Convenience Center because the usage is high and is a service the citizens expect. Mr. Pudney reminded Council that the Convenience Center, runs under the Sanitation Fund as an enterprise fund and would not cut taxes as a saving for the taxpayers.

Mayor Kaufman agreed with amending the ordinance for yard debris pickup for handicapped citizens, to which Mr. Pudney agreed and said the Staff would provide verbiage for Council's review at the next meeting. There was a discussion about the ordinance and debris collection procedures. Attorney Eggers agreed to provide an amendment research ADA compliance.

In response to Vice Mayor Accardi's inquiry regarding the Visitor Center Town Hall complex and renovation project, there was a lengthy question and answer period. Mr. Pudney explained that the project began from the previous management as administration assessed that the Police Department, Visitor Center and Town Hall reached capacity.

The project is a partnership project with the TDA as the TDA and Planning, Zoning, and Inspection Departments will split that space. The TDA and Town share the costs so with that agreement it is a 50/50 split and therefore cost effective. The budget has been approved at approximately \$800,000 which is listed in the capital line items and currently has the \$72,000 which has been spent on designing and engineering.

Mr. Pudney noted that the project scope did expand. It is on-track and is ready for bid. As the bidding process moves forward, the bids for construction and those costs etc., will be put before Council, as well as before the TDA Board.

11. ADJOURNMENT

- 11.1. 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 Weidner Abernethy seconded the motion. CARRIED. unanimously.

Town Clerk

Mayor, Town of Beech Mountain



COUNCIL ACTION ITEM

TO: Town Council
FROM: Steve Smith
DATE: September 13, 2022
SUBJECT: Rescind Item #6.3 from the August Meeting of the Town Council

FOR THE PURPOSE OF:

Item needs further review and consideration by town staff.

Below is item 6.3 from the August Meeting

To amend the Fee Schedule for Notary Services performed by town staff from \$5.00 per signature to \$10.00 pursuant to G.S. 10B-31 & 10B-32 and add additional fee of \$15.00 per signature on Electronic Notarizations as noted in G.S. 10B-188 and as approved by the Legislature on 8th day of July, 2022 at 2:00 p.m.

Session Law 2022-54 NC House Bill 776 v6

SECTION 3.(e) G.S. 10B-31 reads as rewritten:

"§ 10B-31. Fees for notarial acts.

The maximum fees that may be charged by a notary for notarial acts are as follows:

- (1) For acknowledgments, jurats, verifications or proofs, ten dollars (\$10.00) per principal signature.
- (2) For oaths or affirmations without a signature, ten dollars (\$10.00) per person, except for an oath or affirmation administered to a credible witness to vouch for the identity of a principal or subscribing witness.
- (3) For an electronic notarization under G.S. 10B-118, fifteen dollars (\$15.00).
- (4) For remote notarization under Part 4A of Article 2 of this Chapter, twenty-five dollars (\$25.00) per principal signature.
- (5) For any notarial act under this Chapter, actual mileage at the federal mileage rate if the travel reimbursement is agreed to by the principal in writing prior to the travel."

SECTION 3.(f) This section is effective when it becomes law.

SIGNATURES:

Town Manager

Town Clerk



COUNCIL ACTION ITEM

TO: Mayor and Town Council
FROM: Preston Yates
DATE: September 13, 2022
SUBJECT: Public Hearing Outdoor Amusements and Recreation

FOR THE PURPOSE OF:

Hold a public hearing to gather public input on zoning text amendments regarding outdoor amusements and recreation.

SIGNATURES:

Town Manager

Town Clerk

Amusement zoning Public hearing

From: Urs Gsteiger <ugsteiger@gmail.com>

Sent: Saturday, September 10, 2022 7:14 PM

As a member of the Beech Mountain Planning Board, I am not happy with the Council agenda item on Amusement zoning. I do not believe it reflects the thinking of the Planning Board. At the last meeting, I believe the Board favored a much more limited approach to this issue and seemed to agree that the overlay approach deserved further discussion. None of that is reflected in staff's discussion and recommendation.

Let me go on record as opposing the staff recommendation and asking for further consideration of the overlay approach, which I believe will deal with this issue in a much more even handed and less intrusive manner. Unfortunately, I will be away from Beech Mountain Tuesday and will not be able to address Council at the Public hearing. I would request that this statement be part of the record of the Public hearing on this issue.
Thanks, Urs Gsteiger



ORDINANCE

TO: Town Council
FROM: Preston Yates
DATE: September 13, 2022
SUBJECT: Zoning Text Amendment Outdoor Amusements and Recreation

FOR THE PURPOSE OF:

Consideration of proposed zoning text amendments regarding outdoor amusements and recreation. An Ordinance would be required to be drafted by the Staff as decided by Council.

SIGNATURES:

Town Manager

Town Clerk

Town of Beech Mountain

Planning Staff Report



Zoning Amendment No. ZA 2022-476		
Meeting Date(s):	Planning Board:	July 26, 2022 August 30, 2022
	Call for Public Hearing:	August 9, 2022
	Council Public Hearing:	September 13, 2022
Prepared By:	Preston Yates, Town Planner	
Applicant(s):	Staff	
Applicant's Request:	Zoning text amendment to § 154.006 DEFINITIONS; § 154.091 PERMITTED USE TABLE; and § 154.117 SPECIAL USE STANDARDS to define and provide special conditions for certain outdoor uses in the commercial zoning districts.	
Staff Recommendation:	Hold a public hearing to gather public input on the proposed zoning text amendments.	

Background Information

The Town Council asked the Planning Board to consider amendments to the zoning ordinance to address outdoor uses in the commercial districts. Of specific concern were outdoor amusement uses and the offsite impacts of certain outdoor amusement activities. Town staff prepared the attached proposed amendments and provided them to the Planning Board for consideration at the regular meeting of the Planning Board on June 26, 2022. The Planning Board again considered the zoning amendments at the regular meeting on August 30, 2022 and received public comment from several local business owners. At the regular Town Council meeting on August 9, 2022 the Town Council called for a Public Hearing at the regular meeting of Town Council on September 13, 2022. Staff understood the objectives for the zoning amendment to be the following three general concerns: 1) Improve the aesthetics and appearance of the commercial districts, with particular emphasis on outdoor amusement uses; 2) Improve the buffering between outdoor amusement uses in the commercial districts and adjacent residential areas; and 3) Limit the types of outdoor amusement uses in the commercial districts, particularly "carnival" type rides and amusements.

The Code of Ordinances lists Permitted and Special Uses for each zoning district established and shown on the Official Zoning Map. According to § 154.090 Permitted Uses, "*within each use district established in this chapter, specific uses shall be designated as permitted. Other uses are established as conditional, requiring specific conditions and review procedures by the Board of Adjustment.*" Further, § 154.090 provides that "*no use of land, buildings or structures shall be permitted, nor shall any permits be issued, except for uses established within each use district as provided herein.*" As such, the zoning ordinance provides for uses identified and defined in the ordinance to be permitted within each zoning district. Those uses which are identified as special uses require that special conditions be met before the use is permitted in

the zoning district as established. The Board of Adjustment is the governing body tasked with determining if a proposed use meets the conditions outlined in the ordinance.

Staff Analysis

Planning staff researched outdoor recreation and amusement in Western North Carolina communities and also referenced national American Planning Association (APA) classifications and definitions. Staff determined that there was no general consensus on defining outdoor uses, such as outdoor recreation, outdoor amusement, and outdoor entertainment, either locally or nationally. As such, staff used the various sources to establish a set of definitions that staff believes will provide a clear delineation of the different types of outdoor uses, as well as their equivalent indoor uses. The proposed definitions are attached as **Exhibit A**.

Because a broader definition of outdoor recreation has been used to cover a number of different uses, there are existing businesses within the Town that would fall under these proposed definitions. In the table below, staff has identified some of the existing uses within the Town and provided an initial interpreted use classification.

Business	Location	Use	Use Classification
Land of Oz	Oz Road	Theme Park	Commercial Large-Scale Entertainment
White Wolf Lodge	Beech Mountain Pkwy	Climbing Wall	Commercial Outdoor Active Recreation
White Wolf Lodge	Beech Mountain Pkwy	Gem Mining	Commercial Outdoor Amusement
Famous Brick Oven	Beech Mountain Pkwy	Miniature Golf	Commercial Outdoor Amusement
Beech Enterprises LLC	Bark Park Way	Ropes Course	Commercial Outdoor Active Recreation

Since these uses are legally established uses under the current zoning ordinance, changes to the ordinance may create a non-conforming status for those uses, which require a special use permit. However, as written, these uses would be provided a path to conformity, through the special use permit process. No existing uses have been prohibited with the proposed amendments. Additionally, as non-conforming uses, the uses would be allowed to continue as established without a special use permit, within the limitations of § 154.131 Non-Conforming Uses. Generally, this allows for the use to continue and be maintained, but does not allow for expansion or substantial alteration, without obtaining a special use permit.

Staff has identified three potential outdoor uses, which Council may determine, require a special use permit: 1) Commercial Outdoor Amusement; 2) Commercial Outdoor Entertainment; and 3) Commercial Large-Scale Entertainment (See **Exhibit B**). Additionally, staff has developed potential special use criteria for the identified uses outlined in **Exhibits C, D, and E**. These special use criteria were developed from similar use criteria from neighboring and regional communities, such as Banner Elk, Boone, Blowing Rock, and Black Mountain.

Summary and Recommendation

Town staff is providing these text amendments to Town Council for consideration. Because these are largely policy decisions, staff is not making a specific recommendation for approval or denial. Staff's position is that these regulations are consistent with neighboring communities and are reasonable approaches to achieving the objectives that were identified.

The Planning Board recommended that Town Council hold the public hearing but did not make a recommendation of approval for the amendments. The Planning Board asked Council to

provide the Board more time for review and consideration before making a final recommendation of approval.

Town Council Options

The Town Council may approve the text amendments as provided by staff, approve parts of the text amendments, deny the text amendments, refer the amendments back to the Planning Board for further review, or consider other options.

EXHIBIT A

§ 154.006 DEFINITIONS.

AMUSEMENT, COMMERCIAL INDOOR. A principal or accessory use where land or premises are designed to be offered to the general public, for a fee or other consideration, where the entire amusement activity takes place inside of an enclosed building, including, but not limited to Arcades, Billiard Rooms, Bowling Alleys, Ax-Throwing, and other games or activities, where the primary purpose is amusement and/or the activity requires minimal physical exertion or is generally not physically demanding. This definition does not include adult games, adult establishments, or sexually oriented businesses whether or not they are defined elsewhere in this Chapter.

AMUSEMENT, COMMERCIAL MOTORIZED OR MECHANIZED. A principal or accessory use where land or premises are designed to be offered to the general public, for a fee or other consideration, where the amusement activity takes place inside or outside of an enclosed building, including, but not limited to Carnival Rides, Go-Cart Tracks, Radio-Controlled Cars/Boats/Drones, Paintball, Coaster Rides, and other games or activities, where the primary purpose is amusement and the amusement activity involves motorized or mechanized equipment which may produce intrusive noise offsite. This definition does not include adult games, adult establishments, or sexually oriented businesses whether or not they are defined elsewhere in this Chapter.

AMUSEMENT, COMMERCIAL OUTDOOR. A principal or accessory use where land or premises are designed to be offered to the general public, for a fee or other consideration, where any portion of the amusement activity takes place outside of an enclosed building, including, but not limited to Miniature Golf Courses, Par-3 Golf Courses, Driving Ranges not associated with a Golf Course, Gem Mining, Batting Cages, Splash Pads, and other games or activities, where the primary purpose is amusement and/or the activity requires minimal physical exertion or is generally not physically demanding. This definition does not include adult games, adult establishments, or sexually oriented businesses whether or not they are defined elsewhere in this Chapter.

ENTERTAINMENT, COMMERCIAL INDOOR. A principal or accessory use where land or premises are designed to be offered to the general public, for a fee or other consideration, where the entire entertainment activity takes place inside of an enclosed building, including, but not limited to Theaters, Music Venues, Playhouses, and other forms of entertainment, where the primary purpose is entertainment and/or the patron is generally a spectator to a performance. This definition does not include adult establishments or sexually oriented businesses whether or not they are defined elsewhere in this Chapter.

ENTERTAINMENT, COMMERCIAL LARGE-SCALE. A principal use where land or premises are designed to be offered to the general public, for a fee or other consideration, where the entertainment activity takes place inside or outside of an enclosed building and where the

entertainment activity occupies 1 acre or more of land or has an intended capacity of more than 100 patrons, including, but not limited to Theaters, Music Venues, Playhouses, Arenas and other forms of entertainment, where the primary purpose is entertainment and/or the patron is generally a spectator to a performance. This definition does not include adult establishments or sexually oriented businesses whether or not they are defined elsewhere in this Chapter.

ENTERTAINMENT, COMMERCIAL OUTDOOR. A principal or accessory use where land or premises are designed to be offered to the general public, for a fee or other consideration, where any portion of the entertainment activity takes place outside of an enclosed building, including, but not limited to Open-Air or Outdoor Theaters, Music Venues, Amphitheaters, and other forms of entertainment, where the primary purpose is entertainment and/or the patron is generally a spectator to a performance. This definition does not include adult establishments or sexually oriented businesses whether or not they are defined elsewhere in this Chapter.

RECREATION, COMMERCIAL INDOOR ACTIVE. A principal or accessory use where land or premises are designed to be offered to the general public, for a fee or other consideration, where the entire recreational activity takes place inside of an enclosed building, including, but not limited to Gymnasiums, Indoor Courts, Skating Rinks, Swimming Pools, Fitness Centers, and similar activities, where the primary purpose is active recreation, exercise, or fitness and/or the activity requires moderate to substantial physical exertion.

RECREATION, COMMERCIAL OUTDOOR ACTIVE. A principal or accessory use where land or premises are designed to be offered to the general public, for a fee or other consideration, where any portion of the recreational activity takes place outside of an enclosed building, including, but not limited to Golf Courses, Tennis/Pickleball Courts, Basketball Courts, Skateboard Parks, Driving Ranges associated with a Golf Course, Ropes Courses, Climbing Walls and similar activities, where the primary purpose is active recreation, exercise, or fitness and/or the activity requires moderate to substantial physical exertion.

EXHIBIT B

	<i>Single-Family</i>				<i>Multi-Family</i>		<i>Commercial</i>		<i>Public</i>	<i>Resort</i>
	<i>R-1</i>	<i>R-2</i>	<i>R-2A</i>	<i>MH</i>	<i>R-3A</i>	<i>R-3B</i>	<i>CS1</i>	<i>CS2</i>	<i>PS</i>	<i>BMR</i>
Private recreational facilities, profit (bowling alleys, skating rinks, country clubs and the like)							P		P	P
Commercial Outdoor Amusement (Miniature Golf Courses, Par-3 Golf Courses, Gem Mining, Batting Cages, and the like)							S		S	P
Commercial Indoor Amusement (Arcades, Billiard Rooms, Ax-throwing, Bowling Alleys, and the like)							P		P	P
Commercial Indoor or Outdoor Mechanized Amusement (Carnival Rides, Go-Cart Tracks, Radio Controlled Cars/Boats, and the like)										
Commercial Outdoor Active Recreation (Golf Courses, Tennis Courts, Ropes Courses, Climbing Walls, and the like)							P		P	P
Commercial Indoor Active Recreation (Gymnasiums, Skating Rinks, Swimming Pools, Fitness Centers, and the like)							P		P	P
Commercial Large-Scale Entertainment (Theaters, Music Venues, Playhouses, Arenas, and the like)							S		S	P
Commercial Outdoor Entertainment (Open-Air Theaters, Music Venues, Amphitheaters, and the like)							S		S	P
Commercial Indoor Entertainment (Theaters, Music Venues, Playhouses, and the like)							P		P	P

EXHIBIT C

§ 152.117(V) COMMERCIAL OUTDOOR AMUSEMENT.

Part I Purpose and Scope

- (A) **Purpose.** The purpose of this section is to establish general guidelines and regulations governing the location, size and design of Commercial Outdoor Amusement uses to be located within the Town of Beech Mountain.
- (B) **Goals.** The goals of this section are:
 - (1) To protect the health, safety and welfare of the citizens of Beech Mountain.
 - (2) To encourage the location of commercial outdoor uses to protect the residents and visitors to the Town of Beech Mountain from the off-site impacts of such uses.
 - (3) To minimize the adverse visual, acoustical, or other negative impact of commercial outdoor uses.
 - (4) To maintain and enhance the character and sense of place for the Town of Beech Mountain.
- (C) **Scope.** Except as otherwise provided in this section, no Commercial Outdoor Amusement shall be established, modified, expanded, moved, otherwise altered, sold, or acquired unless a Special Use Permit has been approved by the Board of Adjustment. No Special Use Permit or other permit shall be issued that is not in compliance with this section. General maintenance and upkeep, such as minor repairs, painting, cleaning, and similar activities to existing Commercial Outdoor Amusement uses shall not require the issuance or reissuance of a Special Use Permit.
- (D) **Expiration.** A Special Use Permit shall expire immediately upon six (6) months of abandonment of the use.
- (E) **Existing Commercial Outdoor Amusement.** Commercial Outdoor Amusement uses existing at the time of adoption of this ordinance shall be considered Existing Non-conforming Uses and subject to § 154.131 unless and until a Special Use Permit is obtained.

Part II Performance Standards

Commercial Outdoor Amusement may be permitted in commercial zoning districts identified in the Permitted Use Table as a special use; provided that, the following standards and conditions of this section have been met and that the proposed use meets all the requirements imposed on it by this chapter.

- (A) The use will be an enhancement to the character and sense of place of the Town, as determined by the decision-making body deciding the application and pursuant to the Town's most recent Comprehensive Plan with particular emphasis on the *Community Design, Image, and Character* chapter.
- (B) The application for a special use must be accompanied by a site plan showing the dimensions of the property, the location and size of any proposed outdoor amusement, the location and dimensions of parking, landscaping, lighting, and accessways.
- (C) The outdoor use shall be adequately ~~screened-buffered~~ with vegetation, topography, fences, walls, or with buildings conforming to § 154.120 et seq., from any major thoroughfare, including, but not limited to Beech Mountain Parkway, so as not to be a distraction to drivers. It is recommended that a landscaped parking lot separate the outdoor use from a major thoroughfare, but if this is not possible, then buffering can be used to achieve this.
- (D) The outdoor use shall be adequately screened with vegetation, topography, fences, walls, or with buildings conforming to § 154.120 et seq. of this code of ordinances, from any conforming adjacent residential use, so as to provide a visual ~~screen~~ and acoustical buffer between the residential and outdoor use. A minimum ten (10) foot vegetated buffer shall be provided and maintained adjacent to the residential use adequately planted with trees, shrubs, and ground cover to provide an opaque buffer within six (6) months of planting.
- (E) Landscaping shall be an integral part of the site plan to help the outdoor amusement blend in with the surrounding property and to serve as a natural buffer.

- (F) Outdoor uses shall demarcate the boundaries of the site for guests and shall include fences, walls, or other techniques such as landscaping to ensure guests to do not inadvertently trespass on adjacent lots.
- (G) Any lighting provided for the outdoor use shall comply with § 154.151 et seq. of this code of ordinances.
- (H) If lighting is proposed, a lighting plan must accompany the application for a special use permit describing the exterior lighting, location of all exterior lights, wattage, direction of illumination, and methods of shielding the lighting from adjacent areas. A photometric plan may be required, if in the opinion of the board of adjustment, the lighting plan is inadequate to determine the proposed lighting plan conformance with § 154.151 et seq. of this code of ordinances.
- (I) Any music or other noise generated from the outdoor use shall conform to § 94.25 et seq. of this code of ordinances. All noise or music emitting equipment shall be identified on the site plan with associated maximum decibel rating.
- (J) The application for a special use permit must also include information concerning the type and manner of any amplification of music and sound, type of activities to take place on the site and the audible range of the music and the sound from their amplification.
- (K) Adequate parking shall be provided for all uses of the site including the outdoor use according to § 154.132 of this code of ordinances.
- (L) No amusement equipment, machinery, or mechanical device of any kind with visibly moving parts may be operated within the site.
- (M) The application for special use permit must also include the frequency and hours of operation for the outdoor use and any events. Outdoor amusement uses shall not operate prior to 9:00 a.m. and shall cease operation by 10:00 p.m. each day.
- (N) Outdoor uses shall ensure adequate ingress and egress from all buildings and structures to accommodate emergencies.
- (O) Outdoor uses shall provide adequate permanent restroom facilities available on site for use by employees and patrons.
- (P) Trash receptacle(s) shall be located strategically throughout the amusement area so as to provide adequate refuse collection.
- (Q) Any outdoor storage or equipment shall be screened from public view and adjacent residential land uses.
- (R) Outdoor uses shall be subject to any additional requirements that the board of adjustment may deem necessary to achieve the goals of this section.

EXHIBIT D

§ 154.117(W) COMMERCIAL OUTDOOR ENTERTAINMENT.

Part I Purpose and Scope

- (A) **Purpose.** The purpose of this section is to establish general guidelines and regulations governing the location, size and design of Commercial Outdoor Entertainment uses to be located within the Town of Beech Mountain.
- (B) **Goals.** The goals of this section are:
 - (1) To protect the health, safety and welfare of the citizens of Beech Mountain.
 - (2) To encourage the location of commercial outdoor uses to protect the residents and visitors to the Town of Beech Mountain from the off-site impacts of such uses.
 - (3) To minimize the adverse visual, acoustical, or other negative impact of commercial outdoor uses.
 - (4) To maintain and enhance the character and sense of place for the Town of Beech Mountain.
- (C) **Scope.** Except as otherwise provided in this section, no Commercial Outdoor Entertainment shall be established, modified, expanded, moved, otherwise altered, sold, or acquired unless a Special Use Permit has been approved by the Board of Adjustment. No Special Use Permit or other permit shall be issued that is not in compliance with this section. General maintenance and upkeep, such as minor repairs, painting, cleaning, and similar activities to existing Commercial Outdoor Entertainment uses shall not require the issuance or reissuance of a Special Use Permit.
- (D) **Expiration.** A Special Use Permit shall expire immediately upon six (6) months of abandonment of the use.
- (E) **Existing Commercial Outdoor Entertainment.** Commercial Outdoor Entertainment uses existing at the time of adoption of this ordinance shall be considered Existing Non-conforming Uses and subject to § 154.131 unless and until a Special Use Permit is obtained.

Part II Performance Standards

Commercial Outdoor Entertainment may be permitted in commercial zoning districts identified in the Permitted Use Table as a special use; provided that, the following standards and conditions of this section have been met and that the proposed use meets all the requirements imposed on it by this chapter.

- (A) The use will be an enhancement to the character and sense of place of the Town, as determined by the decision-making body deciding the application and pursuant to the Town's most recent Comprehensive Plan with particular emphasis on the *Community Design, Image, and Character* chapter.
- (B) The application for a special use must be accompanied by a site plan showing the dimensions of the property, the location and size of any proposed outdoor entertainment, the location and dimensions of parking, landscaping, lighting, and accessways.
- (C) The outdoor use shall be adequately **screened buffered** with vegetation, topography, fences, walls, or with buildings conforming to § 154.120 et seq., from any major thoroughfare, including, but not limited to Beech Mountain Parkway, so as not to be a distraction to drivers. It is recommended that a landscaped parking lot separate the outdoor use from a major thoroughfare, but if this is not possible, then buffering can be used to achieve this.
- (D) The outdoor use shall be adequately screened with vegetation, topography, fences, walls, or with buildings conforming to § 154.120 et seq. of this code of ordinances, from any conforming adjacent residential use, so as to provide a visual **screen** and acoustical buffer between the residential and outdoor use.
- (E) Landscaping shall be an integral part of the site plan to help the outdoor entertainment equipment and/or facilities blend in with the surrounding property and to serve as a natural buffer.

- (F) Outdoor uses shall demarcate the boundaries of the site for guests and shall include fences, walls, or other techniques such as landscaping to ensure guests to do not inadvertently trespass on adjacent private property.
- (G) Any lighting provided for the outdoor use shall comply with § 154.151 et seq. of this code of ordinances.
- (H) If lighting is proposed, a lighting plan must accompany the application for a special use permit describing the exterior lighting, location of all exterior lights, wattage, direction of illumination, and methods of shielding the lighting from adjacent areas. A photometric plan may be required, if in the opinion of the board of adjustment, the lighting plan is inadequate to determine the proposed lighting plan conformance with § 154.151 et seq. of this code of ordinances.
- (I) Any music or other noise generated from the outdoor use shall conform to § 94.25 et seq. of this code of ordinances. All noise or music emitting equipment shall be identified on the site plan with associated maximum decibel rating.
- (J) The application for a special use permit must also include information concerning the type and manner of any amplification of music and sound, type of activities to take place on the site and the audible range of the music and the sound from their amplification.
- (K) Adequate parking shall be provided for all uses of the site including the outdoor use according to § 154.132 of this code of ordinances.
- (L) No entertainment equipment, machinery, or mechanical device of any kind with visibly moving parts may be operated within the site.
- (M) The application for special use permit must also include the frequency and hours of operation for the outdoor use and any events.
- (N) Outdoor uses shall ensure adequate ingress and egress from all buildings and structures to accommodate emergencies.
- (O) Outdoor uses shall provide adequate permanent restroom facilities available on site for use by employees and patrons.
- (P) Trash receptacle(s) shall be located strategically throughout the entertainment area so as to provide adequate refuse collection.
- (Q) Any outdoor storage or equipment shall be screened from public view and adjacent residential land uses.
- (R) Outdoor uses shall be subject to any additional requirements that the board of adjustment may deem necessary to achieve the goals of this section.

EXHIBIT E

§ 154.117(X) COMMERCIAL LARGE-SCALE ENTERTAINMENT.

Part I Purpose and Scope

- (A) **Purpose.** The purpose of this section is to establish general guidelines and regulations governing the location, size and design of Commercial Large-Scale Entertainment uses to be located within the Town of Beech Mountain.
- (B) **Goals.** The goals of this section are:
 - (1) To protect the health, safety, and welfare of the citizens of Beech Mountain.
 - (2) To encourage the location of commercial outdoor uses to protect the residents and visitors to the Town of Beech Mountain from the off-site impacts of such uses.
 - (3) To minimize the adverse visual, acoustical, or other negative impact of commercial large-scale entertainment uses.
 - (4) To maintain and enhance the character and sense of place for the Town of Beech Mountain.
- (C) **Scope.** Except as otherwise provided in this section, no Commercial Large-Scale Entertainment shall be established, modified, expanded, moved, otherwise altered, sold, or acquired unless a Special Use Permit has been approved by the Board of Adjustment. No Special Use Permit or other permit shall be issued that is not in compliance with this section. General maintenance and upkeep, such as minor repairs, painting, cleaning, and similar activities to existing Commercial Large-Scale Entertainment uses shall not require the issuance or reissuance of a Special Use Permit.
- (D) **Expiration.** A Special Use Permit shall expire immediately upon six (6) months of abandonment of the use.
- (E) **Existing Commercial Outdoor Entertainment.** Commercial Large-Scale Entertainment uses existing at the time of adoption of this ordinance shall be considered Existing Non-conforming Uses and subject to § 154.131 unless and until a Special Use Permit is obtained.

Part II Performance Standards

Commercial Large-Scale Entertainment may be permitted in commercial zoning districts identified in the Permitted Use Table as a special use; provided that, the following standards and conditions of this section have been met and that the proposed use meets all the requirements imposed on it by this chapter.

- (A) The use will be an enhancement to the character and sense of place of the Town, as determined by the decision-making body deciding the application and pursuant to the Town's most recent Comprehensive Plan with particular emphasis on the *Community Design, Image, and Character* chapter.
- (B) The application for a special use must be accompanied by a site plan showing the dimensions of the property, the location and size of any proposed outdoor entertainment, the location and dimensions of parking, landscaping, lighting, and accessways.
- (C) The proposed use must be located within the boundaries of a property of five (5) acres or more.
- (D) The outdoor use shall be adequately ~~screened~~ ~~buffered~~ with vegetation, topography, fences, walls, or with building façades from any major thoroughfare, including, but not limited to Beech Mountain Parkway, so as not to be a distraction to drivers.
- (E) The proposed use shall be adequately screened with vegetation, topography, fences, walls, or with building façades from any conforming adjacent residential use, so as to provide a visual ~~screen~~ and acoustical buffer between the residential and outdoor use.
- (F) Landscaping shall be an integral part of the site plan to help the outdoor entertainment equipment and/or facilities blend in with the surrounding property and to serve as a natural buffer.

- (G) Entertainment uses shall demarcate the boundaries of the site for guests and shall include fences, walls, or other techniques such as landscaping to ensure guests to do not inadvertently trespass on adjacent private property.
- (H) Any lighting provided for the entertainment use shall comply with § 154.151 et seq. of this code of ordinances.
- (I) If lighting is proposed, a lighting plan must accompany the application for a special use permit describing the exterior lighting, location of all exterior lights, wattage, direction of illumination, and methods of shielding the lighting from adjacent areas. A photometric plan may be required, if in the opinion of the board of adjustment, the lighting plan is inadequate to determine the proposed lighting plan conformance with § 154.151 et seq. of this code of ordinances.
- (J) Any music or other noise generated from the outdoor use shall conform to § 94.25 et seq. of this code of ordinances. All noise or music emitting equipment shall be identified on the site plan with associated maximum decibel rating.
- (K) The application for a special use permit must also include information concerning the type and manner of any amplification of music and sound, type of activities to take place on the site and the audible range of the music and the sound from their amplification.
- (L) Adequate parking shall be provided for all uses of the site including the outdoor use according to § 154.132 of this code of ordinances.
- (M) No entertainment equipment, machinery, or mechanical device of any kind with visibly moving parts may be operated within the site.
- (N) The application for special use permit must also include the frequency and hours of operation for the outdoor use and any events.
- (O) Entertainment uses shall ensure adequate ingress and egress from all buildings and structures to accommodate emergencies.
- (P) Entertainment uses shall provide adequate permanent restroom facilities available on site for use by employees and patrons.
- (Q) Trash receptacle(s) shall be located strategically throughout the entertainment area so as to provide adequate refuse collection.
- (R) Any outdoor storage or equipment shall be screened from public view and adjacent residential land uses.
- (S) Entertainment uses shall be subject to any additional requirements that the board of adjustment may deem necessary to achieve the goals of this section.



COUNCIL ACTION ITEM

TO: Town Council
FROM: Daniel Davis
DATE: September 13, 2022
SUBJECT: Pinnacle Ridge Well Development Bid Recommendation

FOR THE PURPOSE OF:

Staff Recommendation to accept the McCall Brothers, Inc. as contractor for the development of the Pinnacle Ridge Well.

SUPPORTING DOCUMENTS:

West Consultants Bid Recommendation and Bid Tabulation

SIGNATURES:

Town Manager

Town Clerk

TOWN OF BEECH MOUNTAIN
 PINNACLE RIDGE WELL DEVELOPMENT
 WATAUGA COUNTY, NORTH CAROLINA

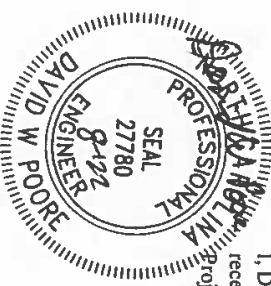
BID TABULATION

Item	Quantity	McCall Brothers, Inc. Charlotte, NC	Freeman's Construction and Custom Trackhoe Services, LLC Marshall, NC
1. Grading	1 Lump Sum	\$23,500.00	\$119,972.44
2. Compacted Agg. Base Course	175 TN	\$44.00	\$0.00
3. Well House Bldg. (complete)	1 Lump Sum	\$29,780.00	\$152,118.75
4. Well House Electrical (incl. well pump, etc.)	1 Lump Sum	\$153,065.00	\$216,318.64
5. 6" Gate Valve and Box	2 Each	\$1,480.00	\$0.00
6. Remove/Relocate Ex. Fire Hyd.	1 Lump Sum	\$1,200.00	\$0.00
7. Tie in at Existing Fire Hydrant	1 Lump Sum	\$1,975.00	\$0.00
8. 6" CL-350 DIP Waterline	320 LF	\$92.75	\$0.00
9. Fittings	300 LB	\$10.00	\$0.00
10. 2" Asphalt Repair	1.5 TN	\$1,200.00	\$2,401.88
11. Rock Excavation *	1 CY	\$150.00	\$150.00
12. Bonds and Mobilization	1 Lump Sum	\$13,250.00	\$0.00
TOTAL OF BID		\$268,060.00	\$492,162.65

Bid as Submitted \$267,310.00 \$490,961.71

*NOTE: Compensation for all rock excavation and undercutting shall be limited to the unit prices shown. No payment above the unit prices listed herein will be made.

I, David W. Poore, PE, do hereby certify that this is a true and correct canvass of bids received by the Town of Beech Mountain for the Pinnacle Ridge Well Development Project on Thursday, August 11, 2022 at 2:00 PM.



David W. Poore
 David W. Poore, PE



405 South Sterling Street, Morganton, NC 28655

828 433 5661 / fax 828 433 5662 / info@west-consultants.com

August 23, 2022

Mr. Robert Pudney, Town Manager
Town of Beech Mountain
403 Beech Mountain Parkway
Beech Mountain, NC 28604

RE: Town of Beech Mountain
Pinnacle Well Development Project

Dear Mr. Pudney:

On Thursday, August 11, 2022, bids were received for the above referenced project. A copy of the bid tabulation is enclosed for your review.

The lowest bid submitted is from McCall Brothers, Inc. in the amount of \$ 268,060.00.

Based on our review of the bids submitted, we recommend awarding the contract to the following:
McCall Brothers, Inc., Charlotte, NC in the amount of their low bid.

If you have any questions concerning the above, please let me know.

Sincerely,
WEST CONSULTANTS, PLLC

David Poore

David W. Poore, PE, CPESC

Enclosures



ORDINANCE

TO: Mayor and Town Council

FROM: Bob Pudney

DATE: September 13, 2022

SUBJECT: Ord. Amendment for ADA Accommodation for Solid Waste Collection

FOR THE PURPOSE OF:

Ord. No. 2022-05. An ordinance to amend Chapter §50.13 of the Town of Beech Mountain ordinances, to allow for special solid waste pickups for disabled individuals' accommodation.

SIGNATURES:

Town Manager

Town Clerk



Ordinance

Town of Beech Mountain
North Carolina

Date: 9/13/2022

TOWN OF BEECH MOUNTAIN

**AN ORDINANCE TO AMEND §50.13 OF THE TOWN OF BEECH MOUNTAIN
ORDINANCES TO ALLOW FOR SPECIAL SOLID WASTE PICKUPS FOR
DISABLED INDIVIDUALS
Ord. No. 2022-05**

WHEREAS, the Town of Beech Mountain is a resort and retirement destination community with a number of older residents, property owners, and renters; and

WHEREAS, the Town of Beech Mountain desires to maintain a high standard for the quality life; and

WHEREAS, the Town of Beech Mountain is desirous of accommodating those with disabilities and is required under federal law to grant reasonable accommodations under the Federal Fair Housing Act, Americans with Disabilities Act, and Rehabilitation Act under the circumstances set forth herein below.

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

SECTION I. Title VI: Chapter 50: Solid Waste Management, Section 50.13 is hereby amended to include the following:

§ 50.13 ...

(F) Reasonable Accommodations. Notwithstanding the requirement of subsection (E) above that activities of a private contractor are not eligible for special pickup, a customer with a medical condition or disability which prevents them from disposing of such material themselves shall be eligible for special pickup upon approval by the Town Manager as set forth in subsection (E) so long as all of the following are met:

- a) An application for a reasonable accommodation shall be filed by the owner or occupant of the land requesting a special pickup

due to a medical condition or other disability which prevents them from disposing of such material themselves, which shall include: (1) the applicant's contact information (name, mailing address, telephone number, and email address); (2) the contact information for the owner(s) of the property (if different from the applicant); (3) the address of the property at which the reasonable accommodation is requested; (4) a description of the reasonable accommodation requested; (5) a statement explaining how and why the request is both Reasonable and Necessary as defined herein; and (6) the notarized signature of the applicant and property owner(s) (if different from the applicant). No filing fee shall be required for the application.

- b) The applicant shall include a written statement, dated within sixty days of the application, from a treating physician that they have examined the applicant and the applicant has a medical condition or physical disability which prevents the applicant from being able to dispose of their solid waste without a special pickup. The statement from a treating physician shall also state the expected duration of this condition.

The Town Manager shall grant a reasonable accommodation to an applicant, for a period not to exceed one calendar year, upon a determination that the proposed reasonable accommodation is both reasonable and necessary, as defined herein:

- (1) Reasonable: An accommodation will be determined to be reasonable if it would not undermine the legitimate purposes and effects of existing zoning regulations, and if it will not impose significant financial and administrative burdens upon the municipality and/or constitute a substantial or fundamental alteration of the municipality's Solid Waste Collection provisions; and
- (2) Necessary: An accommodation will be determined to be necessary if it would provide direct or meaningful therapeutic amelioration of the effects of the particular disability or handicap and would afford disabled or handicapped persons equal opportunity to enjoy and use their housing in residential districts in the municipality.

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

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the Town Council of Beech Mountain, North Carolina, at which a quorum was present and which was held on the 13th day of September, 2022.

This Ordinance adopted the 13th day of September, 2022.

Barry Kaufman, Mayor

Attest:

Tamara Mercer
Town Clerk



REPORT

TO: Beech Mountain Town Council
FROM: Steve Smith
DATE: September 13, 2022
SUBJECT: Finance Reports for July 2022

FOR THE PURPOSE OF:

To report to Town Council on July's Financial activity.

ATTACHED FOR YOUR CONSIDERATION:

July 2022 Finance Report
July 2022 Budget Report

STAFF RECOMMENDATION:

Review

SIGNATURES:

Town Manager

Town Clerk

TOWN OF BEECH MOUNTAIN
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2022

10 -General Fund
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 08.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
Tax Revenue	6,832,493	17,978.45	17,978.45	0.00	6,814,514.55	0.26
Interest Income	18,500	7,743.73	7,743.73	0.00	10,756.27	41.86
Miscellaneous Income	561,500	28,324.89	28,324.89	0.00	533,175.11	5.04
State Revenue	2,159,950	140.70	140.70	0.00	2,159,809.30	0.01
Fees	66,700	19,411.03	19,411.03	0.00	47,288.97	29.10
Gains/Losses	50,000	0.00	0.00	0.00	50,000.00	0.00
Other	520,000	0.00	0.00	0.00	520,000.00	0.00
Other Sources	474,058	0.00	0.00	0.00	474,058.00	0.00
TOTAL REVENUES	10,683,201	73,598.80	73,598.80	0.00	10,609,602.20	0.69
<u>EXPENDITURE SUMMARY</u>						
Administration	1,984,310	64,739.70	64,739.70	0.00	1,919,670.30	3.26
Tax Collections	54,797	4,147.40	4,147.40	0.00	50,649.60	7.57
Vistors Center	1,036,411	22,278.96	22,278.96	1,311.02	1,012,821.02	2.28
Police	1,550,861	146,520.43	146,520.43	25,294.99	1,379,242.57	11.07
Fire	967,662	168,232.57	168,232.57	16,391.00	783,038.43	19.08
Special Projects	0	0.00	0.00	0.00	0.00	0.00
Building Inspections	236,488	20,923.35	20,923.35	0.00	215,564.65	8.85
Planning	150,057	18,540.66	18,540.66	0.00	131,516.34	12.36
Vehicle Maintenance	196,152	72,565.43	72,565.43	2,753.12	120,833.45	38.40
Road Maintenance	3,535,341	227,569.00	227,569.00	223,839.94	3,084,561.96	12.75
Recreation	971,122	197,294.61	197,294.61	24,926.36	749,052.11	22.87
TOTAL EXPENDITURES	10,683,201	942,812.11	942,812.11	294,516.43	9,446,950.43	11.57
REVENUE OVER/(UNDER) EXPENDITURES	0	(869,213.31)	(869,213.31)	(294,516.43)	1,162,651.77	0.00

TOWN OF BEECH MOUNTAIN
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2022

30 -Water/Sewer
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 08.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
Interest Income	1,000	1,556.91	1,556.91	0.00 (556.91)	155.69
Miscellaneous Income	35,000	25.00	25.00	0.00	34,975.00	0.07
State Revenue	0	0.00	0.00	0.00	0.00	0.00
Metered Sales & Fees	3,127,425	276,470.48	276,470.48	0.00	2,850,954.52	8.84
Gains/Losses	1,500	0.00	0.00	0.00	1,500.00	0.00
Other	250,000	0.00	0.00	0.00	250,000.00	0.00
Other Sources	50,000	0.00	0.00	0.00	50,000.00	0.00
TOTAL REVENUES	3,464,925	278,052.39	278,052.39	0.00	3,186,872.61	8.02
<u>EXPENDITURE SUMMARY</u>						
W/S Administration	1,451,009	88,971.29	88,971.29	2,250.00	1,359,787.71	6.29
Water	1,022,769	83,987.12	83,987.12	26,427.91	927,770.77	9.29
Sewer	675,173	27,990.14	27,990.14	8,194.22	638,988.64	5.36
Taps & System	315,974	4,381.97	4,381.97	1,011.60	310,600.17	1.70
TOTAL EXPENDITURES	3,464,925	205,330.52	205,330.52	37,883.73	3,237,147.29	6.57
REVENUE OVER/(UNDER) EXPENDITURES	0	72,721.87	72,721.87 (37,883.73) (50,274.68)	0.00

TOWN OF BEECH MOUNTAIN
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: JULY 31ST, 2022

35 -Sanitation
 FINANCIAL SUMMARY

% OF YEAR COMPLETED: 08.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
Interest Income	150	281.93	281.93	0.00 (131.93)	187.95
Miscellaneous Income	27,500	11,074.00	11,074.00	0.00	16,426.00	40.27
State Revenue	350	0.00	0.00	0.00	350.00	0.00
Fees	766,800	56,133.91	56,133.91	0.00	710,666.09	7.32
Gains/Losses	0	0.00	0.00	0.00	0.00	0.00
Other	0	0.00	0.00	0.00	0.00	0.00
Other Sources	64,002	0.00	0.00	0.00	64,002.00	0.00
TOTAL REVENUES	858,802	67,489.84	67,489.84	0.00	791,312.16	7.86
<u>EXPENDITURE SUMMARY</u>						
Sanitation	858,802	117,679.35	117,679.35	553.46	740,569.19	13.77
TOTAL EXPENDITURES	858,802	117,679.35	117,679.35	553.46	740,569.19	13.77
REVENUE OVER/(UNDER) EXPENDITURES	0 (50,189.51) (50,189.51) (553.46)	50,742.97	0.00

**Town of Beech Mountain
Monthly Financial Report
Fiscal Year 2023**

<u>General Fund</u>	Budget	Through the reported month												8.33%	% of Budget
		July	August	September	October	November	December	January	February	March	April	May	June	YTD	
Total Revenue	10,683,201	73,599												73,599	0.69%
Total Expenditures	10,683,201	942,812												942,812	8.83%
Total General Fund fund balance as of July 1st	6,871,533	6,871,533												6,871,533	
Revenues Less Expenditures		(869,213)	-	-	-	-	-	-	-	-	-	-	-	(869,213)	
Estimated change to Fund Balance		6,002,320	-	-	-	-	-	-	-	-	-	-	-	6,002,320	
<u>Water/Sewer Enterprise Fund</u>															
Total Revenue	3,464,925	278,052												278,052	8.02%
Total Expenses	3,464,925	205,331												205,331	5.93%
Unrestricted Cash Reserves as July 1st	2,035,408	2,035,408												2,035,408	
Revenues Less Expenses		72,722	-	-	-	-	-	-	-	-	-	-	-	72,722	
Estimated Change in Cash Reserves		2,108,130	-	-	-	-	-	-	-	-	-	-	-	2,108,130	
<u>Sanitation Enterprise Fund</u>															
Total Revenue	858,802	67,490												67,490	7.86%
Total Expenses	858,802	117,679												117,679	13.70%
Unrestricted Cash Reserves as July 1st	654,366	654,366												654,366	
Revenues Less Expenses		(50,190)	-	-	-	-	-	-	-	-	-	-	-	(50,190)	
Estimated Change in Cash Reserves		604,176	-	-	-	-	-	-	-	-	-	-	-	604,176	
<u>Cash & Investments All FUNDS</u>															
	Fund	July	August	September	October	November	December	January	February	March	April	May	June		
Branch Banking and Trust (Pooled) #1	Pooled	1,029,821													
North Carolina Capital Management Trust #2	General Fund	5,712,146													
Mountain Community - Certificates of Deposit #4	General Fund	103,500													
North Carolina Capital Management Trust #6	Utility Fund	1,210,789													
North Carolina Capital Management Trust #8	Sanitation Fund	219,254													
North Carolina Capital Management Trust #9	E911 Fund	73,200													
Total Cash & Investments		8,348,710	-	-	-	-	-	-	-	-	-	-	-		
<u>Transfers for the month</u>															
None for July 2022															
Amounts not finalized															



REPORT

TO: Town Council
FROM: Daniel Davis
DATE: September 13, 2022
SUBJECT: DOI Report August 2022

FOR THE PURPOSE OF:

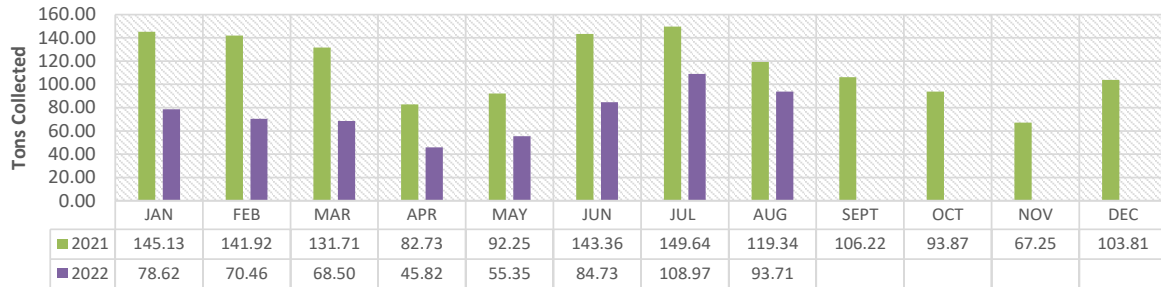
Monthly report for Public works, sanitation, water services

SIGNATURES:

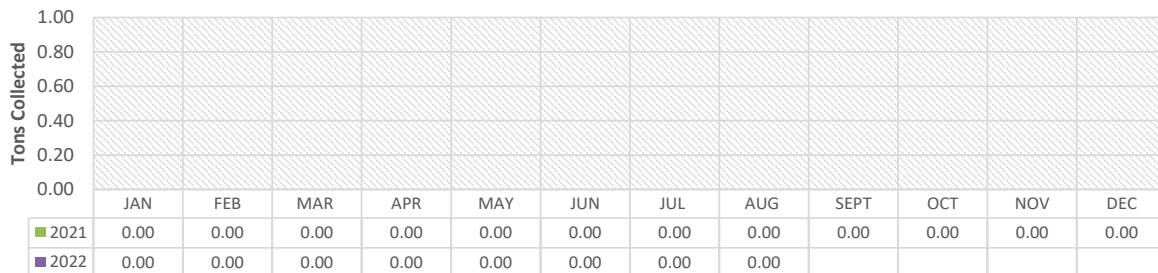
Town Manager

Town Clerk

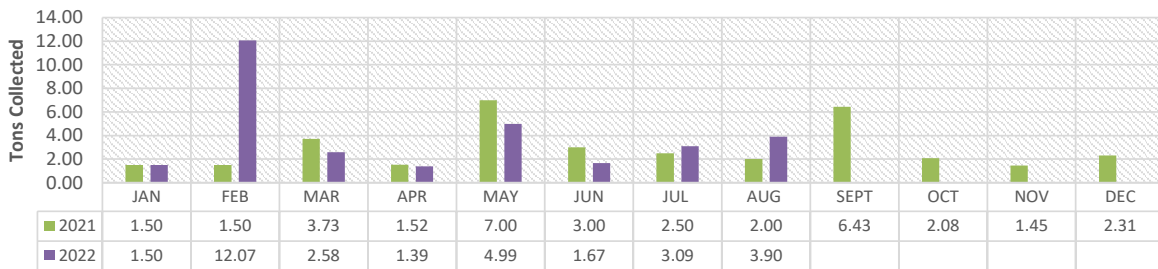
Solid Waste



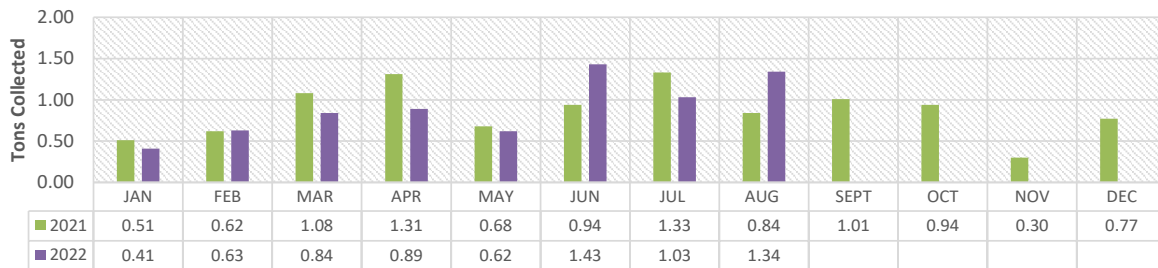
Construction Material



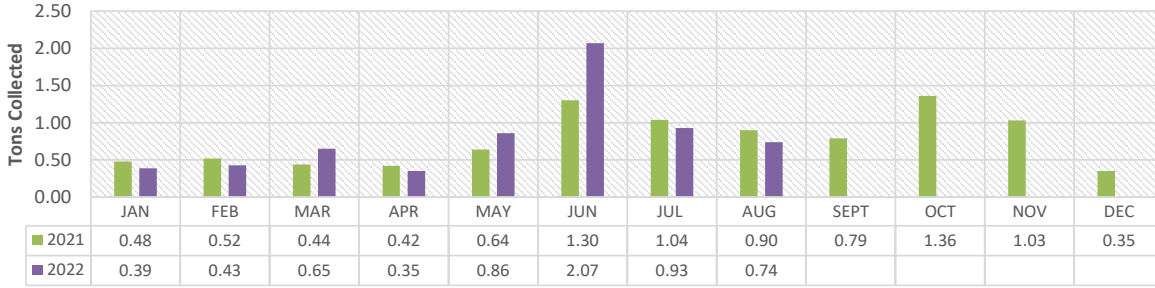
Recycled Metal



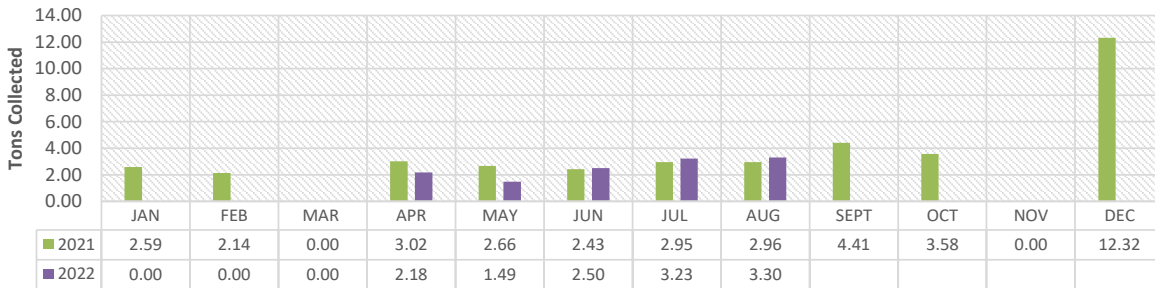
Recycled Paper



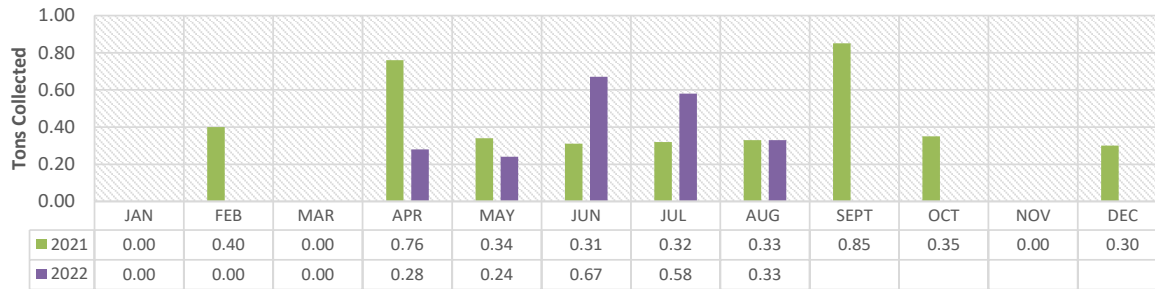
Recycled Plastic



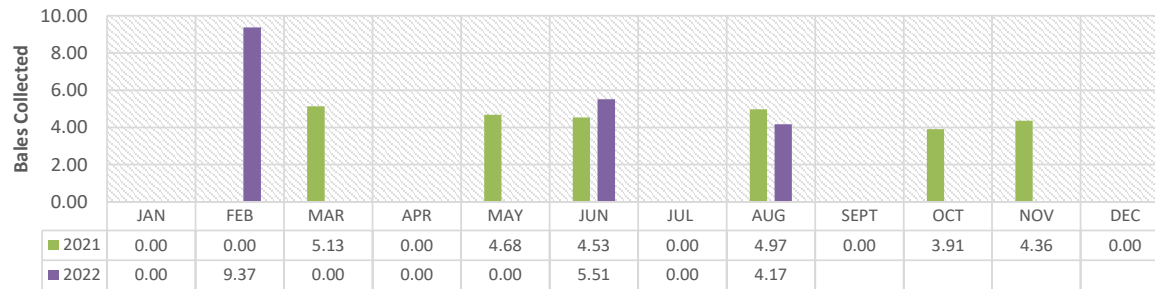
Recycled Glass



Recycled Aluminum



Recycled Cardboard



Sanitation Department
Monthly Report

2021	SOLID WASTE	CONSTRUCTION MATERIAL	-----RECYCLING-----						--ROAD MAINTENANCE--					
			RECYCLED METAL	PAPER	PLASTIC	GLASS	ALUMINUM	CARDBOARD	ROADS GRADED	STABILIZING STONE	POT HOLES REPAIRED	WASH OUTS	DITCHES PULLED	ROADWAYS MOWED
JAN	145.13	0.00	1.50	0.51	0.48	2.59	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0
FEB	141.92	Res. Const. Day	1.50	0.62	0.52	2.14	0.40	0.00	5	25	25			0
MAR	131.71	Res. Const. Day	3.73	1.08	0.44	0.00	0.00	5.13	11	8	25	10	11	0
APR	82.73	Res. Const. Day	1.52	1.31	0.42	3.02	0.76	0.00	15	4	25	7	10	0
MAY	92.25	Res. Const. Day	7.00	0.68	0.64	2.66	0.34	4.68	20	5	20	5	10	27
JUN	143.36	Res. Const. Day	3.00	0.94	1.30	2.43	0.31	4.53	20	4	16	25	25	68
JUL	149.64	Res. Const. Day	2.50	1.33	1.04	2.95	0.32	0.00	20	2	25	25	25	2
AUG	119.34	Res. Const. Day	2.00	0.84	0.90	2.96	0.33	4.97	20	5	25	25	15	25
SEPT	106.22	Res. Const. Day	6.43	1.01	0.79	4.41	0.85	0.00	4	1	6	2	16	2
OCT	93.87	Res. Const. Day	2.08	0.94	1.36	3.58	0.35	3.91	12	2	12	5	16	20
NOV	67.25	Res. Const. Day	1.45	0.30	1.03	0.00	0.00	4.36	4	2	5	4	6	0
DEC	103.81	Res. Const. Day	2.31	0.77	0.35	12.32	0.30	0.00						
YTD TOTALS	1377.23	0.00	35.02	10.33	9.27	39.06	3.96	27.58	131.00	58	184	108	134	144
2022	SOLID WASTE	CONSTRUCTION MATERIAL	-----RECYCLING-----						--ROAD MAINTENANCE--					
			RECYCLED METAL	PAPER	PLASTIC	GLASS	ALUMINUM	CARDBOARD	ROADS GRADED	STABILIZING STONE	POT HOLES REPAIRED	WASH OUTS	DITCHES PULLED	ROADWAYS MOWED
JAN	78.62	Res. Const. Day	1.50	0.41	0.39	0.00	0.00	0.00						
FEB	70.46	Res. Const. Day	12.07	0.63	0.43	0.00	0.00	9.37			20	5	4	
MAR	68.50	Res. Const. Day	2.58	0.84	0.65	0.00	0.00	0.00	4	5	20	8	2	
APR	45.82	Res. Const. Day	1.39	0.89	0.35	2.18	0.28	0.00	20	2	20	4	4	
MAY	55.35	Res. Const. Day	4.99	0.62	0.86	1.49	0.24	0.00	12	0	25	8	4	
JUN	84.73	Res. Const. Day	1.67	1.43	2.07	2.50	0.67	5.51	16	5	50	6	20	5
JUL	108.97	Res. Const. Day	3.09	1.03	0.93	3.23	0.58	0.00	9	0	4	12	3	2
AUG	93.71	Res. Const. Day	3.90	1.34	0.74	3.30	0.33	4.17	16	2	12	6	8	12
SEPT														
OCT														
NOV														
DEC														
YTD TOTALS	606.16	0.00	31.19	7.19	6.42	12.70	2.10	19.05	77.00	14	151	49	45	19

Summary

Date Printed: 09/02/2022

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Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
2452	Completed	PM				Fleet	2004 160 CLC Excavator Trackhoe	Public Works Shop	Whitney Spagnolo	08/01/2022	08/02/2022		0.00	0.00
2461	Completed	PM	2 - High		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/02/2022	08/04/2022	08/02/2022	0.00	0.00
2474	Completed	Non-PM	2 - High		HVAC	Facilities/Buildings/Grounds		Buckeye Rereation Center	David Street	08/08/2022		08/11/2022	0.00	0.00
2476	Completed	Non-PM	2 - High		Sink Hole	Road Maintenance/Right of Way	ASHWOOD LN		Matthew Clawson	08/08/2022		08/11/2022	0.00	0.00
2502	Completed	Non-PM	2 - High			Town Services	New taps	Water Service Area	Leroy Wright	08/16/2022		08/16/2022	0.00	0.00
2520	Completed	PM	2 - High		Custodial	Facilities/Buildings/Grounds		PUD PWD Office	Whitney Spagnolo	08/23/2022	08/24/2022	09/02/2022	0.00	0.00
2450	Completed	PM	3 - Medium		Compliance Reporting	Water Treatment/Distribution System		Buckeye Water Treatment Plant	Daniel Davis	08/01/2022	08/02/2022	08/02/2022	0.00	0.00
2455	Completed	PM	3 - Medium		Bear Mess	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/01/2022	09/01/2022	08/31/2022	0.00	0.00
2462	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/02/2022	08/03/2022	08/02/2022	0.00	0.00
2467	Completed	PM	3 - Medium	Reactive Maintenance	Leaf-Grass	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/03/2022		08/11/2022	0.00	0.00
2468	Completed	PM	3 - Medium	Reactive Maintenance	Brush-Limb Pickup	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/03/2022		08/11/2022	0.00	0.00
2470	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/05/2022	08/06/2022	08/11/2022	0.00	0.00
2478	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/09/2022	08/10/2022	08/22/2022	0.00	0.00
2485	Completed	Non-PM	3 - Medium		Maintenance	Fleet	Ford Ranger	Public Works Shop	David Clawson	08/09/2022		08/17/2022	0.00	0.00
2487	Completed	Non-PM	3 - Medium		Maintenance	Fleet	Bobcat Compact Excavator	Buckeye Rec Center	David Clawson	08/09/2022		09/01/2022	0.00	0.00
2488	Completed	PM	3 - Medium	Reactive Maintenance	Leaf-Grass	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/10/2022		08/18/2022	0.00	0.00

Summary

Date Printed: 09/02/2022

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Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
2489	Completed	PM	3 - Medium	Reactive Maintenance	Brush-Limb Pickup	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/10/2022		08/18/2022	0.00	0.00
2495	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/12/2022	08/13/2022	08/22/2022	0.00	0.00
2498	Completed	Non-PM	3 - Medium		Road Maintenance	Road Maintenance/Right of Way	COLUMBI NE LN		Matthew Clawson	08/15/2022		08/17/2022	0.00	0.00
2499	Completed	Non-PM	3 - Medium		Ditch Maintenance	Road Maintenance/Right of Way	COLUMBI NE LN		Matthew Clawson	08/15/2022		08/17/2022	0.00	0.00
2501	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/16/2022	08/17/2022	08/22/2022	0.00	0.00
2504	Completed	PM	3 - Medium	Reactive Maintenance	Leaf-Grass	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/17/2022		08/25/2022	0.00	0.00
2505	Completed	PM	3 - Medium	Reactive Maintenance	Brush-Limb Pickup	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/17/2022		08/25/2022	0.00	0.00
2509	Completed	Non-PM	3 - Medium		Oil Change	Fleet	2018 F150 Infrastructure	Public Works Shop	Whitney Spagnolo	08/17/2022		08/29/2022	0.00	0.00
2510	Completed	Non-PM	3 - Medium			Town Services	302 N PINNACLE RIDGE RD		Whitney Spagnolo	08/17/2022		09/02/2022	0.00	0.00
2511	Completed	Non-PM	3 - Medium		Customer Complaint	Town Services	123 ST ANDREW SRD		Matthew Clawson	08/18/2022		09/02/2022	0.00	0.00
2513	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/19/2022	08/20/2022	08/22/2022	0.00	0.00
2519	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/23/2022	08/24/2022	09/02/2022	0.00	0.00
2522	Completed	PM	3 - Medium	Reactive Maintenance	Leaf-Grass	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/24/2022		08/31/2022	0.00	0.00
2523	Completed	PM	3 - Medium	Reactive Maintenance	Brush-Limb Pickup	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/24/2022		08/31/2022	0.00	0.00
2524	Completed	Non-PM	3 - Medium			Town Services	155 W BLUEBERRY LN		Whitney Spagnolo	08/24/2022		09/01/2022	0.00	0.00

Summary

Date Printed: 09/02/2022

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Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
2525	Completed	Non-PM	3 - Medium		Customer Complaint	Town Services	138 SKIWAY CIRCLE		Matthew Clawson	08/24/2022		08/25/2022	0.00	0.00
2527	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/26/2022	08/27/2022	09/02/2022	0.00	0.00
2537	Completed	PM	3 - Medium	Reactive Maintenance	Leaf-Grass	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/31/2022		08/31/2022	0.00	0.00
2538	Completed	PM	3 - Medium	Reactive Maintenance	Brush-Limb Pickup	Sanitation	Special Pickup	Beech Mountain Collection Route	Chrissy Bonestell	08/31/2022		08/31/2022	0.00	0.00
2456	Completed	Non-PM	4 - Low		Other	Road Maintenance/Right of Way	ST ANDREWS RD		Matthew Clawson	08/01/2022		08/02/2022	0.00	0.00
2457	Completed	Non-PM	4 - Low		Customer Complaint	Road Maintenance/Right of Way	GREENBRIAR RD		Matthew Clawson	08/01/2022		08/22/2022	0.00	0.00
2458	Completed	Non-PM	4 - Low		Road Maintenance	Road Maintenance/Right of Way	BRIARCLIFF RD		Matthew Clawson	08/01/2022		08/02/2022	0.00	0.00
2459	Completed	Non-PM	4 - Low		Customer Complaint	Town Services	155 W BLUEBERRY LN		Water Plant	08/01/2022		08/01/2022	0.00	0.00
2460	Completed	Non-PM	4 - Low		Right of Way Maintenance	Road Maintenance/Right of Way	TEABERY TR		Matthew Clawson	08/01/2022		08/17/2022	0.00	0.00
2466	Completed	Non-PM	4 - Low		Other-Taps and Systems	Town Services	126 STAGHORN HOLLOW		Matthew Clawson	08/02/2022		08/11/2022	0.00	0.00
2469	Completed	Non-PM	4 - Low		Hydraulic System	Fleet	2014 Caterpillar Backhoe	Public Works Shop	David Clawson	08/04/2022		08/31/2022	0.00	0.00
2477	Completed	Non-PM	4 - Low		Customer Complaint	Road Maintenance/Right of Way	LOWER GROUSE RIDGE RD		Matthew Clawson	08/08/2022		08/17/2022	0.00	0.00
2480	Completed	Non-PM	4 - Low		Culvert Maintenance	Road Maintenance/Right of Way	POPLAR DR		Matthew Clawson	08/09/2022		08/11/2022	0.00	0.00
2481	Completed	Non-PM	4 - Low		Culvert Maintenance	Road Maintenance/Right of Way	TEABERY TR		Matthew Clawson	08/09/2022		09/02/2022	0.00	0.00
2482	Completed	Non-PM	4 - Low		Culvert Maintenance	Road Maintenance/Right of Way	CHARTER HILLS RD		Matthew Clawson	08/09/2022		08/11/2022	0.00	0.00
2483	Completed	Non-PM	4 - Low		Culvert Maintenance	Road Maintenance/Right of Way	CHARTER HILLS RD		Matthew Clawson	08/09/2022		08/11/2022	0.00	0.00

Summary

Date Printed: 09/02/2022

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Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
2490	Completed	Non-PM	4 - Low	Improvements		Town Services	New taps	Water Service Area	Leroy Wright	08/10/2022		08/11/2022	0.00	0.00
2491	Completed	Non-PM	4 - Low		Right of Way Maintenance	Road Maintenance/ Right of Way	BLACKBERRY TRL		Daniel Davis	08/10/2022		08/22/2022	0.00	0.00
2493	Completed	Non-PM	4 - Low		Other-Taps and Systems	Town Services	220 BIRCHWOOD LN		Water Plant	08/10/2022		08/12/2022	0.00	0.00
2503	Completed	Non-PM	4 - Low		Water Line Locate (811)	Town Services	123 ST ANDREWS RD		Matthew Clawson	08/16/2022		09/02/2022	0.00	0.00
2508	Completed	Non-PM	4 - Low		Grading	Road Maintenance/ Right of Way	DOGWOOD LN		Matthew Clawson	08/17/2022		09/02/2022	0.00	0.00
2516	Completed	Non-PM	4 - Low			Town Services	New taps	Water Service Area	Leroy Wright	08/22/2022		08/22/2022	0.00	0.00
2517	Completed	Non-PM	4 - Low		Other-Taps and Systems	Town Services	106 OAK RD		Water Plant	08/22/2022		08/29/2022	0.00	0.00
2518	Completed	Non-PM	4 - Low		Grading	Road Maintenance/ Right of Way	DOGWOOD LN		Matthew Clawson	08/22/2022		09/02/2022	0.00	0.00
2521	Completed	Non-PM	4 - Low		Customer Complaint	Road Maintenance/ Right of Way	HORNBEAM RD		Whitney Spagnolo	08/23/2022		09/02/2022	0.00	0.00
2536	Completed	Non-PM	4 - Low		Brush-Limb Pickup	Road Maintenance/ Right of Way	VILLAGE RD		Matthew Clawson	08/30/2022		09/02/2022	0.00	0.00
2473	Completed	PM	5 - Spare Time		Maintenance	Fleet	Ford F150	Public Works Shop	Whitney Spagnolo	08/08/2022	08/09/2022	08/17/2022	0.00	0.00

Records Selected: 58

Total Cost \$
0.00 **Total Hrs**
0.00

Report Parameters

Filter: Contains([WO Status], 'Completed') And Not Contains([Source Site], 'Parks & Rec')

Search:

Advanced Filters: [Originated] Between '08/01/2022' And '08/31/2022'

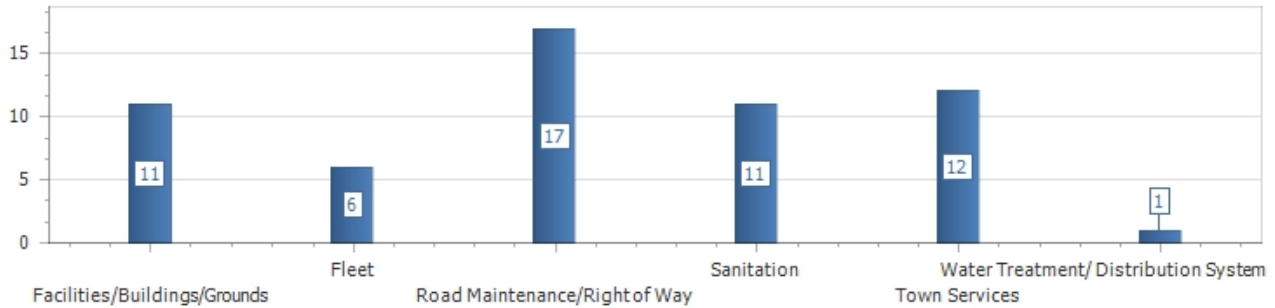
Tags:

Completed WOs by Site Analysis

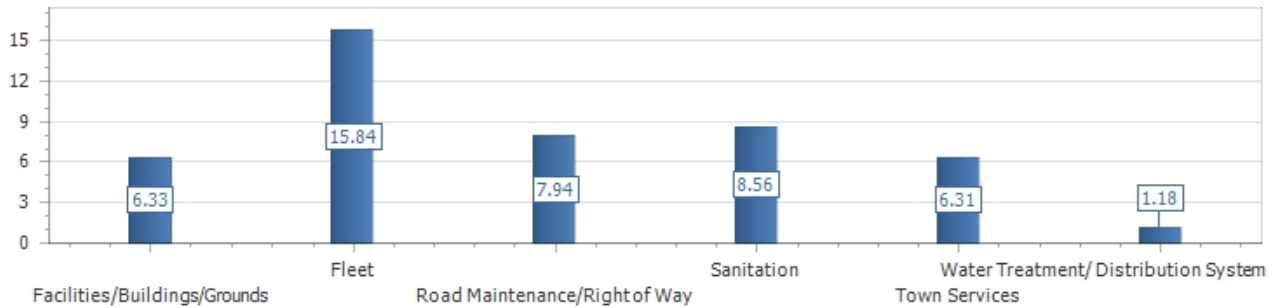
Date Printed: 09/02/2022

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Total



Average days to close



Site	Total	Average days to close
Facilities/Buildings/Grounds	11	6.33
Fleet	6	15.84
Road Maintenance/Right of Way	17	7.94
Sanitation	11	8.56
Town Services	12	6.31
Water Treatment/ Distribution System	1	1.18

Report Parameters

Filter: Contains([WO Status], 'Completed') And Not Contains([Source Site], 'Parks & Rec')

Search:

Advanced Filters: [Originated] Between '08/01/2022' And '08/31/2022'

Tags:

Town of Beech Mountain
Water Treatment Monthly Operation Report

August 2022 flow totals:

Raw Totals:	14.746 MG
	.476 MGD AVG
	.402 MGD MIN
	.569 MGD MAX

Finished Totals:	14.452 MG
	.466 MGD AVG
	.402 MGD MIN
	.632 MGD MAX

All Bacteria samples taken were absent of Coliform Bacteria.

All daily tests are in compliance.

July Wastewater Report

Grassy Gap Wastewater Plant

Total Flow	0.9455	MG
Average Flow	0.0305	MGD
Daily Max	0.064	MGD
Daily Min	0.011	MGD
Limit	0.08	MGD

Pond Creek Wastewater Plant

Total Flow	4.65	MG
Average Flow	0.155	MGD
Daily Max	0.23	MGD
Daily Min	0.12	MGD
Limit	0.4	MGD



REPORT

TO: Town Council
FROM: Bob Pudney
DATE: September 13, 2022
SUBJECT: Fire Department Monthly Report

SIGNATURES:

Town Manager

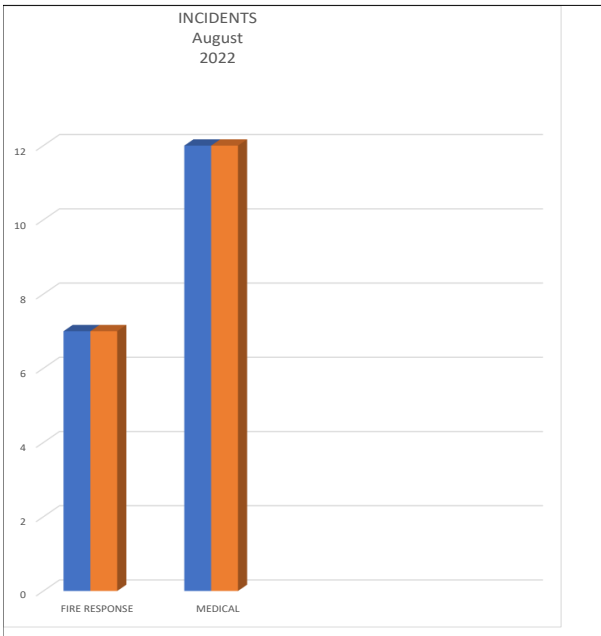
Town Clerk

**BEECH MOUNTAIN FIRE DEPARTMENT
Monthly Report
August 31, 2022**

EVENT	THIS PERIOD	SAME PERIOD LAST YEAR	FISCAL YTD
FIRE CALLS	12	11	25
MEDICAL CALLS	17	19	42
FIRE SAFETY INSPECTIONS	2	3	3
PUBLIC EDUCATION	0	0	0
FIRE HYDRANT INSPECTIONS	3	0	3
TRAINING HOURS	224	196	432
MEETINGS	6	6	6
EMS RESPONSE TIME AVG.	8.48	N/A	8.28

COMMENTS:

Membership Recruitment Program.
ISO Inspection Preparation





REPORT

TO: Mayor and Town Council
FROM: Tim Barnett
DATE: September 13, 2022
SUBJECT: Police Department Monthly Report

SIGNATURES:

Town Manager

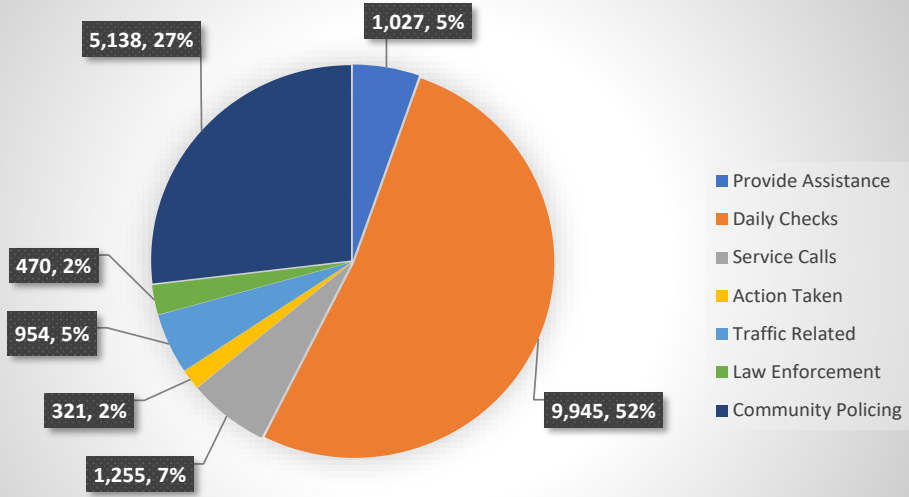
Town Clerk



Activity Log Yearly Summary Totals
 Beech Mountain Police Department
 January 1, 2022 through August 31, 2022

<i>Call Type</i>	<i>2021</i>	<i>2022</i>	<i>Call Type</i>	<i>2021</i>	<i>2022</i>
Provide Assistance			Traffic Related		
Assist Fire Department	31	33	Driving While Impaired	3	11
Assist Investigation	3	1	Improper Parking	103	101
Assist Other Agency	71	66	Stationary/Directed Patrol	222	569
Assist Town Dept/Business	9	8	Traffic Control	38	31
Assist Homeowner	34	47	Vehicle Accidents	59	42
Assist Motorist	268	279	Vehicle Stops	114	200
Assist Other Officer	168	220			
Escort	376	321	Law Enforcement Calls		
Assist Medical Calls	73	52	911 Hang Ups	19	31
			Alarms	66	61
Daily Checks			Breaking & Entering	10	27
Business Checks	8,424	8,290	Domestic Complaints	11	17
Care Track Test	0	0	Assault / Fights	6	12
Security Checks	189	102	Fire Works Violations	12	6
Residence Checks	1,518	1,526	Fraud	3	2
Welfare Check	21	27	Hit & Run	1	8
			Intoxicated/Drunk & Disruptive	6	6
Service Calls			Investigation	28	19
Animal Control Domestic/Wildlife	63	106	Larceny	20	10
Calls for Service	730	987	Mental Subject	2	4
Deliver Letter/Message	65	53	Missing Person	3	5
Found Property	13	12	Noise Disturbance/Loud Music	44	42
Golf Cart / UTV Inspections	28	34	Open Door/Open Window	55	67
ATV/Golf Cart Complaints	8	1	Prowler	1	0
Recreation/Town Deposit	54	62	Shots Fired/Sound of Shots Fired	2	3
COVID/mask	4	0	Subject with Gun/Weapon	0	1
			Suspicious Vehicle	34	93
Action Taken			Trespassing	44	23
Court	4	18	Vandalism	6	5
Felony Arrest	3	2	Continuing Investigation	29	28
Misdemeanor Arrest	16	10			
State Citations	35	51	Community Policing		
Town Ordinance Violations	31	55	Community Policing Contacts	2,484	5,117
Verbal Warning	66	154	Community Events	19	21
Warning Citations	7	19			
Warrant Service	24	12			
2021 Event Totals: 16,314			2022 Event Totals: 19,757		

2022 Monthly Condensed Calls





REPORT

TO: town manager and town council
FROM: Sean Royall
DATE: September 13, 2022
SUBJECT: August Recreation Report 2022

FOR THE PURPOSE OF:

For review by town council and town manager

ATTACHED FOR YOUR CONSIDERATION:

August 2022 recreation report

SIGNATURES:

Town Manager

Town Clerk



August 2022 Recreation Report

Facility Report

Finance Report

Total Monthly Revenue	\$6,622.00
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Detailed Revenue Totals

Program Registrations \$2,250.00
 Memberships \$2,585.00
 Facility Reservations \$530.00
 POS \$989.00

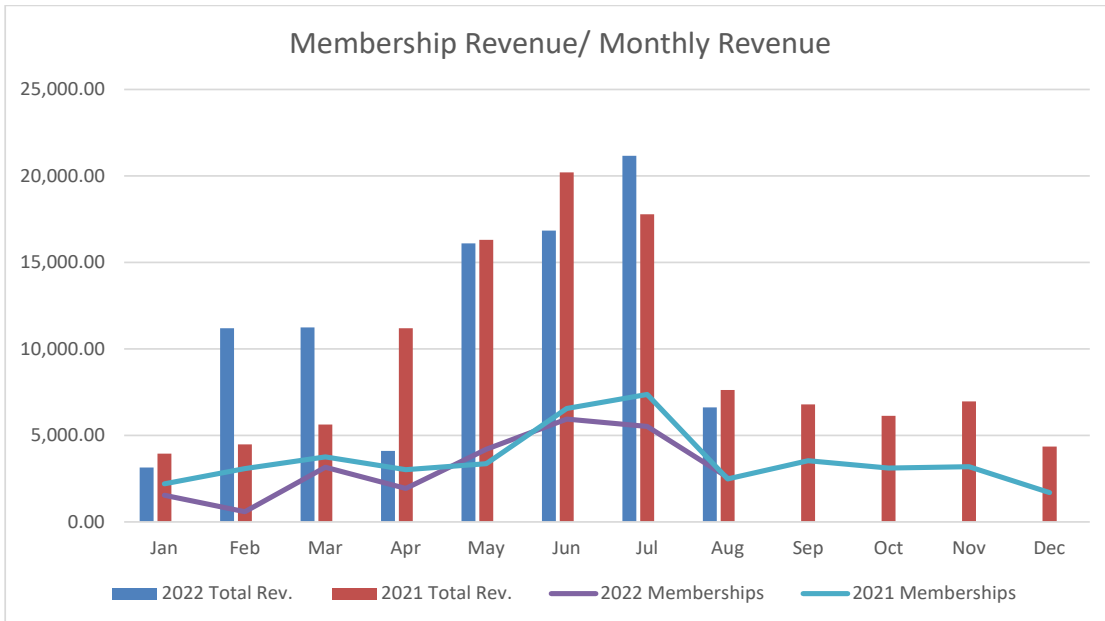
Check-In Report

Member Visits	736
Non-Member Visits	165

Membership Report

Total Memberships \$2,585.00

Family Annual \$1,225.00	Individual Annual \$750.00	Week Passes \$610.00
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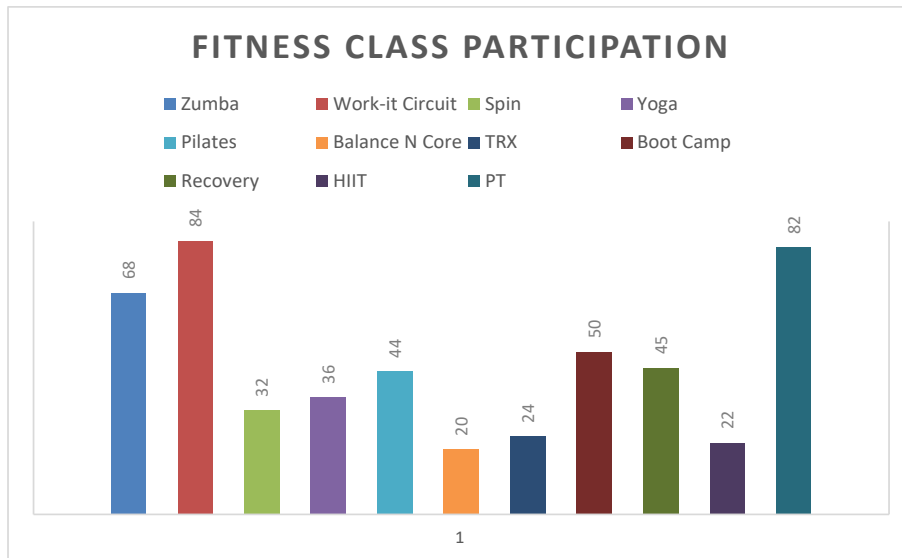


Fitness Report

Participants:

Number of classes offered in the month/ Participants.

Zumba	7	68
Work-it Circuit	7	84
Spin	8	32
Yoga	4	36
Pilates	4	44
Balance N Core	4	20
TRX	4	24
Boot Camp	4	50
Recovery	4	45
HIIT	5	22
PT		82



Events:

Buckeye Bike Camp – sold out

Craft Night

Respectfully Submitted,

Sean Royall

Parks and Recreation Director

Town of Beech Mountain



REPORT

TO: Mayor and Town Council
FROM: Kate Gavenus
DATE: September 13, 2022
SUBJECT: TDA Report September 2022

FOR THE PURPOSE OF:

This report gives an overview of the marketing and media activities for the town, recent and historical results, and economic information for Beech Mountain and the local economy.

SIGNATURES:

Town Manager

Town Clerk

**Beech Mountain TDA Report
To Town Council
September 2022**

Marketing/Media:

A media visit was hosted on the mountain in August. Many thanks to VCI Rentals, Brick Oven Pizzeria, Mi Jalisco, Alpen Restaurant, and Fred's General Mercantile for assisting with providing a positive experience, as well as the Parks and Recreation Outdoor Crew for keeping the town's trails and park areas accessible and inviting.

Marketing efforts for late summer have focused on November, with a highlight on the resort's new Southern Rail Jam event to bring visitors during the shoulder season. Three media visits will happen in September, centered around early fall hiking, canoeing, scenic drives, and Land of Oz.

Examples of media coverage received in August:

Travel and Leisure—best ski resort: <https://www.travelandleisure.com/hotels-resorts/mountain-ski-resorts/best-us-ski-towns-for-non-skiers>

Blue Ridge Outdoors—Boone Ski Capital: <https://www.blueridgeoutdoors.com/sponsored-content/boone-n-c-the-ski-capital-of-the-south/>

Greensboro News and Record—Land of Oz-- https://greensboro.com/bringing-a-dream-to-life/article_73b28b7a-2565-11ed-8a20-1fb35c04d0a8.htm

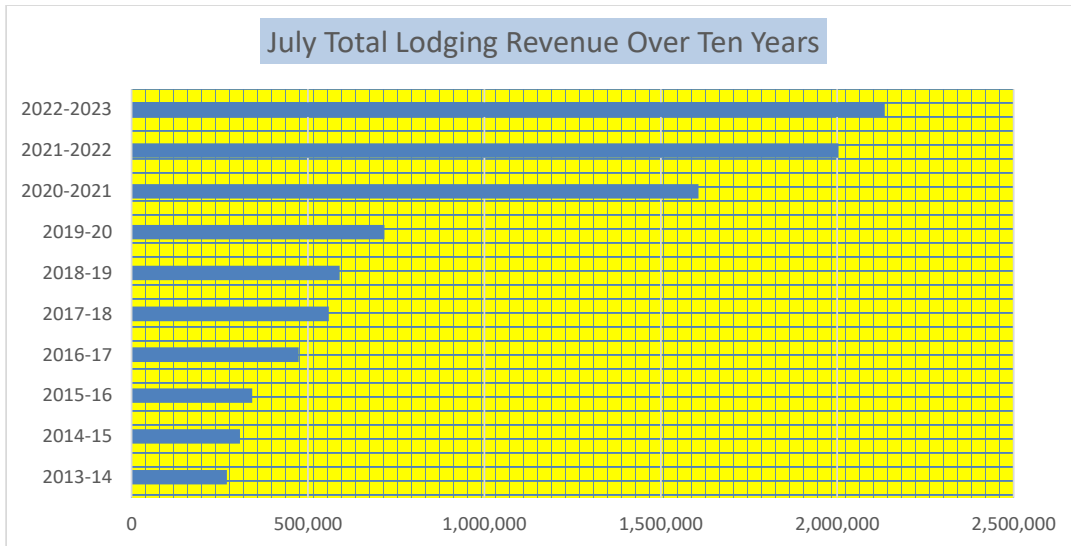
Broadway World—Land of Oz's Executive and Artistic Director-- <https://www.broadwayworld.com/minneapolis/article/Interview-Sean-Barrett-of-THE-LAND-OF-OZ-at-Autumn-At-Oz-Festival-20220826>

MSN—Land of Oz--<https://www.msn.com/en-us/travel/tripideas/road-trips-recipes-no-place-like-home-at-nc-s-land-of-oz/ar-AA10M3w>

Results:

There were 582 visitors in the Visitor Center during the month of August 2022, which was lower than the 722 visitors received in August 2021. Occupancy tax of \$117,881 was collected in the month of August (for July overnight stays). This was more than the \$115,569 than the collected in August of 2021. 1628 room nights were reported to the tax office for July overnight stays.

July's total revenues for lodging owners and businesses on Beech Mountain: \$2,134,918



Beech Mountain Economic Development News

September 2022

In the area:

The Appalachian Regional Commission, Mountain Bizworks, and Dogwood Health Trust have come together to fund a project titled “Building Outdoor Communities.” The program is available to the 25 western-most counties in North Carolina, along with the Qualla Boundary. It is an economic development initiative which seeks to ensure sustainable, responsible development and promotion of outdoor recreation resources across the mountains.

Recognizing that the mountains themselves are our most precious resource, this initiative will foster expansion of the outdoor economy through thoughtful planning and collaboration, using locally developed goals and strategies. Development of local groups of stakeholders, outdoor recreational plans and strategies will be supported by expert technical assistance.

The initial phase of the Building Outdoor Communities program will take place over two years. At completion, county teams will have the opportunity to apply for funding to move forward with their community-based plans. Beech Mountain is participating on both the Avery and Watauga County teams.

State and Regional news:

The latest North Carolina Visitor Spending Study has been created by Tourism Economics, in collaboration with the U.S. Travel Association, and commissioned by VisitNC. The study provides statewide information as well as county-by-county information. For statistical purposes, the Town of Beech Mountain is included in Watauga County, but not in Avery.

In general, visitor spending rose across all 100 counties in 2021. A pent-up demand for travel, along with continuing restrictions on international travel, moved the needle upward for most of the desirable domestic travel destinations.

Of particular interest to this area is the visitor spending by sectors data, which includes the number of people employed in the tourism and hospitality sector and the state and local tax savings per resident due to expenditures by visitors. Watauga County had 2,916 people earning a living through tourism, with a tax savings to locals of \$650.84 per resident. Avery County had 1,429 people earning a living through tourism, and a savings to locals of \$1001.52 per resident. Go to <https://www.nccommerce.com/news/press-releases/2021-visitor-spending-increases-all-100-north-carolina-counties> for links to data and the full reports.



REPORT

TO: Town Council
FROM: Preston Yates
DATE: September 13, 2022
SUBJECT: Planning and Inspection Report for 2022-08

FOR THE PURPOSE OF:

Report of monthly activities for the Planning and Inspections Department.

SIGNATURES:

Town Manager

Town Clerk

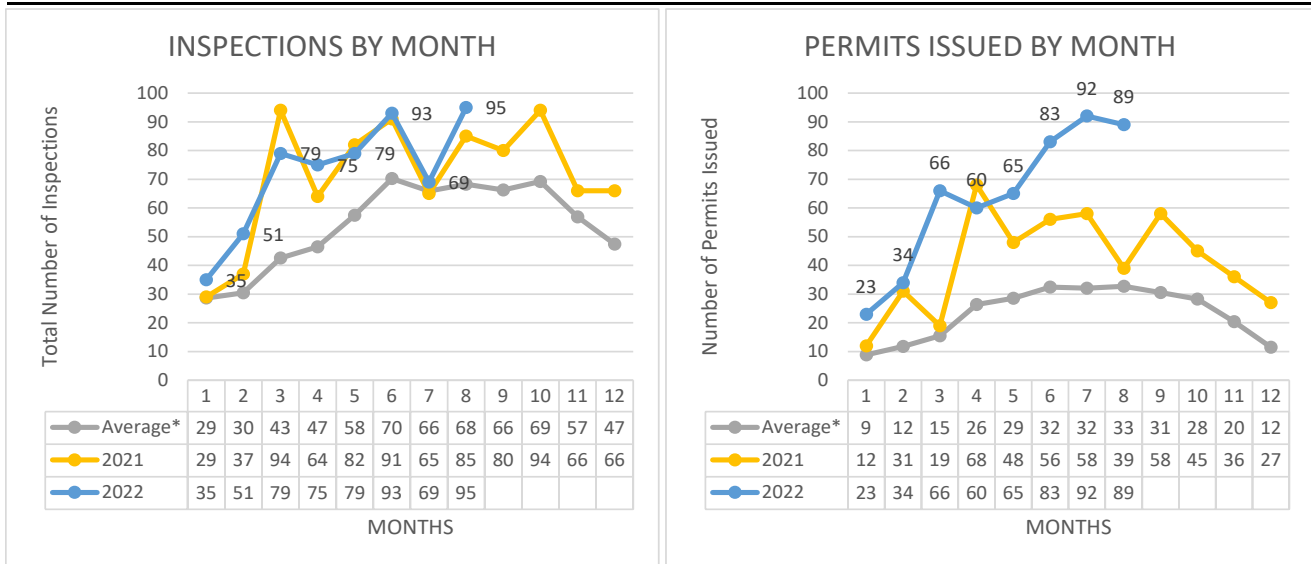
TOWN OF BEECH MOUNTAIN
Monthly Report
Department of Building Inspections
August-2022

1. Number of Inspections

	This Month	Last Month	Same Month Last Year	This Fiscal Year to Date	Last Fiscal Year to Date	Calendar Year to Date
Building	33	29	50	62	85	214
Electrical	20	10	18	30	24	113
Plumbing	17	8	8	25	10	69
Htg/Air & Misc.	25	22	9	47	31	180

2. Permits Issued

No. Issued	89	92	39	181	97	512
Value	\$ 1,747,854	\$ 3,359,794	\$ 719,595	\$ 5,107,648	\$ 3,485,045	\$ 11,511,856
Permit Fees	\$ 63,526.40	\$ 117,349.73	\$ 24,946.20	\$ 180,876.13	\$ 102,384.95	\$ 422,781.70



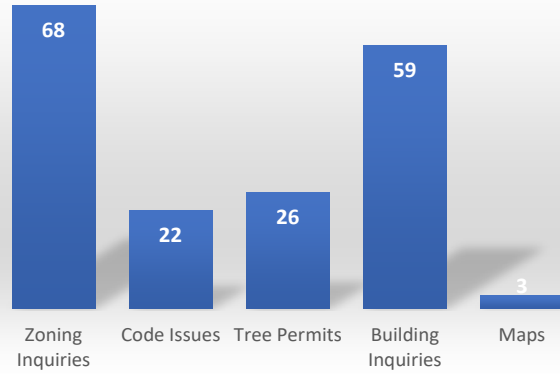
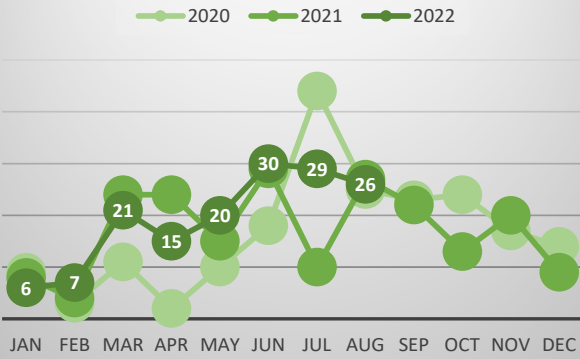
*NOTE: Average Inspections and Permits are calculated based on a running average since April 2009

3. Nature of Building Permits

# of Permits	Type	Address	Total Fees	Valuation	New Bldgs FY to Date	New Bldgs Last FY
4	New Single Family		\$ 56,032.20	\$ 1,496,500	10	0
	New Multi-Family				0	0
	New Commercial				0	0
85	Other	Various	\$ 7,494.20	\$ 251,354		
89			\$ 63,526.40	\$ 1,747,854		

TOWN OF BEECH MOUNTAIN
PLANNING AND ZONING MONTHLY REPORT
 August-2022

Tree Permits



Summary and Highlights

Building:

Building permit issuance remains well above 10-year average
 10 New Homes permitted since July 1, 2022
 Inspection numbers remain high consistent with record permit issuance

Zoning:

Zoning text amendments for outdoor amusement have been developed
 STR Bear Bin active code enforcement compliance effort completed
 Dumpster Enclosure active code enforcement compliance effort nearing completion

Trees:

Tree permits continue at average numbers

GIS/Mapping:

Updates to several layers underway

Planning Board:

Planning Board reviewing outdoor amusements regulations

Board of Adjustment:

Application for Appeal of Administrative Decision postponed until October
 Application for Special Use Permit and Variance approved by Board

Other:

Implementation of iWorQ online permitting system underway