



AGENDA
Regular Town Council
Tuesday, September 14, 2021
Council Chambers 4:00 PM

	Page
1. CALL TO ORDER	
2. ADOPTION OF AGENDA	
3. INVOCATION	
4. PLEDGE OF ALLEGIANCE	
5. PUBLIC COMMENT	
5.1. Public Comments	3 - 6
Output Document (Staff Report - 0522) - Pdf	
6. FEATURED LOCAL BUSINESS- FRED'S MERCANTILE, FRED PFOHL	
7. CONSENT AGENDA	
7.1. Adoption of Minutes- August 10, 2021 regular meeting, August 10, 2021 Closed Session minutes, and August 17, 2021 Town Hall meeting	7 - 20
Regular Town Council - 10 Aug 2021 - Minutes - Pdf	
Town Hall Meeting - Council & Citizens - 17 Aug 2021 - Minutes - Pdf	
7.2. Mountain Community Bank	21 - 24
Approve	
Output Document (Staff Report - 0518) - Pdf	
7.3. Amendment to the FY 2022 Budget - Schedule of Fees	25 - 28
Approve	
Output Document (Staff Report - 0521) - Pdf	
7.4. Declare 109 Hemlock Circle Surplus Property	29 - 31
Output Document (Staff Report - 0528) - Pdf	
8. OLD BUSINESS	
8.1. Emergency Medical Unit	33 - 35
Output Document (Staff Report - 0530) - Pdf	
8.2. Short-Term Rental Regulations Planning Board Report	37 - 52
Output Document (Staff Report - 0536) - Pdf	
9. NEW BUSINESS	

9.1.	Ord. No. 2021-04 to Amend Chapter 71 - Parking Regulations	53 - 59
	Staff recommends approval of proposed ordinance Output Document (Staff Report - 0525) - Pdf	
9.2.	Pay Parking Proposal	61 - 71
	Staff recommends approval of the Parking Cast Proposal by Otto Connect for a period of two years. Output Document (Staff Report - 0519) - Pdf	
9.3.	Lake Coffey Engineering RFQ	73 - 93
	Output Document (Staff Report - 0524) - Pdf	
9.4.	Adventure Ropes Course at Shane Park	95 - 97
	Output Document (Staff Report - 0533) - Pdf	
9.5.	Emerald Outback Trail system lease agreement	99 - 108
	Output Document (Staff Report - 0537) - Pdf	
10.	TOWN MANAGER AND STAFF REPORTS	
10.1.	July Finance Reports	109 - 113
	Review Output Document (Staff Report - 0517) - Pdf	
10.2.	Fire Department Monthly Report	115 - 116
	Output Document (Staff Report - 0523) - Pdf	
10.3.	Police Department Monthly Report	117 - 119
	Output Document (Staff Report - 0529) - Pdf	
10.4.	August 2021 Recreation Report	121 - 124
	Output Document (Staff Report - 0531) - Pdf	
10.5.	DOI August Report	125 - 134
	Output Document (Staff Report - 0532) - Pdf	
10.6.	Planning and Inspection Report 2021-08	135 - 137
	Output Document (Staff Report - 0535) - Pdf	
10.7.	TDA September Report	139 - 142
	Output Document (Staff Report - 0534) - Pdf	
	DOI Report September 2021	143 - 152
	Output Document (Staff Report - 0544) - Pdf	
11.	TOWN COUNCIL COMMENTS	
12.	CITIZENS' AGENDA COMMENTS	
13.	ADJOURNMENT	



REPORT

TO: Mayor & Town Council
FROM: Tamara Mercer
DATE: September 14, 2021
SUBJECT: Public Comments

FOR THE PURPOSE OF:

For Council review is submitted Public Comment (s)

SIGNATURES:

Town Manager

Town Clerk

Submitted August 18, 2021 for September Town Hall Meeting:

The Town identified two problems, 1) construction waste disposed of at the Town's Convenience Center, and, 2) bears spreading trash. What could have been a simple targeted fix, a) notice to all owners that construction waste will no longer be accepted, b) signs at the Convenience Center prohibiting the disposal of construction materials, c) fencing in the Convenience Center to prevent after hours dumping, d) have workers refuse to accept any construction debris, d) fine owners whose trash gets spread across the mountain.

But that's not what the Town did. Instead of the easy way, targeting the source of the problems, the Town chose the hard way. Catch a mouse by setting a trap where you see evidence of mice, not where you don't.

Restricted use. The Town chose to make everybody, whether they dump construction debris or not, comply with several new round of rules and regulations. The permits introduced additional cost and whole new batch of problems: 1) for owners who have out of town mailing addresses, 2) for owners and managers of short-term rentals who had to figure out ways to get a permit from renter to renter, 3) for anyone who misplaced or lost the permit, 4) for private owners who now have to lock their bins to prevent illegal dumping, 5) for workers who had to deal with hot tempers, anger and frustration. When your solution causes fist fights, it's time to re-evaluate.

Requiring dumpsters. The next round of changes required the replacement of bins with dumpsters, 1) taking up parking places, 2) creating more unauthorized trash dumping headaches. People dump all kinds of things into private dumpsters, it is a well-known problem, ask any business owner or property manager. The problem becomes worse, when people are prohibited from taking their household trash to a collection site. 3) Dumpsters create an attractive nuisance for bears throughout the town instead of one central, non-residential location.

Burden sharing. These decisions created other problems, shifting more of the cost to single-family home owners. Many single-family homes are vacation homes, used on weekends or vacations, in other words, the lowest producers of trash. The opposite is true for short-term rentals, the higher the turnover, the higher number of occupants, the more trash produced. And since short term rentals are prohibited from using the Convenience Center, ALL of that trash goes into a landfill. You said it yourself, the reason for now twice weekly pickups is to serve the short-term rentals. Again, more cost and more waste going to landfills.

Franchise fix. In requiring dumpsters and pickup through a franchise agreement with a private contractor, owners who did pay shares of the utility costs, no longer do. While their trash is no longer going to the Convenience Center, we have no idea whether

reducing the number of paying customers is offset by a lower volume of trash collected. The Town could not say how many multi-family properties there are on Beech meaning the Town itself doesn't know.

We know that the net result is more trash in landfills since these owners will have to buy passes to recycle. The exclusive franchise agreement also unfairly ties the hands of managers and owners in multi-family buildings. They have no choice but to go with the Town's chosen contractor despite the quality of service provided, the dumpsters required, the nuisance and noise or any future costs to them. We know that the cost isn't just dumpsters and pickups, heavy trucks cause damage to asphalt as well as structures and vehicles. This really wasn't a decision for the Town to make and it infringes on these owners' property rights, property values and enjoyment.

Recycling. We've already addressed the decrease in recycling and increase in trash to landfills because of the bans on use of the Convenience Center. But there is another problem, the limited hours and design of the Convenience Center. We heard from owners who leave the mountain before 7 am and don't return before 3:30 pm. The limited hours create another problem which may contribute to more illegal dumping and waste going into landfills. I do want to recycle but I don't like waiting in a line of cars to do it. And I'd bet most people don't either. The people who care about the environment and can wait in line between 7 am and 3:30 pm will, but lots of people won't. The policies of Beech make it harder to do the right and responsible thing.

Bear bins. And last, the requirement for all single-family home owners who use their property for short term rentals to install metal bear bins. No doubt responsible owners will see this as a benefit, less maintenance and less chance of a bear break in. The irresponsible owners see it as an unnecessary expense to avoid if possible.

The problem property on my street is a short-term rental. Whether they've registered as one is a question that I cannot answer however I can tell you our Town Manager who lives on my street didn't know. After the 3rd bear trash spill within weeks, he spoke to the *occupants* about the mess, thereby preventing another fine that might have gotten the owners' attention. I doubt the occupants reported it to the owners, why would they? At some point, the fines will exceed the cost of buying and installing a bear bin. In this case, the problem continues, 7 times in 6 weeks exceeding the maximum violations for an entire year.

Irresponsible owners may skip paying occupancy taxes *and* the bear bin requirement. Again, that is unfair for responsible owners who do pay their occupancy taxes and do install metal bear bins.

Asymmetrical problem solving. While the Town managed to investigate and track down the people who left trash on their doorstep, it doesn't seem to be the case for

owners. Bears can and do carry whole trash bags with them. After one trash spread at the problem property, I saw a bag on another neighbor's driveway. The house is up for sale and no one has been there for months. Their trash cans have been upside down in their bin. Even without a forensic trash investigation, I knew it wasn't their trash.

Communication. No solutions will suit everyone's needs, but communicating involves listening, getting suggestions, getting help with problem solving - it's called buy in. The Town enacted its latest round of Solid Waste amendments on May 11th. And we had our meeting on August 17th. Three months after the fact. The Town has yet to produce a comprehensive Solid Waste Ordinance, it's several documents with conflicting information. One would have to page back and forth to determine which sections are valid and which are not. And we've yet to see the governing document for the use of the Convenience Center. Those policies have been in place for over a year. Show your work.

We've listened for over a year. We were prohibited from participating in person meetings due to covid restrictions. Most of us received no notice of special public meetings, our mayor told us we should check the Town's website. Most of us don't visit the Town's website regularly to see if there are any meetings of interest (or road closures), and the online schedules conflict, as do the postings of the Solid Waste Ordinance. We had a telephone notification system that was impressive and worked well. But it's gone now too. Whether the intended or unintended consequence, these decisions impair communication and limit participation in the business of our Town.

Mousetrap. The Town has built a Rube Goldberg machine, a mousetrap that still hasn't caught the mouse. A feasibility study, an analysis of the problem, conversations and input from the people who would be impacted would have prevented much of this. We don't expect you to have all the right answers, but we do expect you to ask the right people the right questions and do at least as much listening as talking. One mouth, two ears.

The Town shifted its dumping, bear and prevention burden away from the Town and on to owners. I am concerned that the Town will apply the same problem-solving approaches to the problems it created in the future. It's called the sunk cost fallacy or throwing good money after bad. We are in this together, all of us. And that is a fact that needs to be recognized by our local government as we move together into Beech's future.

Debra Miller
135 Teaberry Trail



MINUTES

Regular Town Council Meeting

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

The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, August 10, 2021, at 4:00 PM, in the Council Chambers, with the following members present:

COUNCIL PRESENT: Mayor Barry Kaufman
Vice Mayor Jimmie Accardi
Councilmember Weidner Abernethy
Councilmember Kelly Melang
Councilmember Erin Gonyea

COUNCIL EXCUSED:

STAFF PRESENT: Attorney Stacy Eggers, IV
Town Manager Bob Pudney
Town Clerk Tamara Mercer
Director of Special Projects Riley Hatch

1. CALL TO ORDER MAYOR KAUFMAN

2. ADOPTION OF AGENDA

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

Motion

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

3. INVOCATION DEWEY CYCLONE BRETT

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENT

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

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

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

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

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

7. CONSENT AGENDA

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

Motion

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

8. OLD BUSINESS

- 8.1.** EMS- Emergency Medical Services Station

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

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

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

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

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

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

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

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

9. NEW BUSINESS

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

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

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

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

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

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

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

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

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

10. TOWN MANAGER AND STAFF REPORTS

10.1. Town Manager's Report

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

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

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

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

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

Project Updates:

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

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

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

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

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

11. TOWN COUNCIL COMMENTS

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

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

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

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

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

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

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

12. CITIZENS' AGENDA COMMENTS

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

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

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

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

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

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

14. ADJOURNMENT

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

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

Motion

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

Town Clerk

Mayor, Town of Beech Mountain



MINUTES

Town Hall Meeting - Council & Citizens Meeting

5:00 PM - Tuesday, August 17, 2021
Buckeye Recreation Center

The Town Hall Meeting - Council & Citizens of the Town of Beech Mountain was called to order on Tuesday, August 17, 2021, at 5:00 PM, in the Buckeye Recreation Center, with the following members present:

**COUNCIL
PRESENT:** Mayor Barry Kaufman
Vice Mayor Jimmie Accardi
Councilmember Weidner Abernethy
Councilmember Kelly Melang
Councilmember Erin Gonyea
Town Manager Bob Pudney

**COUNCIL
EXCUSED:**

**STAFF
PRESENT:** Town Clerk Tamara Mercer

1. CALL TO ORDER

2. ADOPTION OF AGENDA - TOPIC SANITATION

- 2.1. Mayor Kaufman welcomed everyone to the Town Hall meeting held on the topic of Sanitation and requested a motion to convene the meeting.

Motion

Jimmie Accardi made a motion to open the meeting and Kelly Melang seconded the motion. CARRIED. unanimously.

3. PLEDGE OF ALLEGIANCE

4. TOWN MANAGER- SANITATION POWERPOINT PRESENTATION

- 4.1. The Town Manager's Report

Mr. Pudney presented an overview of the topic on Sanitation and the garbage collection system. He asked the question 'how did we get here?' and reviewed the history of that topic. He said the sanitation system as an enterprise, is a self-funded enterprise as per general statute and no property

tax monies may be used towards the operation of the system. In December of 2019 when Mr. Pudney began as the manager the sanitation system was in the red and operating over-budget.

At that at time the Convenience Center was open 24 hours a day, 365 days a year with recurring issues such as:

- Bear problems
- Open dumpsters
- Aging equipment/ safety compliance
- 50% of garbage was deposited by non-paying persons and people bringing trash up the mountain since the dump was free

In 2020, Watauga County increased the tipping fees to 100% effective July 1, 2020. All these issues facilitated the operation and policy changes as approved and vetted by Town Council implemented by the Manager's Office and the Public Works Department. The direction given by Council was first to control costs and only those who pay for the service may use the services at the Convenience Center. We were also directed to bring the operation into full compliance for safety and code while keeping the fees as low as possible. The staff and council held six public meetings at that time.

In 2020, the response by staff to that input was to fence and gate the Convenience Center, to reduce the hours to 12 hours per day, 7 days a week. To implement the 'pass' or 'placard' program so that only those who pay for the service could access the center. We eliminated the construction debris as we learned that some contractors who found it was open where bringing construction materials from off the mountain. The fees were raised \$4.39 per month bringing the sanitation cost to a customer to \$23.00, and daily 'passes' could be purchased at Town Hall or Fred's for \$5.00. These passes helped customers who lost or misplaced their passes. The result of implementing changes was that there has been garbage left at Town Hall or dumped at the old center and staff has experience altercations and threats from the public.

Mr. Pudney said during the 2021 budget process, staff continued to ask for Council's direction, wherein the goal was to keep fees as low as possible and to address the non-compliant rental properties with trash fines. There were 4 more public meetings held on the topic. As to commercial garbage collection, this operation was denied by Council. The budget request for a commercial garbage collection operation was estimated at \$720,000.00, which included trucks and equipment to handle the commercial garbage and upgrade that service. The fees for a commercial operation service would be \$450.00 per month. For multi-family units installing a dumpster at a cost of \$150.00. What the Town looked at instead was an (RFP) Request for Proposal for a commercial collection franchise. An RFP was supplied by Republic Services for this service. The Council denied a budget request for additional sanitation employees which saved \$88,000, which would have been a \$43.75 per month increase, for a total of \$66.75.

Mr. Pudney said to further lower costs staffed reduced the operating hours at the Convenience Center to 8 hours per day at 6 days a week. We implemented a twice per week curbside garbage collection pick-up for single-

family residences and added 2 days per month homeowner construction debris collection for the 2nd and last Sundays of the month. For single-family home rentals, the ordinance required a bear resistant bins be installed for curbside pick-up only. The requirement for rentals to install bear resistant bins to be implemented by 12/31/21.

Mr. Pudney noted that the commercial accounts are to be handled by the franchisee, Republic Services from now and completely implemented by 10/1/21 and the town will be out of the dumpster and commercial business garbage collection. Since implementing the changes in the operation, the Town has reduced solid waste tonnage by 25%. Opened the new Convenience Center and continues to work on countering misinformation by educating callers and visitors to Public Works and Town Hall.

Mr. Pudney reiterated that the current processes for commercial businesses and multi-family customers are served by Republic Services under the franchise agreement. No fees are paid to the town and these customers may purchase a recycling pass for \$60.00 as there billing for sanitation services were reduced. For single-family residences the Town offers:

- Twice per week curbside pickup
- twice per month construction debris collection
- four brush pickups per year, curbside
- passes to convenience and recycling centers during operating hours current fee is \$31.25 (included recycling fee of \$1.70) As compared to a min. Of \$66.75

Mr. Pudney stated that the Convenience Center pass permits were mailed (with return service) to each sanitation customer account to their address on-file in April. The yellow placard effective on July 1st of 2021. Signs were posted at entrances and at the old entrance directing traffic to the new Center. As for residents outside of Town, they can purchase passes at 124% of the Town resident cost which is \$470.00. Mr. Pudney explained what happens for those reporting lost or missing Convenience Center placards:

- Replace at full cost of \$375.00
- offer affidavit for passes not received from the Post Office which are good thru 9/30/21
- then \$100. For remaining of the year
- daily pass use at a cost of \$5.00
- use curbside service
- counterfeit passes confiscated at the Convenience Center

Mr. Pudney concluded this presentation by referring to the PowerPoint and photos of the new Public Works Facility.

5. PUBLIC COMMENTS

5.1. At 5:53 there were 54 members of the public at the Town Hall meeting, as many citizens spoke indiscernibly in order to identify the speaker, the general concerns, issues, and comments stated were as follows:

- Convenience Center operation hours are too short.
- 6:00 a.m. to 6:00 p.m. operation hours suggested.
- Republic Services franchise agreement at no price increase to multi-family units.
- Multi-family units to revert to bringing garbage to the Center
- Multi-family units' residents who do not want to use dumpsters
- Parking space reduction at multi-family units concerns with dumpsters taking up space
- Construction material waste
- Yard waste at condos
- Arbitrary price increases with Republic Services, INC
- CPI price justifications in the Republic Services, INC contract franchise agreement
- HOA management and landscape contractors at multi-family units
- Recycling receptacles easier to reach and use, they are dangerous for short customers
- POA pays per unit to the town
- Multi-family units and access to the recycling center
- Multi-family units and Condo parking space, no room for 8-yard dumpsters
- Residents at condos do not want 8-yard dumpsters
- Multi-family units treated differently, and single-family residents are grandfathered-in with an 'opt-out' form
- Condos wish to install a bearcade and not dumpsters
- Short-term rental issues and complaints
- Contracting with other garbage collection services
- Condos with trash-houses
- Single-family curbside pick-up and fines
- Handicap exceptions for door-to-door pick-up
- Contaminated recycling materials
- Changes to the Ordinance and procedures adopting the ordinance
- Citizens said they did not know of the changes and regulations
- Bear hits and short-term rental fines and compliance
- Education and ecology of recycling materials correctly
- Rumors and misunderstandings
- Taxes paid and the Sanitation Fund
- Increased costs
- Wooden bins and bear 'proof' resistance bins
- 8-yard dumpsters and mechanical process of keeping bears out
- Cost savings questions and answers
- Visitor/renter complaints and fines
- Short-term rental regulations and the Planning Board recommendations
- Confusion and rumors about short-term rental regulations and State Law

- Code Enforcement and homeowners who rent
- Economic development and growth of short-term rentals
- Garbage dumpster smells attracting bears
- Renters paying for bear hits
- Plastic bags and enclosures on dumpsters
- Recycle Pass costs
- Curbside pick-up instructions, using the red flag to alert crews enroute
- Missed trash pick-up
- Dumpster specifications and townhomes site layout
- Options instead of dumpsters
- Planning Board meetings and regulating Short-term rentals
- Short-term rental discussion/ pros and cons
- Dirty water concerns
- Extended Convenience Center hours of operations
- Property Management on the mountain
- Recycle lines waiting and using two lanes at the Convenience Center

6. TOWN COUNCIL COMMENTS

6.1. Vice Mayor Accardi addressed the concerns by the citizens. He questioned some of the business owners as to their preferred method of garbage collection if a 2-yard or 8-yard dumpster would work. He asked the multi-family residents what they were willing to pay in order to rectify their issues. He noted that his trash containers at his business are full-up by visitors. Visitors filling his garbage dumpsters is a cost of living on the mountain. He asked that citizens stay to hear the council members' responses.

Mr. Pudney does a good job as well as employed staff. Trash compactors are not user friendly and need staff to operate. Vice Mayor Accardi asked for a show of hands by residents or property owners who wish to pay the \$66 per month to use the convenience center on the mountain. The operational services and convenience are why the price went up. He asked for input and actual suggestions to be emailed to council. He said the mountain renters pay our bills. This is a ski resort and people who live here know that. If Council needs to amend the ordinance in order for sanitation to function better that Council is open to suggestions.

Councilmember Melang stated that the bear fines work. She pointed out that some dwellings still have the wrong trash can. The Council's meeting calendar is posted on the website sign up for notifications,

Councilmember Gonyea said that Town Council members are open minded and approachable. The Zoom Council meetings were not normal, but the past year was not to be avoided. The site layouts of all the various townhomes and condos are different. Unfortunately, the staff cannot control contaminated recycled materials if brought to the Convenience Center by citizens contaminated but we are open to looking for solutions. Cameras can

catch violations and unlawful actions. Newsletters, website postings, utility bill notices, and signage notifies citizens of the new procedures. We are a resort town with resort town problems, and we are open to suggestions stated Councilmember Gonyea.

Councilmember Abernethy said this is a collective effort to solve issues and he will listen to suggestions. Council will listen to suggestions. Chief Pudney makes the council members look good and he thanked everyone for the progress of the town and for the progress in leadership of the town.

Mayor Kaufman stated that Council meets every 2nd Tuesday of the month. Meetings are now open again and he invited the public to attend.

7. ADJOURNMENT

- 7.1.** Mayor Kaufman thanked the citizens and requested a motion to adjourn at 6:58 p.m.

Motion

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

Town Clerk

Mayor, Town of Beech Mountain



RESOLUTION

TO: To update authorized individuals signature
FROM: Steve Smith
DATE: September 14, 2021
SUBJECT: Mountain Community Bank

FOR THE PURPOSE OF:

To update and change those individuals that may sign financial transactions and instruments.

ATTACHED FOR YOUR CONSIDERATION:

Resolution No. 2021-08

STAFF RECOMMENDATION:

Approve

SIGNATURES:

Town Manager

Town Clerk

Council Members

Barry Kaufman, Mayor
Jimmie Accardi, Vice Mayor
Weidner Abernethy
Kelly Melang
Erin Gonyea



Town Manager

Bob Pudney

Town Attorney

Stacy C. Eggers IV

**RESOLUTION No. 2021-08
TOWN OF BEECH MOUNTAIN**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BEECH
MOUNTAIN, NORTH CAROLINA, TO AMEND AUTHORIZED
INDIVIDUALS FOR DEPOSIT ACCOUNTS, AND BANK SIGNATORIES
FOR MOUNTAIN COMMUNITY BANK**

BE IT RESOLVED by the governing Board (hereafter the “Town Council”) for the Town of Beech Mountain that all accounts and other N.C.G.S. financial instruments on deposit with Mountain Community Bank in which the various departments of the Town of Beech Mountain have money on deposit, be, and they are hereby authorized and empowered to disburse the same upon checks, wire transfers, vouchers, and other like instruments signed by either Mayor Barry Kaufman, of the Town Council or Vice Mayor Jimmy Accardi of the Town Council or Town Manager Robert Pudney, and Finance Officer Steven Smith, and this authority shall be effective from the date of Wednesday, September 15th, 2021 and continue until such banks and depositories are notified in writing of its revocation, and it is provided that all checks drawn on any deposit of the Town shall carry the signature of the Finance Officer Steven Smith and one other three recognized signatories for the Town as follows; Town Manager Robert Pudney or Mayor Barry Kaufman of the Town Council or Jimmy Accardi of the Town Council.

BE IT FURTHER RESOLVED that all former actions of the Town Council with respect to signatures required to disburse funds of the Town of Beech Mountain are hereby rescinded.

On motion of _____, seconded by _____ the foregoing resolution entitled ‘*A Resolution of the Town Council of the Town Of Beech Mountain, North Carolina, to Amend Authorized Individuals for Deposit Accounts, Investment Accounts, and Bank Signatories for Branch Banking and Trust, Mountain Community Bank, and Highlands Union Bank*’ was duly adopted by the following vote at a regular meeting of the Town Council held Tuesday, September 15th, 2021:

Council Members

Barry Kaufman, Mayor
Jimmie Accardi, Vice Mayor
Weidner Abernethy
Kelly Melang
Erin Gonyea



Town Manager

Bob Pudney

Town Attorney

Stacy C. Eggers IV

AYES:

NAYS:

Barry Kaufman, Mayor

Council Members

Barry Kaufman, Mayor
Jimmie Accardi, Vice Mayor
Weidner Abernethy
Kelly Melang
Erin Gonyea



Town Manager

Bob Pudney

Town Attorney

Stacy C. Eggers IV

**State of North Carolina
Town of Beech Mountain**

I, Tamera Mercer, Town Clerk of the Town of Beech Mountain, North Carolina **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled '***A Resolution of the Town Council of the Town of Beech Mountain, North Carolina, to Amend Authorized Individuals for Deposit Accounts, Investment Accounts, and Bank Signatories for Mountain Community Bank***', adopted by the Town Council of the Town of Beech Mountain, North Carolina, at a meeting held on the 14th day of September, 2021.

WITNESS my hand and the corporate seal of the Town of Beech Mountain, North Carolina, this the 14th day of September 2021.

(SEAL)

Tamara Mercer,
Town Clerk
Town of Beech Mountain, North Carolina



COUNCIL ACTION ITEM

TO: Town Council
FROM: Steve Smith
DATE: September 14, 2021
SUBJECT: Amendment to the FY 2022 Budget - Schedule of Fees

FOR THE PURPOSE OF:

To amend the FY 2022 Fee Schedule as a part of the annual budget. The amendment adds fees associated with town owned parking lots.

ATTACHED FOR YOUR CONSIDERATION:

Budget Amendment 2022-01
FY 2022 Schedule of Fees

SIGNATURES:

Town Manager

Town Clerk

**TOWN OF BEECH MOUNTAIN, NORTH CAROLINA
2020-2021 BUDGET ORDINANCE
AMENDMENT # 2022-01**

**TO THE ORDINANCE APPROPRIATING FUNDS FOR THE
OPERATING EXPENSES FOR TOWN OF BEECH MOUNTAIN**

BE IT ORDAINED BY THE TOWN OF BEECH MOUNTAIN TOWN COUNCIL:

- A. Fee Schedule Amendment
 - 1. Parking Fees and Parking Violation Fees – Added fees for hourly, twelve-hour period and twenty-four-hour period parking. Stipulates that there is no charge for recharging also details payment for parking violations and associated late fees.

APPROVED THIS THE 14TH DAY of September 2021

Tamara Mercer, Clerk

Barry Kaufman, Mayor

Town of Beech Mountain
Schedule of Fees
July 1, 2021

Error(s) or omission(s) in the fee schedule do not render the document invalid. The Town Manager shall have the authority to set any fee not otherwise listed and shall have authority to make any interpretations of any fee listed on this schedule. Fees subject to change by Council.

Administration				
Type of Service	Unit Description / Detail	2019-2020	2020-2021	2021-2022
Maps	Town and Hiking / Biking Maps	\$0.50	\$0.50	\$0.50
Copy and Print Fees	8 1/2 x 11 Black and White	\$0.25	\$0.25	\$0.25
Copy and Print Fees	8 1/2 x 11 Color	\$0.50	\$0.50	\$0.50
Copy and Print Fees	8 1/2 x 14 Black and White	\$0.50	\$0.50	\$0.50
Copy and Print Fees	11 x 17 Black & White	\$1	\$1	\$1
Large Maps	Per Sq. Ft.	\$1	\$1	\$1
Aerial Photography On Photo Paper	Per Sq. Ft.	\$2.50	\$2.50	\$2.50
Fax – To Send	First page	\$2.50	\$2.50	\$2.50
Fax – To Send	Second page and each page thereafter	\$0.50	\$0.50	\$0.50
Fax – To Receive	First page	\$1	\$1	\$1
Fax – To Receive	Second page and each page thereafter	\$0.50	\$0.50	\$0.50
Cd – Compact Disk	Per cd	\$0.50	\$0.50	\$0.50
Mailing Labels From Tax Department	All current mailing labels held by tax department	\$70	\$70	\$70
Council Room Rental	Per hour	\$20	\$20	\$20
Council Room Rental – Clean Up Fee	Charged if group does not clean room after use	Cleaning service cost	Cleaning service cost	Cleaning service cost
Returned Check	Insufficient funds	\$28	\$28	\$28
Notary	Fee charged per signature – NCGS 10B-31 & 10B-32	\$5	\$5	\$5
Public Information Requests	NCGS Chapter 132-1: A special service charge may be required for extensive information	See listed fee(s)	See listed fee(s)	See listed fee(s)
Special Event Permit	Up to 100 person, § 91.37	No Charge	No Charge	No Charge

Administration				
Type of Service	Unit Description / Detail	2019-2020	2020-2021	2021-2022
Special Event Permit	101 – 499 persons, § 91.37	\$50	\$50	\$50
Special Event Permit	500 – 1,000 persons, § 91.37	\$100	\$100	\$100
Special Event Permit	Over 1,000 persons, § 91.37	\$200	\$200	\$200
Parking Fees	Per Hour -One hour minimum	N/A	N/A	\$3.00
Parking Fees	Per Day – Twelve Hour Period	N/A	N/A	\$25.00
Parking Fees	Overnight – Twenty-Four Hour Period	N/A	N/A	\$50.00
Electric Vehicle Charging Station	Recharge	N/A	N/A	No Charge
Same Day Violation Payment	Not to exceed 3 times in a twelve-month period	N/A	N/A	\$25.00
Regular Violation	If not paid the same day – Due within thirty days	N/A	N/A	\$50.00
Past Due Violations	Late Fee outstanding 31 days or more – Additional	N/A	N/A	\$25.00



COUNCIL ACTION ITEM

TO: Town Council
FROM: Bob Pudney
DATE: September 14, 2021
SUBJECT: Declare 109 Hemlock Circle Surplus Property

FOR THE PURPOSE OF:

Request the Town Council declare Town Property at 109 Hemlock Circle, Parcel ID 1950349104000 as surplus property and authorize the Town Manager to sell this property by auction through GovDeals.com .

SIGNATURES:

Town Manager

Town Clerk

Home Property Records▼ Parcel Layer File Download County Website Contact Us

Summary

Profile

Owner

Sales

Residential

Commercial

QBY

Land

Sketch

Full Legal

Agricultural

Map

Parcel Tree

Values

Comments

PARID: 1950349104000
BEECH MOUNTAIN TOWN OF,

109 HEMLOCK CIR

61 of 67

Return to Search Results

Parcel

ParID
Tax Year
SITUS Address
City, State, Zip
Unit #
Unit Description
NBHD
Class
Land Use Code
Living Units
CAMA Acres
Zoning
Map #

Actions

Printable Summary

Printable Version

Reports

PRC Report

Go

Jan 1 Values

Land Value.	20,000
Building Value	0
=====	=====
Appraisal Total	20,000
Exemptions or Exclusions	20,000
Land Deferred Value	
=====	
Taxable Total	0

Owner Mailing

Tax Year	2021
Sequence Number	0
Owner Number	1343045
Owner	BEECH MOUNTAIN TOWN OF

Mailing Address	403 BEECH MOUNTAIN PARKWAY
-----------------	----------------------------

City, State, Zip	BANNER ELK NC 28604-8012
------------------	--------------------------

Legal Description

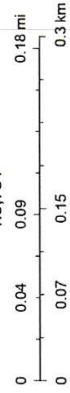
Township	09 - LAUREL CREEK
City Code	
Jurisdiction (Tax Code District)	C05 - BEECH MTN
Unit Desc	
Unit #	
Book	2002
Page	356
Legal Desc 1	CHARTER HILLS B 084
Deeded Acres	0.28

Sale Date	Book	Page	Sale Price	Grantor	Grantee
16-NOV-18	2002	356		0 COOPER, JESSIE B	BEECH MOUNTAIN TOWN OF
01-JAN-85	205	011			

Date Copyright Watauga County
Last Updated: 31/Aug/2021
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[illegible]

1:3,731



Page 31 of 152



COUNCIL ACTION ITEM

TO: Town Council
FROM: Bob Pudney
DATE: September 14, 2021
SUBJECT: Emergency Medical Unit

SIGNATURES:

Town Manager

Town Clerk

Council Members

Barry Kaufman, Mayor
Jimmie Accardi, Vice Mayor
Weidner Abernethy
Kelly Melang
Erin Gonyea



Town Manager

Bob Pudney

Town Attorney

Stacy C. Eggers IV

MEMORANDUM

To: Mayor and Town Council

RE: Emergency Medical Unit

Date: September 1, 2021

From: Bob Pudney, Town Manager

Per Town Council direction, I spoke to both Watauga and Avery County Managers regarding their proposals for providing a dedicated Emergency Medical Response Unit (EMRU) to the Town of Beech Mountain. Specifically, each Manager was asked to describe the use of the EMRU responding to calls outside the Town jurisdiction. In addition, each Manager was asked to describe any Property Tax credit or rebate the county would provide on behalf of the specific county taxpayers.

Avery County Manager Phillip Barrier stated that Avery County commits that the EMRU "...will not be in the rotation for out of county transports, however this ambulance may run calls in another medic district when necessary". Regarding any Tax credit or rebate, County Manager Barrier stated that the county could not offer any other financial incentives. Mr. Barrier stressed that Avery County would only hire Advanced Emergency Medical Technicians and Paramedics; no Basic Emergency Medical Technicians would be employed on the EMRU.

Watauga County Manager Deron Geougue committed to a cost reduction of \$69,175.07 per year to the Town which is based upon the funding provided for the existing provision of Emergency Medical Services now paid to Avery County. Mr. Craig Sullivan, Watauga Medics, Inc. replied that the EMRU assigned to Beech Mountain would not be used to respond to another medical district from Beech Mountain.

Council Members

Barry Kaufman, Mayor
Jimmie Accardi, Vice Mayor
Weidner Abernethy
Kelly Melang
Erin Gonyea



Town Manager

Bob Pudney

Town Attorney

Stacy C. Eggers IV

I ask that the Town Council provide direction as to which provider, Avery or Watauga County would be the preferred provider for the Beech Mountain EMRU, and to further authorize the Town Manager to begin negotiations with the preferred provider to establish the appropriate agreements for the provision of the EMRU dedicated to the Town of Beech Mountain.



REPORT

TO: Town Council
FROM: Preston Yates
DATE: September 14, 2021
SUBJECT: Short-Term Rental Regulations Planning Board Report

FOR THE PURPOSE OF:

In April, the Town Council asked the Planning Board to review and provide recommendations for Short-Term Rentals. At the July Planning Board meeting, the Board approved the attached report to be presented to Council.

SIGNATURES:

Town Manager

Town Clerk

Short Term Rentals Within the Town of Beech Mountain

On April 27, 2021, the Planning Board was asked by the Town Council to review and consider possible regulations related to short term rentals (STRs) within Town limits. The Planning Board was to analyze the various aspects of the issue and recommend possible action by Town Council.

I. Discussion of the Problem with STRs.

Beech Mountain has been, since its founding, primarily a second home community, with only a small number of full time residents. During that time it was not uncommon for second home owners to rent out their homes, often during ski season. Recently, however, the STR market has exploded. This is evidenced by the dramatic increase in occupancy tax revenues. As recently as 2017-18 fiscal year annual occupancy tax revenues were \$329,000. In 2020-21 fiscal year, the occupancy tax will generate well over \$1,000,000.

It is estimated that of the 2100 residential dwelling units on Beech Mountain, over 700 are in the STR market, defined for our purposes as rentals less than 30 days. The majority of these units are rented through AirBnB and VRBO. Some of the rest are rented through local real estate agents and the remaining owners handle their own rentals. A recent study done for the Town by AirDNA documents an increase in STRs from 12 in October 2014 to 627 in June 2021 and this is not a complete list.

This explosion of STRs has had a dramatic impact on Beech Mountain Town infrastructure such as roads and water and sewer service. It has strained Town services, including police and fire and generated a host of resident complaints. It has also resulted in driving up the price of housing to where many local workers can no longer afford to live on Beech Mountain.

As best as can be determined, these STR units are scattered throughout the Town's R-1, R-2 and R-2A zoning districts, thus making any attempt to restrict them to certain areas unfeasible. Beech Mountain's current Zoning Ordinance specifically permits STRs in R-1, R2 and R2A districts, which comprise the majority of the Town's area. However, the Zoning Ordinance does not further define an STR, but the Occupancy Tax section in the Ordinance defines it as any rental under 12 months. The Planning Board recommends that the Zoning Ordinance be amended to define an STR as any rental under 30 days in R-1, R-2 and R-2A zoning districts.

The Town currently has no complete list of which residential homes or condos are in the STR market despite Town Ordinance Sec. 31.11 which

requires registration of all STRs with the Town's Tax Administrator for occupancy tax purposes. While that registration is not a public document, it can be used by other Town officials in carrying out their official duties. While AirBnB and VRBO take the position that their rental client list is proprietary, this does not negate the requirement that all short term rental units must be registered with the Town. Owners who rent units and have not registered are in violation of this Town Ordinance. Each violation of this section calls for a penalty of \$10 per day for failure to properly register.

All owners of STRs are also required, by Town Ordinance, to submit to the Town Building Inspector, a Rental Affidavit of Compliance that the unit meets the fire safety requirements of Chapters 90 and 95 of the Town Ordinances. (Sec. 95.30) Section 95.99 sets a \$100 penalty for each violation and a new penalty can be assessed every 30 days. However, the Town has received less than 100 of these affidavits. Thus, it is clear that the majority of STR units are already out of compliance with at least two Town Ordinances.

By statute, the occupancy tax goes to the Town's Tourism Development Authority, which *"shall use at least two-thirds of the funds . . . to promote travel and tourism in Beech Mountain and shall use the remainder for tourism-related expenditures."* (N.C. Session Law 2001-434). The Town directly receives none of the occupancy tax to defray the cost short term renters place on infrastructure, fire, police and other Town services.

Members of the Planning Board have all received feedback from Town residents about issues related to STRs. They primarily fall into the categories of parking issues, noise issues, light issues, garbage issues, fireworks issues, golf cart and ATV issues and animal issues.

II. Recommendations.

The Planning Board has discussed all aspects of this problem and recommends the following actions be taken by the Town.

A. Identify all STRs on Beech Mountain and Enforce Existing Registration Ordinances.

First, the Town must develop a comprehensive list of STR units. The Town has contracted with AirDNA to create a listing of STRs on Beech Mountain, along with historical data showing the change in STRs. While this list will not provide exact addresses, it will better assist the Town in enforcing existing and future STR regulations. With this data, the Town should develop a complete STR list.

Next, the Town should enforce the requirements of Sec. 31.11, which includes a \$10 per day penalty for failing to properly register an STR with the Town.

Similarly, the Planning Board recommends that the Town enhance enforcement of the Rental Affidavit of Compliance requirement. This public safety measure ensures that STRs have the appropriate fire safety equipment in their units to protect renters. Failure to have these items is a danger to public safety and noncompliance can be met with a \$100 penalty.

The Planning Board also recommends that the Town require all STR units be registered with the Town through a change to its Zoning Ordinance. In this way, the Town can develop the list it needs to enforce both current Ordinances and any future ones adopted by Council.

While the Planning Board was considering its recommendations to the Town Council, the North Carolina Legislature was considering a change to the State's Zoning Statute which would prohibit Towns from requiring STR registration in any form. As a result, the Planning Board has drafted two alternate STR ordinances, attached. The first (Ex. A) requires registration and the second (Ex. B) does not.

In the event that the Town is prohibited from requiring STRs to register and adopts Ex. B, the Planning Board recommends that Council adopt an incentive program to encourage registration. One possibility would be to have the TDA fund, through the occupancy tax, a drawing offering financial prizes for those STRs who register with the Town. The Planning Board also discussed other financial incentive programs using TDA funds such as offering a Buckeye family season pass for each registered STR.

B. Enforce Other Existing Town Ordinances.

The Planning Board has reviewed existing Town Ordinances governing the parking issues, noise issues, light issues, garbage issues, fireworks issues, golf cart and ATV issues and animal issues. It believes that current Town Ordinances governing noise, light, pets, golf cart and ATV use and the current State law governing fireworks are sufficient, but need emphasis and enforcement, for STRs. The Planning Board recommends that the Council require a notice, substantially similar to the attached at Exhibit C, be required to be prominently posted in all STR units.

C. Set Occupancy Limits for STRs.

The Planning Board next recommends that the Town set maximum occupancy limits for STR units. It is clear that, based on internet advertising of STR units and investigation by Town officials, many STR units are

housing many more people than would be normal for residential homes. Photos and reports indicate that units are often advertised as sleeping four people per bedroom, using rooms that are not bedrooms as sleeping accommodations and otherwise allowing occupancy in excess of what would be considered normal in a residential area. This has an impact on fire safety, general health and well being and also strains water and sewer capacity, especially for those units with septic systems.

Any septic system on Beech Mountain was permitted by either Avery or Watauga County. Both counties require, as part of the permit, a disclosure of the number of bedrooms and maximum occupancy of the dwelling unit. Each septic system's design is based on those factors as well as factors related to soil conditions. Many STR units are exceeding the maximum occupancy specified in the permit application, which will lead to septic system failures and endanger public health.

Based on the listed factors, the Planning Board considered a number of ways to regulate occupancy and recommends that all STR units have an occupancy cap of 3 times the number of full or half bathrooms listed on the building permit, with children under 5 exempt.

D. Enforce Parking Space Ordinance.

The Planning Board also recommends that the Town emphasize and enforce parking space requirements for STR units. Beech Mountain does not allow on-street parking on any Town roads. Based on resident complaints and Police reports, STR unit renters are often in violation of this statute and are parking on Town roads because not enough parking spaces have been provided. This illegal parking is a hazard to other motorists and to fire and rescue vehicles trying to navigate Beech Mountain's often narrow roads.

The current zoning ordinance sets the following parking space requirements:

Two accessible off-street parking spaces shall be provided for each residence and condominium unit of three bedrooms (including lofts) or less constructed on Beech Mountain. In addition, for every unit having more than three bedrooms, an additional parking space will be required for each additional bedroom. The parking space shall be constructed prior to the beginning of construction of the structure and each parking space shall be a minimum of ten feet by 22 feet in size.

Sec. 154.132 (B)(1)

The Planning Board recommends that, for STR units, the Town require certification that the unit has sufficient off street parking for its renters. The Planning Board recommends that the Town monitor parking

citations to insure compliance and take action against STR owners who routinely have cars cited for illegal parking.

E. Require Responsible Agent and Insurance Coverage.

The Planning Board recommends that each STR be required to designate an agent who would be available to respond in person within 45 minutes of a complaint from a designated Town official. The Planning Board further recommends that all STRs be required to purchase a comprehensive general liability insurance policy with limits of at least \$1,000,000.

G. Recover Increased Infrastructure and Other Costs from STRs Through Occupancy Tax.

Currently, as described above, all occupancy tax revenues from STRs within the Town of Beech Mountain go the Beech Mountain TDA. The only additional revenue the Town is collecting from STRs is any increase in water and sewer usage fees. The Planning Board recommends that the Town seek alternatives that would allow it to better utilize occupancy tax revenues for all Town infrastructure impacted by increased tourism generated by STRs.

**AN ORDINANCE TO REGULATE SHORT-TERM RENTALS
IN THE PLANNING AND ZONING JURISDICTION OF
THE TOWN OF BEECH MOUNTAIN, NORTH CAROLINA
(With Permit)**

Section 1: Purpose.

WHEREAS, Section 160D-601, et seq. authorizes local governments to amend ordinances regulating land use within their jurisdiction.

WHEREAS, the Zoning Ordinance specifies the restrictions for the short-term rental of dwelling units in the Beech Mountain Town Limits; and

WHEREAS, the purpose of this ordinance is to regulate short-term rentals (STRs), with the following goals recommended as key to preserving the health, safety, and general welfare of Town citizens, protection of neighborhoods and property values:

1. To clearly identify where short-term rentals are permitted.
2. To reduce liability of the Town.
3. To protect neighborhoods from unwanted short-term rentals and the problems that arise as a result (parties, noise, parking, dogs, trash, and garbage).
4. To maintain property values.
5. To have a local contact to quickly and effectively address issues that may arise during a rental stay.
6. To allow homeowners the opportunity to legally rent their dwelling units where permitted.
7. To regulate short-term rentals consistent with authority given by NC General Statutes.

WHEREAS, the Town Council recommends this ordinance be adopted to properly regulate short-term rentals in the Town's planning and zoning jurisdiction; and

WHEREAS, the Town Council finds that this ordinance is consistent with the Zoning Ordinance, and helps to promote the health, safety, and general welfare of the citizens of the Town of Beech Mountain.

Section 2: Scope of Article.

This section applies to short-term rentals as a lodging use in Zoning Districts R-1, R-2 and R-2A. The provisions herein do not apply to other types of transient lodging such as hotels, motels, rooming houses, or bed & breakfast establishments.

Section 3: Definitions.

Bathrooms are defined as follows; a full bathroom includes a sink, commode and shower or tub and a half bath has a sink and commode.

Code Compliance Verification Form is a document to be executed by a short-term rental owner to certify that the property complies with applicable zoning, building, health and life safety code provisions.

Designated Responsible Party is the local agent responsible for responding to complaints or issues stemming from the use of the dwelling unit as a short-term rental.

Hosting Platform means an online platform that allows property owners to advertise a dwelling unit as a short-term rental and facilitates the booking transaction for

accommodations between a short-term rental owner and short-term rental guest, including, but not limited to, reservations and/or collection of payment for such accommodations on behalf of the short-term rental owner.

Short-Term Rental means the rental or lease of an attached or detached residential dwelling unit, including the rental of an accessory dwelling unit, for compensation to guests for a duration not to exceed thirty (30) consecutive days in Zoning Districts R-1, R-2 and R-2A.

Guest means the person(s) renting a residential dwelling unit for compensation for fewer than thirty (30) consecutive days.

Operator means the owner of, or any natural person, company, or rental agency who advertises the property for rent and/or who otherwise facilitates the use of the property as a short-term rental.

Owner means the owner of record of the short-term rental property as recorded in the Avery or Watauga County Land Records Office. The owner shall be a natural person, or any form of business entity recognized by the State of North Carolina. If the owner is a form of business entity, the business entity shall maintain current registration with the North Carolina Secretary of State.

Short-Term Rental Zoning Permit (“STR permit”) is the authorization required to use the property as a whole-house short-term rental upon registration. The short-term rental zoning permit shall include a registration number. No person shall rent, lease, or otherwise exchange for compensation any portion of a dwelling unit intended for use as short-term rental without first registering the property and securing a short-term rental zoning permit.

Section 4: Permit Application.

A. Terms of STR Permit

1. STRs are a permitted use within all active Town of Beech Mountain zoning districts.
2. A STR permit shall be assigned to each residential dwelling unit or part thereof used as a short-term rental in Zoning Districts R-1, R-2 and R-2A
3. On or after January 1, 2022, it shall be a violation of the Town of Beech Mountain’s Code of Ordinances, Chapter 154 to operate a short-term rental without having secured a valid STR permit.
4. Applications for STR permits shall be submitted with supporting documents and fees to the Town of Beech Mountain Planning Department via delivery or U.S. Mail.
5. A STR permit shall be obtained for each residential dwelling unit that is to be rented for a period of fewer than thirty (30) days. Owners of properties with an accessory dwelling unit shall apply for one STR permit and may rent the primary residence and/or the

accessory dwelling unit under one reservation. The simultaneous rental of the primary residence and accessory dwelling unit to more than one party under separate contracts is prohibited.

6. For purposes of this ordinance, authorized applicants are referred to as “owners” and are those persons authorized by Town of Beech Mountains Code of Ordinances to submit applications for zoning, special use, conditional use, or sign permits.
7. In the event of a sale or other transfer of any residential dwelling unit holding a valid STR permit, the permit shall automatically expire.

B. Application Process

(a) *Application.* In order to obtain a STR permit, the owner shall submit an application along with the required supporting documentation and non-refundable application fee. - The application shall be furnished under oath on a form specified by the Town Manager. The application shall contain at least the following information:

1. Name and contact information of the property owner, including telephone number, mailing address, and email address. If the owner is a corporation, firm, partnership, association, organization or other group acting as a unit, the owner shall provide the name of the entity set forth exactly as shown on its articles of incorporation, mailing address, telephone number, and email address of an individual who is the statutory agent, president, or managing individual, the state in which the company is incorporated or registered, and the entity or corporation number;
2. The address of the residential dwelling unit to be used as a short-term rental;
3. The addresses of each short-term rental property located within the Town of Beech Mountain’s planning jurisdiction for which the owner already holds a STR permit;
4. Applicants for STR permits who are not permanent residents of the Town of Beech Mountain shall provide the name, address, telephone number, and email address of the designated agent for the short-term rental, which shall constitute his or her 24-hour contact information.
5. A site-plan showing the number of bathrooms and bedrooms, the location of the on-site improved parking area, a certification that on-site parking is adequate for the occupancy limits of the STR; and

6. A signed acknowledgment of the maximum occupancy requirements for short-term rental properties.

(b) *Supplemental Documentation.* Attached to and concurrent with the submission of the application described in this section, the owner shall provide a sworn Safety Compliance Verification Form.

(c) *Grounds for Denial.* The administrator may deny an application for a STR permit if any of the following has occurred:

1. The owner submitted an incomplete application; or
2. The proposed short-term rental fails to meet a specified standard.

The owner may appeal the denial of a STR permit to the Board of Adjustment in accordance with the provisions set forth in Section 154.045 and 154.046, Town of Beech Mountain Code of Ordinances. Owners have thirty (30) days from the date the denial was issued to appeal.

Section 5: Operational Requirements: The following operational requirements apply to all short-term rental properties:

1. **Maximum Overnight Occupancy.** The overnight occupancy of a STR shall not exceed three (3) persons for each permitted full or half bathroom plus two (2) additional persons, excluding children under five (5) years of age. The occupancy limit shall be posted prominently within the short-term rental unit and the owner shall ensure that all online listings and advertisements clearly set forth the maximum number of overnight guests.
2. **Display of Permit Number:** The operator shall prominently display the STR permit number in all online advertisements.
3. **Designated Local Agent:** A property owner who is operating a short-term rental within the Town's planning jurisdiction, but who is not a permanent resident of the Town of Beech Mountain, shall designate a local agent who is available to respond to complaints or other issues arising from the STR use 24-hours during all times that the property is rented or used on a transient basis. The name, telephone number, and email address of the agent shall be conspicuously posted within the short-term rental unit. The agent shall reside within twenty (20) miles of the short-term rental property and be available to respond to complaints via phone and, when required, in person, within forty-five (45) minutes of their receipt. An agent's repeated failure to timely respond to complaints may result in the revocation of the STR permit.
4. **Noise:** The amount of noise generated by the STR use shall comply with Section 94.26, Town of Beech Mountain Code of Ordinances.

5. **Trash Collection:** The dates and instructions for trash collection shall be posted prominently within the STR. Trash receptacles shall comply with Section 50.11, Town of Beech Mountain Code of Ordinances and shall be bear resistant.
6. **Parking:** The owner shall provide adequate on-site parking in compliance with Town of Beech Mountain Code of Ordinances Sec 154.132 (B)(1). Vehicles may not be parked on the lawn or on other non-designated parking areas. No recreational vehicles, buses, or trailers shall be parked on the adjoining street or visible on the property in conjunction with the short-term rental use.
7. **Minimum Duration:** The operator shall not make the residential dwelling unit available to short-term rental guests for a period of less than overnight.
8. **Simultaneous Rental Contracts:** The simultaneous rental to more than one party under separate contracts shall be prohibited.
9. **Food:** The STR operator shall not prepare or serve food to guests.
10. **General Liability Insurance:** The owner shall provide proof that each STR is insured with a comprehensive general liability insurance policy with limits of at least \$1,000,000.

Section 6: Miscellaneous Requirements

1. **Advertisements.** All advertisements or rental listings on online hosting platforms shall include the following information:

- a. Maximum occupancy;
- b. On-site parking availability; and
- c. STR permit number.

2. **Taxes.** Short-term rental owners are responsible for paying the state sales tax, personal property taxes, and the transient occupancy tax as established by state and local law.

Section 7: Enforcement and Review.

1. **Enforcement.** The procedures for the enforcement of this ordinance are set forth in Sections 154.375, 154.376 and 154.377, Town of Beech Mountain Code of Ordinances.

2. Penalties and Remedies for Violations. The penalties and remedies for violations of this ordinance are set forth in Section 154.376, Town of Beech Mountain Code of Ordinances.

3. Permit Revocations. The procedures for STR permit revocations, including the appeals process, are set forth in Chapter 154, Town of Beech Mountain Code of Ordinances.

4. Operating Without a Permit. Any person who operates a short-term rental property without having been issued a STR permit shall be in violation of Section 154.376, Town of Beech Mountain Code of Ordinances.

5. Action for Recovery of Civil Penalty. If payment of a civil penalty is not made, or if violations are not cured or corrected, within the time specified in the citation, then the matter may be referred to the Town Attorney for institution of a civil action before a court of competent jurisdiction.

**AN ORDINANCE TO REGULATE SHORT-TERM RENTALS
IN THE PLANNING AND ZONING JURISDICTION OF
THE TOWN OF BEECH MOUNTAIN, NORTH CAROLINA
(No Permit)**

Section 1: Purpose.

WHEREAS, Section 160D-601, et seq. authorizes local governments to amend ordinances regulating land use within their jurisdiction.

WHEREAS, the Zoning Ordinance specifies the restrictions for the short-term rental of dwelling units in the Beech Mountain Town Limits; and

WHEREAS, the purpose of this ordinance is to regulate short-term rentals (STRs), with the following goals recommended as key to preserving the health, safety, and general welfare of Town citizens, protection of neighborhoods and property values:

1. To clearly identify where short-term rentals are permitted.
2. To reduce liability of the Town.
3. To protect neighborhoods from unwanted short-term rentals and the problems that arise as a result (parties, noise, parking, dogs, trash, and garbage).
4. To maintain property values.
5. To have a local contact to quickly and effectively address issues that may arise during a rental stay.
6. To allow homeowners the opportunity to legally rent their dwelling units where permitted.
7. To regulate short-term rentals consistent with authority given by NC General Statutes.

WHEREAS, the Town Council recommends this ordinance be adopted to properly regulate short-term rentals in the Town's planning and zoning jurisdiction; and

WHEREAS, the Town Council finds that this ordinance is consistent with the Zoning Ordinance, and helps to promote the health, safety, and general welfare of the citizens of the Town of Beech Mountain.

Section 2: Scope of Article.

This section applies to short-term rentals as a lodging use in Zoning Districts R-1, R-2 and R-2A. The provisions herein do not apply to other types of transient lodging such as hotels, motels, rooming houses, or bed & breakfast establishments.

Section 3: Definitions.

Bathrooms are defined as follows; a full bathroom includes a sink, commode and shower or tub and a half bath has a sink and commode.

Code Compliance Verification Form is a document to be executed by a short-term rental owner to certify that the property complies with applicable zoning, building, health and life safety code provisions.

Designated Responsible Party is the local agent responsible for responding to complaints or issues stemming from the use of the dwelling unit as a short-term rental.

Hosting Platform means an online platform that allows property owners to advertise a dwelling unit as a short-term rental and facilitates the booking transaction for accommodations between a short-term rental owner and short-term rental guest,

including, but not limited to, reservations and/or collection of payment for such accommodations on behalf of the short-term rental owner.

Short-Term Rental means the rental or lease of an attached or detached residential dwelling unit, including the rental of an accessory dwelling unit, for compensation to guests for a duration not to exceed thirty (30) consecutive days in Zoning Districts R-1, R-2 and R-2A.

Guest means the person(s) renting a residential dwelling unit for compensation for fewer than thirty (30) consecutive days.

Operator means the owner of, or any natural person, company, or rental agency who advertises the property for rent and/or who otherwise facilitates the use of the property as a short-term rental.

Owner means the owner of record of the short-term rental property as recorded in the Avery or Watauga County Land Records Office. The owner shall be a natural person, or any form of business entity recognized by the State of North Carolina. If the owner is a form of business entity, the business entity shall maintain current registration with the North Carolina Secretary of State.

Section 4: Operational Requirements: The following operational requirements apply to all short-term rental properties:

1. **Maximum Overnight Occupancy.** The overnight occupancy of a STR shall not exceed three (3) persons for each permitted full or half bathroom plus two (2) additional persons, excluding children under five (5) years of age. The occupancy limit shall be posted prominently within the short-term rental unit and the owner shall ensure that all online listings and advertisements clearly set forth the maximum number of overnight guests.
2. **Designated Local Agent:** A property owner who is operating a short-term rental within the Town's planning jurisdiction, but who is not a permanent resident of the Town of Beech Mountain, shall designate a local agent who is available to respond to complaints or other issues arising from the STR use 24-hours during all times that the property is rented or used on a transient basis. The name, telephone number, and email address of the agent shall be conspicuously posted within the short-term rental unit. The agent shall reside within twenty (20) miles of the short-term rental property and be available to respond to complaints via phone and, when required, in person, within forty-five (45) minutes of their receipt. An agent's repeated failure to timely respond to complaints may result in the revocation of the STR permit.
3. **Noise:** The amount of noise generated by the STR use shall comply with Section 94.26, Town of Beech Mountain Code of Ordinances.
4. **Trash Collection:** The dates and instructions for trash collection shall be posted prominently within the STR. Trash receptacles shall comply with Section 50.11, Town of Beech Mountain Code of Ordinances and shall be bear resistant.

5. **Parking:** The owner shall provide adequate on-site parking in compliance with Town of Beech Mountain Code of Ordinances Sec 154.132 (B)(1). Vehicles may not be parked on the lawn or on other non-designated parking areas. No recreational vehicles, buses, or trailers shall be parked on the adjoining street or visible on the property in conjunction with the short-term rental use.
6. **Minimum Duration:** The operator shall not make the residential dwelling unit available to short-term rental guests for a period of less than overnight.
7. **Simultaneous Rental Contracts:** The simultaneous rental to more than one party under separate contracts shall be prohibited.
8. **Food:** The STR operator shall not prepare or serve food to guests.
9. **General Liability Insurance:** The owner shall provide proof that each STR is insured with a comprehensive general liability insurance policy with limits of at least \$1,000,000.

Section 5: Miscellaneous Requirements

1. **Advertisements.** All advertisements or rental listings on online hosting platforms shall include the following information:
 - d. Maximum occupancy; and
 - e. On-site parking availability
2. **Taxes.** Short-term rental owners are responsible for paying the state sales tax, personal property taxes, and the transient occupancy tax as established by state and local law.

Section 6: Enforcement and Review.

1. **Enforcement.** The procedures for the enforcement of this ordinance are set forth in Sections 154.375, 154.376 and 154.377, Town of Beech Mountain Code of Ordinances.
2. **Penalties and Remedies for Violations.** The penalties and remedies for violations of this ordinance are set forth in Section 154.376, Town of Beech Mountain Code of Ordinances.
3. **Action for Recovery of Civil Penalty.** If payment of a civil penalty is not made, or if violations are not cured or corrected, within the time specified in the citation, then the matter may be referred to the Town Attorney for institution of a civil action before a court of competent jurisdiction.

WELCOME VISITORS

GUIDELINES TO HELP YOU ENJOY YOUR STAY

- Peace and Quiet is appreciated - 10:00 pm - 7:00 am.
- Protect our Dark Skies - Please don't use bright outdoor or laser lights at night.
- Park It Please - All parking must be off the street in designated unit spaces.
- Perfect Pets - Please keep pets on a leash and clean up after your pet.
- Bark Park - Free fenced-in area for our Furry Friends located near Town Hall.
- Trash - Please follow the trash removal instructions for your rental unit.
- No Launch Zone - Fireworks are not permitted at any time.
- Slow It Down and Relax - Speed Limit is 25 mph unless otherwise marked.
- ZOOM - No UTVs, ATVs, 4 wheelers, or dirt bikes permitted on trails or roads.
- Wild About our Wildlife - Please do not approach, harm, or harass any animal.
- Don't Shoot - You may not discharge firearms anywhere in Town limits.
- Respect Private Property - The Beech Mountain Club and the Beech Mountain Resort are private properties, and are for Members and Resort Guests only.

VISITOR CENTER INFO XXX.XXXX

LOGO



ORDINANCE

TO: Mayor & Town Council
FROM: Bob Pudney
DATE: September 14, 2021
SUBJECT: Ord. No. 2021-04 to Amend Chapter 71 - Parking Regulations

FOR THE PURPOSE OF:

A proposed ordinance amending Chapter 71 - Parking Regulations. For the maintenance and creation of public parking areas, it is appropriate for the Town to set rules and regulations governing parking limitations and enforcement of fees and violations of Town owned properties.

STAFF RECOMMENDATION:

Staff recommends approval of proposed ordinance

SIGNATURES:

Town Manager

Town Clerk



Ordinance

Town of Beech Mountain
North Carolina

Date: 9/14/2021

TOWN OF BEECH MOUNTAIN

AN ORDINANCE TO AMEND CHAPTER 71: PARKING REGULATIONS

Ordinance No. 2021- 04

WHEREAS, the Town of Beech Mountain is a Municipal Corporation and political subdivision of the State of North Carolina; and

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

WHEREAS, North Carolina General Statutes § 160A-174 authorizes the Town of Beech Mountain to enact ordinances and regulations to promote the health, welfare, and safety of the Town of Beech Mountain; and

WHEREAS, the Town of Beech Mountain finds that the Town is in need of public parking areas and the Town wishes to provide its citizens and visitors with areas to meet this need; and

WHEREAS, the Town acknowledges that there will be expense associated with the creation and maintenance of public parking areas and that the users of these facilities should contribute financially to offset the costs associated with this amenity; and

WHEREAS, it is appropriate for the Town to set rules and regulations governing parking limitations and enforcement of violations in Town owned properties, as well as provide for the orderly control of traffic within the Town of Beech Mountain; and

WHEREAS, for ease of use and enforceability, it is appropriate to combine the requirements of Chapter 71 and Chapter 74 into a single Chapter, to be codified in Chapter 71 of the Code of Ordinances;

NOW THEREFORE be it resolved by the Town Council of the Town of Beech Mountain as follows:

SECTION I. Chapter 71 of the Town of Beech Mountain Code of Ordinances is hereby amended to read as follows:

CHAPTER 71: PARKING REGULATIONS

Section

- 71.01 Parking prohibited in certain locations
- 71.02 Vehicles creating a hazard
- 71.03 Parking prohibited in certain locations
- 71.04 Parallel parking allowed
- 71.05 Town Parking Lots. Regulations
- 71.06 Town Parking Lots. Restrictions
- 71.99 Penalty

§ 71.01 PARKING PROHIBITED IN CERTAIN LOCATIONS.

(A) No person may park any vehicle or permit it to stand in any of the following locations:

- (1) As provided in G.S. § 20-162 in front of a private driveway;
- (2) As provided in G.S. § 20-162 within 15 feet in either direction of a fire hydrant, or the entrance to a fire station;
- (3) As provided in G.S. § 20-162 within 15 feet of the intersection of property lines at an intersection of streets;
- (4) In any portion of a street or highway intended to carry traffic;
- (5) On the road side of any vehicle stopped, standing or parked at the edge of a street (double parking);
- (6) Alongside or opposite any street excavation or obstruction when parking or standing would obstruct traffic;
- (7) In any parking clearly marked as reserved for the handicapped whether on public or private property, unless the driver of, or passenger in, the vehicle is handicapped;
- (8) On any area of any street where "No Parking" signs have been installed; and
- (9) Within the town's right-of-way for a continuous period of 24 hours.

(B) The Town Manager may install "No Parking" signs, or other traffic control devices to indicate where parking and standing is prohibited but enforcement of the provisions of this section is not dependent on the installation of the devices.

(C) All construction personnel and service employees who are engaged in performing work within the town may park their vehicles on the street rights-of-way only when the parked vehicles do not interfere with or obstruct the flowing of traffic.

(D) Any vehicle disabled due to mechanical failure which does not necessarily create a public safety hazard must be removed within a 24-hour period.

(E) No agent or employee of the town, no person or occupant of the premises from which any derelict or abandoned vehicle shall be removed, nor any person or firm contracting for the removal of or disposition of any vehicle shall be held criminally or civilly liable in any way arising out of or caused by carrying out or enforcing any provisions of this chapter.

§ 71.02 VEHICLES CREATING A HAZARD.

(A) Any vehicle creating a public safety hazard for any reason, including as a result of having been parked in any of the locations set forth in § 71.01 above, may be removed.

(B) Procedures established for removal, storage and disposal of abandoned and junked motor vehicles in §§ 96.01 through 96.08 of this code of ordinances, shall apply to vehicles creating a public safety hazard.

§ 71.03 PARKING PROHIBITED IN CERTAIN LOCATIONS.

(A) General. No person may park any vehicle or permit it to stand in or along the right-of-way of the following:

(i) Upon Beech Mountain Parkway (N.C. 184) the following distances: Within the Town from the south end of town limits to a point 1.4 miles north to the end of State Department of Transportation maintenance, except as set forth in §71.04.

(B) Installation of signs. The Secretary of the State Department of Transportation or his or her designee shall install the appropriate "No Parking" signs to identify the areas described above in which parking is prohibited along the Beech Mountain Parkway.

§ 71.04 PARALLEL PARKING ALLOWED.

(A) A person may parallel park a vehicle in any of the following locations along Beech Mountain Parkway (N.C. 184):

(1) In the paved parking spaces located on the right of the southbound lane 700 feet from the south town limits; and

(2) In the paved parking spaces located on the right of the northbound lane six-tenths miles from the south town limits.

(B) All vehicles parked within the areas described above must be parked completely within the white lines which set forth the boundaries of the parking spaces.

§ 71.05 Town Parking Lots. Regulations

(A) The Town of Beech Mountain may regulate the use of parking lots and structures owned or operated by the Town, including, but not limited to, the installation and/or use of electronic and mobile devices, designation of parking spaces, use of parking attendants to enforce parking regulations, and signs specifying any limitations on the time duration or the days of the week when vehicles may be parked and any other conditions on the use of a Town parking lot. The Town Manager or designee is authorized to issue and promulgate such rules and regulations related to the use of Town Parking Lots, including time limitations, as pay be determined by the Town Manager or designee. Any such rules and regulations shall be conspicuously posted at either the entrance to said parking lot or such other prominent place where it is visible to the general public.

(B) A Town parking lot or structure may be closed or partially closed to vehicular access whenever it is utilized for a limited period of time for a special event conducted or sponsored by the Town or by community organizations and the like, if such closure is authorized by the Town Manager or designee. The Town Manager shall cause notices to be posted in conspicuous locations at least twenty-four hours in advance, notifying drivers that a parking lot or structure will be closed for a special event and that unauthorized vehicles may be cited and/or towed at the owner's expense.

(C) The Town Council may establish fees and fines for parking in any metered or non-metered parking space located in Town parking lots and structures. Such fees and fines may be specified in Schedule of Fees adopted by the Town Council. Any vehicle found to be in violation of this Chapter, as well as any associated rules and regulations is subject to being towed or immobilized at the owners expense.

§ 71.06 Town Parking Lots. Restrictions

It is unlawful for any person to park any vehicle or otherwise occupy or use a Town parking lot per Section 71.05 of this Chapter in violation of any of the following provisions:

(A) Exceed parking time limitations or violate use limitations and the like as specified on posted signs and any applicable rule or regulation of the Town of Beech Mountain.

(B) Any vehicle that is prohibited by type of vehicle from parking overnight on any public street, as specified per any Section of this Chapter, shall be prohibited from parking overnight in a Town parking lot, unless authorization has been granted by the Town Manager or designee to allow such vehicle to park in the Town lot on a temporary basis for a specified purpose.

(C) Storage of motorized vehicles or the storage for any length of time of trailers, boats, equipment, building materials or other merchandise in a Town parking lot is prohibited, unless authorization has been granted by the Town Manager or designee to store such in the Town lot on a temporary basis for a specified purpose.

(D) Use of a Town parking lot as a campground or otherwise occupied by any automobile, recreational vehicle, truck, truck with camper shell, or trailer while said vehicle is utilized as a daytime and/or nighttime place of residence is prohibited.

(E) Town owned and operated public parking lots shall be available solely for the temporary parking of vehicles by members of the public while patronizing or employed at local businesses or while visiting or otherwise staying at local residences. Use of such lots by person(s) loitering or engaging in any games, gambling, vending of merchandise or services, consumption of alcoholic drink, or other activities not directly associated with and necessary for the parking of vehicles, is prohibited. Littering, depositing trash or waste materials, abandoning any vehicle or equipment in a Town parking lot, or purposely defacing or damaging any part of a Town parking lot is prohibited.

§ 71.99 PENALTY.

Any violation of this chapter shall subject the offender to a civil penalty/fee per the master fee schedule to be recovered by the town. Violators shall be issued written notice of the violation which must be paid within 30 days after receipt of the notice. If the violator does not pay the penalty within 30 days, the town may recover such fines and fees in a civil action, as well as any court costs associated with the recovery of the same.

SECTION II. The provisions of Chapter 74 are hereby repealed and recodified as set forth herein.

SECTION III. 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 IV. 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 V. 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 for the Town of Beech Mountain, North Carolina, at which a quorum was present and which was held on the 14th day of September, 2021.

ADOPTED this the _____ day of _____, 2021.

Barry Kaufman, Mayor

ATTEST:

_____(SEAL)
Tamara Mercer
Clerk to the Board



COUNCIL ACTION ITEM

TO: Town Council
FROM: Bob Pudney
DATE: September 14, 2021
SUBJECT: Pay Parking Proposal

FOR THE PURPOSE OF:

To secure a third party vendor to handle the Pay for Parking concession at the Town Parking Lot.

ATTACHED FOR YOUR CONSIDERATION:

Parking Cast Proposal.

STAFF RECOMMENDATION:

Staff recommends approval of the Parking Cast Proposal by Otto Connect for a period of two years.

SIGNATURES:

Town Manager

Town Clerk



**Mobile Parking and Community Solutions Proposal for:
Beech Mountain**



Jim Varner
President and CEO
Otto Connect, Inc.

Version 4a – 8/18/2021

Updated Requirements from F2F meeting 7/23

Attendees: Bob Pudney

Otto: Jim Varner

8/9/21 V3 Update to include additional option without customer support & change to ParkingCAST as the product offering.

8/18/21 V4a Update – based on feedback email from Bob Pudney to Jim Varner

The Town of Beech Mountain is interested in a new pay to park solution for their Public Parking lot under construction. Note that all assumptions and proposals are tentative pending the town Board of Commissioners review and approval and a definitive agreement is reached between Otto Connect, Inc. and the Town of Beech Mountain.

This proposal uses the following updated assumptions from our discussion

- The Town lot for skiing and town use will have 126 designated spaces
- The Town will put a public WiFi system in the area for Verizon and T-Mobile users
 - Will need signs or an update to the parking sign
- Duration of payment/enforcement will be 24 hours/day – all year.
- Parking Rates used for this assessment and revenue outlook include:
 - \$3/Hour, \$25/Day (12 hour period), and \$50 Overnight (24 hour period)
- This proposal will use the “ParkingCAST by Otto Connect” mobile app as the tool to pay for parking with an option to link to a secure website via QR-code picture:
 - The app is a free app to download
 - It will have a “Beech Mountain” town selection
 - It will have a unique zone (parking lot name) – specific to the Town Lot
 - The app can be used via mobile Apple iOS devices (version 14.0 or later),
 - The app can be used via mobile Android devices (version 7.0 or later)
 - Earlier versions of either OS can use the QR-code
- To maximize revenue, the Town will use existing personnel for enforcement checking
- There will be no special parking permits for this effort (i.e., free or reduced fee for residents, etc.). If a reduce fee is needed, that would be discussed and negotiated separately (as it is not available in the current version of the app).

Proposal from Otto Connect, Inc.

We are pleased to offer our “ParkingCAST by Otto Connect” mobile app for consideration by the Town of Beech Mountain as a “pay to park” solution. This is a SaaS offering (Software as a Service).

The ParkingCAST app is an easy-to-use mobile app for Apple and Android devices designed specifically for communities who desire to implement “pay to park” capability. ParkingCAST was specifically designed to eliminate the need for meters and kiosks that frequently fail based on environmental conditions.

Specifically, to address the Beech Mountain requirements:

- We would deliver the ParkingCAST mobile app with a “Beech Mountain” selection
 - It will have a companion offering via secure web portal via QR code
- ParkingCAST mobile app device support:
 - Apple iOS devices – version 14.0 and later
 - Android devices – version 7.0 and later
- The ParkingCAST mobile app allows for:
 - Download the app from the Apple App Store, or Google Play Store,
 - Setup an account (identified by email address)
 - Register a vehicle (license plate and state of registration)
 - Select the intended parking duration
 - Pay for their parking
 - Extend parking without returning to the vehicle
 - Be notified:
 - 15 minutes before the end of the paid parking period, and
 - Again at the end of the paid parking period
- Our secure payment system is via a 3rd party – Braintree, a PayPal Company
- Parking Rates as determined by the Town:
 - Hourly \$3 per hour for up to 8 hours - extendable
 - Day \$25 – for a 12 hour period from the time of permit purchase
 - Overnight \$50 – for a 24 hour period from the time of permit purchase

Enforcement:

- The Town will provide personnel for enforcement via ParkingCAST app/web check for a valid parking permit. Schedule and frequency to be determined by the Town.
- The Town will procure the equipment needed for enforcement:
 - Android Phones via AT&T (Basic smart phone only)
 - Mobile Printers (approx. \$500/each)
 Otto will consider procuring and setting up the printer equipment at cost.
- Otto will provide a local contact for any issues, and contact to Sr. Otto personnel as backup

- Otto will implement the following fines as agreed
 - Same Day Violation payment via the app \$25
 - This is a good incentive to foster use of the app in the future
 - This should be limited to 3 times to avoid misbehavior
 - Regular violation (if not paid the same day) \$50
 - Due within 30 days
 - Violations paid after 30 days will be subject to an additional \$25 charge (total \$75)
 - Multiple Violations (i.e., 3 or more) and Unpaid violations past 60 days will be identified and referred to the Town Police Department for DMV owner identification and may be referred to a Collection Agency as jointly agreed by the Parties in a separate writing. At this time, the Town does not have a towing or booting policy.

Fees and Payments

Per the Update request/option on 8/12, Beech Mountain will provide Customer Service for phone, email, and web support.

Customer Service via Beech Mountain personnel
Otto Fees: 15% of all fees + \$.49/transaction
Enforcement: by Beech Mountain Personnel
Customer Service: by Beech Mountain Personnel

Customer Service includes the following activities:

- 1) Phone support from 9:00 am – 5:00 pm daily (including weekends) – may be extended hours depending on Town service availability
- 2) Email support for issue resolution
- 3) App-based Feedback support (currently via email)

Typical Customer issues include:

- 1) Setting up customer accounts (for those having difficulty) – payment over the phone
- 2) Resolving Ticket complaints per Town policy
- 3) Voiding Tickets as deemed appropriate
 - a. Paid but received a ticket due to incorrect license plate entry
 - b. Enforcement scan error
 - c. Other – as may be determined by Town policy
- 4) Ticket Payment over the phone via CC/DC
- 5) Log of customer issues
- 6) Monthly feedback summary (if needed) – with recommendations for app updates
- 7) LPN change counter update (restricted to once every 90 days) – note: this policy may change with Town agreement
- 8) Change password support

The fees noted reflect the cost of our SaaS service and the credit/debit card or PayPal transaction adder currently in effect (as may be changed by collection agencies in the future).

These fees are all inclusive – there are no other surcharges to either the Town or the end customer and assume the parking fee structure noted above. Changes to the parking fees may cause the Otto fee structure to change to accommodate these changes.

Otto Connect, Inc. will transfer to the Town of Beech Mountain the net of all parking and violation fees collected within a calendar month less the Otto fees above – approx. one week following the end of the calendar month.

The monthly transfer will include a summary report of all fees collected and an auditable report of every transaction.

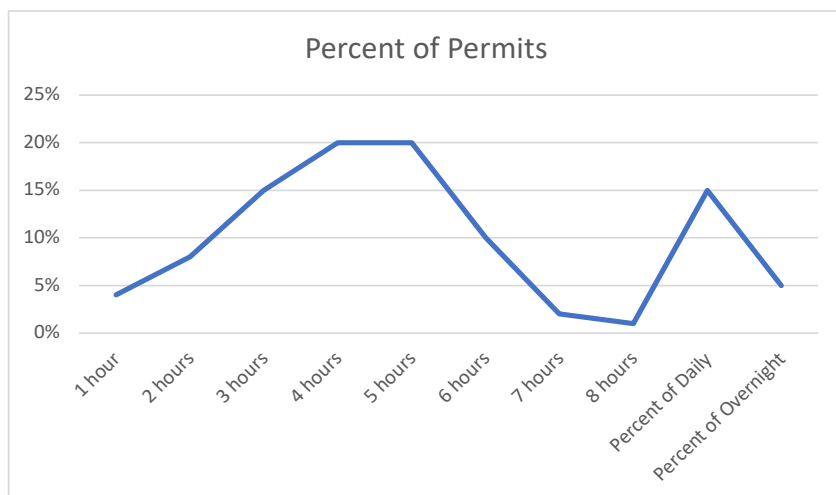
Parking Fee Business Cases

We have updated the business model and revenue projection based on the new parking rates. The biggest change was the distribution of hourly parking rates vs. day and overnight as noted below.

Our model used the following assumptions to estimate the revenue that the Town can expect to see from parking fees. Our intent here is to be conservative based on experience. Reminder, these are just estimates and will be updated during the course of the 1st year based on actual parking usage.

Number of Parking spaces	126
Percent of Good Weather Days	60%
Percent of Violations	2%
Seasonal Utilization (avg/day including weekday and weekend)	
Jan	50%
Feb	50%
Mar	25%
Apr	20%
May	20%
June	20%
July	20%
Aug	20%
Sept	25%
Oct	25%
Nov	40%
Dec	50%

Percent of Permit Types (Avg)



Annual – 1 st year gross revenue would be expected to be:	<u>15% + \$.49 model</u>
- Running 12 month period	\$136,969
The estimated revenue to the Town after fees:	\$112,245

Note: this is a model built on assumptions based on weather, weekends, time of year for % utilization and expected customer behavior (all subject to change) – and we would both learn a lot the 1st year from reviewing the usage data. These are estimates only and should not be used for budgeting. We are glad to make adjustments as mutually agreed and rerun as needed for Town assessments.

Signage

Per our discussion – we would propose 3 classes of signs indicating the need for parking payment:

- 1) Large 2' x 3' signs at each entrance to the parking area (Sign 1)
- 2) Smaller 12" x 18" signs – 1 for approx. every 10 parking spaces (Total 12) – spaced out in the parking lot (Sign 1)
- 3) STOP signs at each exit (walking or driving exit) – reminding people to pay for parking. (Sign 2)

NOTE: additional information may be needed on the signs to support the Town-based WiFi system in lieu of using the cellular network.

Examples of Signs (new rates):



NOTE: Final Signs will change (specifically the QRcode and addition of the Beech Mountain WiFi access point).

Example Parking Ticket

Parking Violation	
Beech Mountain Parking Town of Beech Mountain, NC contact email	
Citation #:	
License Plate Number:	
State:	
Time:	
Date:	
Parking Zone	
Person or vehicle above did violate the following ordinance:	
Parking without an Active Paid Parking Permit	
Officer:	
Same Day Citation Payment - by Midnight the day of the violation	\$25.00
Same Day Citation Use (limit 3 times)	0 Times
Pay within 15 Days	\$50.00
Late Payment Fee (past 15 Days) (additional \$25.00)	\$75.00
Payment Options	
Pay Via App	
1. Go to the Application Store for your device (App Store for Apple devices, Google Play for Android devices).	
2. Search for "ParkingCAST by Otto". Download the free app to your device.	
3. Activate the app & setup your account	
4. Register your vehicle	
5. Pay the Violation	
Pay Via Web-Link	
1. Use your camera to capture the QRcode	
2. Enter your License Plate and State of Registration	
3. Pay for your violation	
Pay Via Phone	
Call for Payment via Credit/Debit Card	TBD Number
Pay By Mail	
Make check payable to and mail a copy of this citation to:	
Otto Connect Inc. - Attn: Parking Services	
P.O. Box 2448	
Surf City, NC. 28445	
NOTE: Payments not received within 30 days of the violation may be referred to a collection service, may result in criminal charges or a setoff to any future tax refund and/or lottery winnings as authorized by North Carolina General Statutes, Chapter 105A. The Setoff Debt Collection Act Future violations may result in towing your vehicle. A photo of your violation has been logged.	
If you feel you have received this violation in error, please send a note via "Feedback" in the ParkingCAST app, or send an email to email address from the email registered on the "ParkingCAST by Otto" app with the Citation number and License Plate number - with an explanation of the issue.	

Dashboard

Otto Connect, Inc. will provide access to a web-based dashboard for the Town Administrators (as needed) to give the highlights associated with:

Month To Date revenue by type

Year To Date revenue by type

Basic Statistics:

- Parking sessions initiated
- Scans for valid parking permits
- Violations

Schedule

Otto Connect will strive to implement a pay for parking solution for the Town of Beech Mountain prior to October 1st, 2021. Note: this is pending the Board of Councilmen approval and execution of a definitive agreement 2 to 4 weeks prior to going live.

Who we are:

The Otto Connect team began working together over 10 years ago at IBM – providing enterprise level system and automation management solutions. Together, we been through a spin out to Blade Networks (with IBM as our customer), re-acquisition by IBM, divested to Lenovo, and lastly a move to Security First Corp (also with IBM as our customer), where we added our friends from Cisco.

What we do:

We develop highly scalable, enterprise and consumer ready solutions that provide “ottomation” help for our customers. In essence, we take good IDEAS and develop them into SOLUTIONS.

Our mission at Otto Connect, Inc. is to provide automated, mobile solutions that tackle the most challenging problems for small to medium size groups, communities, and sports leagues with an easy to use, end-to-end management app. Our CAST solutions avoid the clutter of email and the randomness of social media posts by providing dedicated in-app communication, schedules, and updates with event and activity registration and secure payment of fees when needed. Our focus products include:

- ParkingCAST – a full service mobile parking solution meeting different classes of parking requirements based on customer needs
- CommunityCAST – for small to medium sized teams, departments, groups, associations, and communities
- SportsCAST – an all in one sports management app for any level of sport
- SurfCAST – integrating any or all three of the above apps with early focus on coastal communities – replacing multiple solutions with a single, integrated app



COUNCIL ACTION ITEM

TO: Town Council
FROM: Bob Pudney
DATE: September 14, 2021
SUBJECT: Lake Coffey Engineering RFQ

FOR THE PURPOSE OF:

Request for Qualifications (RFQ) for an Engineering Firm to design and implement the proposed Lake Coffey Surface Water Reservoir Project. The Town advertised for the RFQ and one bid was received. For consideration is the submission by West Consultants, PLLC.

SIGNATURES:

Town Manager

Town Clerk

Council Members

Barry Kaufman, Mayor
Jimmie Accardi, Vice Mayor
Weidner Abernethy
Kelly Melang
Erin Gonyea



Town Manager

Bob Pudney

Town Attorney

Stacy C. Eggers IV

MEMORANDUM

To: Mayor and Town Council

RE: Lake Coffey Reservoir Engineer Contract

Date: September 1, 2021

From: Bob Pudney, Town Manager

The Town advertised a Request for Qualifications (RFQ) for an Engineering Firm to design and implement the proposed Lake Coffey Surface Water Reservoir Project.

Submittals were due to the Town by June 30, 2021. One firm responded to the Request for Qualifications, West Consultants, PLLC of Morganton, North Carolina submitted a proposal.

Staff has reviewed the proposal submitted by West Consultants, PLLC and find that the firm meets the requirements requested by the Town for this project.

The Town Council is asked to approve the selection of West Consultants, PLLC for the Lake Coffey Surface Water Reservoir Project and authorize the Town Manager to execute a contract for the design, permitting and implementation of this project with West Consultants, PLLC.



405 South Sterling Street, Morganton, NC 28655

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

June 28, 2021

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

RE: Request for Qualifications – Professional Engineering Services
Secondary Source Water Reservoir

Dear Mr. Pudney:

Thank you for allowing West Consultants, PLLC to submit its statement of qualifications to provide services for the referenced project. We hereby submit this package of information for your consideration.

Our firm frequently provides the type of professional services needed for this project. We have done so since 1979, including many projects in the Beech Mountain area and for similar sized towns. Our personnel are seasoned in the field of water and wastewater infrastructure and this experience is primarily with local governments, not private developers. We understand what the Town expects from a consulting engineering firm on this type of project.

One aspect of our experience to point out is our familiarity with designing water systems in high elevations. As an example, we designed a system on Mineral Springs Mountain (in Burke County) to lift water from the Town of Valdese system (approximate elevation of 1,200 feet) to a storage tank on the mountain (approximate elevation of 2,010 feet). The system uses three vertical, multi-state pump stations along the transmission route, allows gravity flow distribution in the reverse direction, and uses SCADA to synchronize the pumps.

We are ready and willing to assist the Town of Beech Mountain with this important project. Please contact me with any questions you may have concerning our qualifications.

Sincerely,

WEST CONSULTANTS, PLLC

Benjamin B. Thomas, PE

/kj

Enclosure

Town of Beech Mountain

Secondary Source Water Reservoir

Statement of Qualifications

Submitted by:
Benjamin B. Thomas, PE
West Consultants, PLLC
405 South Sterling Street
Morganton, North Carolina 28655
Phone: (828) 433-5661
Fax: (828) 433-5662
bthomas@west-consultants.com



Table of Contents

Introduction	1
1.0 Background	1
2.0 Description of the Project Team	2
2.1 Registered Associates Available	2
2.2 Key Individuals	2
2.3 Résumés	3
3.0 Qualifications Relevant to Water and Sewer Utility Projects	6
3.1 Quality Control	6
3.2 Construction Administration Services Experience	
3.3 Experience with Estimates of Probable Cost	6
3.4 Availability	7
3.5 Dispute Mitigation (Litigation Experience)	7
3.6 Contractual Relationship with Local Firms	7
3.7 Proximity	8
4.0 Team Experience with Similar Projects	8
4.1 Related Projects and Experience with Funding Agencies (partial listing)	10
4.2 Completed Water and Wastewater System Improvements Projects (Partial listing)	12
4.2 Project Owners/References	13
5.0 Rate Schedule	14

Introduction

Basic Information	Submittal Date	June 30, 2021
	Firm Name and Address	West Consultants, PLLC 405 South Sterling Street Morganton, NC 28655
	Phone Number	(828) 433-5661
	Fax Number	(828) 433-5662
	E-Mail Address	bthomas@west-consultants.com
	Firm Established	1979
Names of Principals	Benjamin B. Thomas, PE Dolphus E. Harmon, PLS Todd J. Poteet, PE	

1.0 Background

General

In 1979, Chester R. West, PE launched the consulting engineering and surveying firm known today as West Consultants, PLLC. With experience working for the City of Charlotte and Burke County, Mr. West was able to offer needed consulting services to many local governments and private clients in western North Carolina. He offered personable, courteous, affordable, and quality service that met a variety of needs for his clients. In many cases, Mr. West's firm assisted small towns with constructing their very first water system, wastewater system, or both. Mr. West retired in 2002.

Today, West Consultants, PLLC continues this same tradition of providing services that meet the needs of towns, cities, counties, water system owners, land developers, and other clients in western North Carolina. We do this by listening to the clients' expressed objectives, and then assisting with planning, design, funding, and administration, all in a personable, down-to-earth way that emphasizes good communication and a problem-solving attitude. Our firm has grown, but we still have our focus on serving North Carolina clients in the western Piedmont and Mountain regions. We are large enough to provide most services needed, but our attention is not spread wide and thin. It remains focused on our local clients. We also know the landscape, such as the pertinent regulations, the local ordinances, the regulating authorities, the geographic implications, and more....because we have worked within this region for so long, and because we live here.

West Consultants, PLLC is a small business having 16 full time and part time employees. We are an NCDOT-certified Small Professional Services Firm.

2.0 Description of the Project Team

2.1 Registered Associates Available

As of the date of this submittal, the following individuals at West Consultants, PLLC are full-time, licensed professionals and interns available to serve the Town of Beech Mountain:

Benjamin B. Thomas, PE, Principal, Civil Engineering, License #20757
David W. Poore, PE, CPESC, Civil Engineering, License #27780
Todd J. Poteet, PE, Principal, Civil Engineering, License #28906
Dolphus E. Harmon, PLS, Principal, Land Surveying, License #L-3333
Ronald S. Lynn, EI, Civil Engineering
Matthew C. Carswell, EI, Civil Engineering
Benjamin M. Lail, EI, Civil Engineering
Jason Cary, EI, Civil Engineering

2.2 Key Individuals

The key individuals proposed to provide services for this project are:

Individual	Service Provided	Approx. Time Commitment to Project
Benjamin B. Thomas	Design and Project Management	40%
David W. Poore	Design and Project Management Construction Observation	30%
Dolphus E. Harmon	Surveying	10%
James Teague	Field Representative/Construction Observation (Assistant to David Poore)	20%

These individuals have extensive experience with water systems. Résumés are included in this submittal.

In addition, electrical design, and any incidental heating and plumbing design, would be provided by Mr. Michael Watts, PE of Watts Engineers, PLLC. Mr. Watts has extensive experience in these disciplines and has designed the electrical portions of our past infrastructure projects. Therefore, he is familiar with the electrical requirements of water system equipment, including variable frequency drives and diesel power generation systems.

2.3 Résumés

BENJAMIN B. THOMAS, PE

EDUCATION:

North Carolina State University, 1990
Bachelor of Science Degree in Civil Engineering

PROFESSIONAL REGISTRATION:

North Carolina Registered Professional Engineer

PROFESSIONAL ASSOCIATIONS:

American Water Works Association
National Society of Professional Engineers

PRESENT POSITION:

Professional Engineer, WEST CONSULTANTS, PLLC, 1990 - present
Grade III Collection Systems ORC

PROFESSIONAL RESPONSIBILITIES:

Responsible for management and planning of work activities including marketing, public relations, presentations, client coordination, and general project review. Responsible for planning, development, and design of projects, and construction administration.

DAVID W. POORE, PE, CPESC

EDUCATION:

Clemson University, 1983
Bachelor of Science Degree in Civil Engineering

PROFESSIONAL REGISTRATION:

North Carolina Registered Professional Engineer
Certified Professional in Erosion & Sedimentation Control
Level III NCDOT Certified Designer of Erosion & Sedimentation Control Plan

PROFESSIONAL ASSOCIATIONS:

International Erosion Control Association

RELATED EXPERIENCE:

Twelve (12) years working with a licensed utility contractor. NC Sewer Collection System Grade I Operators Certification from the NC Water Pollution Control System Operators Certification Commission.

PRESENT POSITION:

Professional Engineer, WEST CONSULTANTS, PLLC, 1999 - present
Grade I Collection Systems ORC

PROFESSIONAL RESPONSIBILITIES:

Engineering, planning, design, field inspections, and construction administration.

ENVIRONMENTAL REPORTING CERTIFICATION:

Mr. Poore has completed training for environmental documentation preparation as required by the CDBG-I Program. His certification is valid through June 6, 2022.

DOLPHUS E. (DEE) HARMON, PLS

EDUCATION:

Western Piedmont Community College, 1995
A.A.S. – Civil Engineering Technology
(Relevant courses include Project Planning, Materials, Economics, Real Estate, CADD, Soils, Hydrology)
North Carolina State University, 1977-1982
Majored in Civil Engineering

PROFESSIONAL REGISTRATION:

North Carolina Professional Land Surveyor

RELATED EXPERIENCE:

Sole proprietor of land surveying firm specializing in mortgage, boundary, and engineering surveys (1991 – 1996). Survey department manager at W. K. Dickson & Co., Inc. (1996 – 2000).

PROFESSIONAL ASSOCIATIONS:

North Carolina Society of Surveyors

PRESENT POSITION:

Professional Land Surveyor, WEST CONSULTANTS, PLLC, 2000 - present

PROFESSIONAL RESPONSIBILITIES:

Responsible for coordinating fieldwork for engineering surveys, office work for engineering/ design of projects and CAD design.

JAMES A. TEAGUE, JR.

EDUCATION:

East Carolina University – Greenville, NC 2017
Bachelor of Science Degree, Health Fitness Specialist

RELATED EXPERIENCE:

Previously worked with M & K Enterprises as a roller operator, assisted with job preparation, checked asphalt density, and have experience with traffic control and concrete work.

PRESENT POSITION:

Construction Observer, WEST CONSULTANTS, PLLC, 2017 - present

PROFESSIONAL RESPONSIBILITIES:

Perform field inspections, review contractor's applications for payment, submit inspection reports, and gather field data for design of projects.

WATTS ENGINEERS, PLLC
4876 US 64
Morganton, NC 28655
Phone (828) 584-3676 Fax (828) 584-3677

Michael N. Watts, P.E.
Member, Watts Engineers, PLLC
President, Watts Services, Inc.

EDUCATION	Graduated from NC State University in 1988 with a B.S. in Electrical Engineering Graduated from NC State University in 1995 with a M.S. in Business Management
EXPERIENCE	Founded Watts Engineers, PLLC in 1997 as a partner with Max D. Watts to prepare designs, specifications and drawings of plumbing, mechanical and electrical systems for architects, engineers and commercial, industrial and institutional owners. Watts Services, Inc. – President. NEBB Certified Test and Balance Professional. TAB duties include estimation/bidding and supervision of TAB projects. Supplemental TAB education and experience includes completion of two hands-on courses in testing and balancing of environmental systems through the University of Wisconsin and annual NEBB chapter seminars. Maddux Supply Company, Greenville, NC - General Manager of firm providing products, materials and supplies to the construction industry. Developed marketing strategy and sales plans, recruited employees, served as technical support for customers and sales force, and maintained overall responsibility for operations and financial success. Electrical Equipment Company, Raleigh, NC – Applications Engineer. Designed and supervised implementation of control systems involving electric motors, variable frequency drives, programmable logic controllers and various sensors. Directed and supervised technical personnel in building engineered control panels. Assisted customers with installation and initial startup of equipment and systems. Fieldcrest Cannon, Inc., Smithfield, NC – Product Development Engineer. Developed electrical and electronic controls protection circuitry for electric blankets. Designed and tested wire configurations to reduce electromagnetic field exposure from electric blankets.
ORGANIZATIONS	National Society of Professional Engineers Firm Member National Environmental Balancing Bureau, MEBB Chapter National Fire Protection Association (NFPA) - Architects, Engineers and Building Officials Section
NC LICENSES	Professional Engineer (#22043) Electrical Contractor-Unlimited (#7450U) NC Home Inspector (#774)
TEST & BALANCE CERTIFICATIONS	NEBB Certified Professional – Air & Hydronics with Watts Services, Inc., NEBB Certification #3189

3.0 Engineering and Environmental Permitting Approach

West Consultants, PLLC would approach the permitting of this project in the following way:

1. Meet with Owner representatives to identify and clarify all known objectives and constraints. We also recommend visiting similar facilities with the Owner, in order to learn from the challenges and benefits others have had with emergency water storage reservoirs and pumping facilities.
2. Develop 10% design drawings and schematics based on the Owner's input.
3. After review with Owner, meet with permitting authorities to solicit initial feedback based on 10% design documents. Special emphasis will be placed on confirming major project elements, such as siting, capacities, source water characteristics, availability of land or easements, etc.
4. Consult with environmental commenting agencies early in the process to identify any potential obstacles that may affect feasibility and/or cost. Submit any permit applications possible prior to complete design, such as US Army Corps of Engineers Section 404 and NCDWR Section 401 permits.
5. Proceed with design documents based on all data gathered to this point. Upon 60% to 80% completion, meet with Owner representatives again to confirm all project elements. At this point, a major emphasis will be given to ensuring the Owner's expressed needs are addressed, particularly with regards to operations cost, reliability, and other end-user needs.
6. Complete design based on final input from Owner and submit to permitting authorities, such as NC Public Water Supply Section, NC Division of Land Resources – Land Quality Section (Dam Safety and erosion control).
7. Respond promptly to all comments from permitting authorities, including design revisions if necessary, until permits are acquired.

3.1 Quality Control

West Consultants, PLLC, as a matter of routine, performs in-house reviews of construction documents prior to letting for bids. This habit has proved invaluable in minimizing bidder and contractor misunderstandings and change orders. By having an engineer in the firm who has not been involved in the majority of the detailed design review the documents, we are able to identify wording or depictions that may be ambiguous or in conflict, and then correct them prior to release.

In addition, we only perform engineering services for project elements for which we have experience and education. Therefore, we would use subconsultants with special experience in dam design and natural stream restoration/relocation design, to assure appropriate design of these important elements of the project.

3.2 Construction Administration Services Experience

West Consultants, PLLC routinely provides services for local governments and other public infrastructure owners. Therefore, we have extensive experience with the provision of services during bidding and construction. Our staff work closely with the Owner, the contractor, and the funding agencies to ensure the project is progressing according to the schedule and budget approved by the Owner. We make it a

priority to communicate openly and frequently so that none of the parties involved are uninformed. We recognize our role as interpreter of the design and contract documents and that we are not the Owner. We will not usurp the Owner's role by authorizing changes in the Work.

We review contractor applications for payment on a monthly basis, always verifying them based on observations of completed work by our field representative.

In all these services, the personnel at West Consultants act promptly. We know that when construction is underway decisions affecting time and price are a top priority for the Owner and the Contractor, and that we must fulfill our role in the process to make the project successful.

Our construction administration qualifications help the Owner keep the project costs within budget.

3.3 Experience with Estimates of Probable Cost

Almost every water and wastewater project we provide services for includes the provision of an estimate of construction costs. Such estimates are done in both the preliminary and final design phases. Examples are included in the lists of projects in Section 4.0.

3.4 Availability

West Consultants is available to begin this project immediately, and to appropriate significant man-hours each week. We currently have only three projects of similar scope in the design phase.

3.5 Dispute Mitigation (Litigation Experience)

West Consultants, PLLC has experience with assisting Owners in navigating contractor disputes. We work hard to communicate with all parties in a spirit of understanding and with the goal of successful project completion.

3.6 Contractual Relationship with Local Firms

In addition to our long history of working with local government clients in the Mountain and Western Piedmont of North Carolina, West Consultants, PLLC also has a good working relationship with local construction and service contractors in the area. We invite you to speak with the local contractors, vendors, and others in the water and wastewater industry and inquire about our reputation. Although we frequently have to give a contractor an answer he did not want to hear, such as when enforcing the specifications in the contract documents, we believe most contractors will say that we are fair. This can be a benefit for Beech Mountain, in one way, by encouraging contractors to submit lower, more reasonable bids, knowing that they will not be treated inequitably during the construction phase. With regard to possible conflicts of interest, we do not have any business or familial relationships with other businesses with Town of Beech Mountain staff or officials, or with any organization that might have involvement in the Project.

3.7 Proximity

Our office is in Morganton, North Carolina which is 43 miles from Beech Mountain. Furthermore, David Poore lives near Linville, North Carolina and frequently travels directly from his home to meet with clients such as Banner Elk and Seven Devils. Therefore, our office can serve Beech Mountain well on this project by attending meetings and performing inspections with little travel time and expense.

4.0 Team Experience with Similar Projects

General

West Consultants has extensive experience with water system projects including many that involve pumping stations and long transmission lines and force mains. This experience includes both design and construction administration. To illustrate this experience, a few such projects are listed in Section 4.1. Please feel free to contact any of the clients listed to inquire about our capabilities, including timelines in responding to needs and in completing projects.

Specific to Beech Mountain Area

West Consultants, PLLC currently provides engineering services for the nearby Towns of Banner Elk, Seven Devils, and Crossnore. We also serve many similar municipalities in terms of population, location, topography, and type of water system. Several local governments that can be contacted regarding our experience are listed in Section 4.2. Additionally, West Consultants provided engineering services for the Town's recently completed water treatment plant. We also assisted the Town with hydraulic modeling. Therefore, we have become familiar with the Town's water system and its operational characteristics.

West Consultants is well qualified to provide engineering and surveying services for this particular project, because we have successfully served other local governments on similar projects. This experience has given us specific knowledge of the unique challenges, the local contractor abilities, and the expected costs with water improvements projects. West Consultants, PLLC will use its knowledge base to offer guidance to the Town, thus helping to make the project cost-effective and successful.

Funding Agencies

West Consultants has designed many projects that were funded by the North Carolina Department of Environmental Quality, Division of Water Infrastructure (NCDWI), USDA Rural Development, and other programs. Therefore, we are very familiar with the requirements and expectations of the potential funding programs. Since the project funding may include a DWSRF or USDA loan, federal conditions may apply and a detailed engineering report in the particular format established by the funding agency may be required. West Consultants has successfully completed many of these engineering reports, including the accompanying environmental information document. Additionally, we have experience with the DWSRF federal conditions such as the Davis-Bacon Act and American Iron & Steel (AIS) provisions. We are able to administer the project for compliance with these conditions during the construction phase.

The partial project listing that follows includes the funding sources, for reference. The acronyms used are:

ARRA	American Recovery and Reinvestment Act of 2009 (federal, administered by NCDWI)
ARC	Appalachian Regional Commission (federal)
CWMTF	Clean Water Management Trust Fund (state)
CWSRF	Clean Water State Revolving Fund (federal, administered by NCDWI)
CDBG	Community Development Block Grant (federal, administered by NCDWI or NC Dept. of Commerce)
DWSRF	Drinking Water State Revolving Fund (federal, administered by NCDWI)
EDA	Economic Development Administration (federal, US Dept. of Commerce)
IDF	Industrial Development Fund (NC Dept. of Commerce)
Rural Center	NC Rural Economic Development Center, Inc.
SRG	State Revolving Grant (administered by NCDWI)
SRL	State Revolving Loan (administered by NCDWI)
STAG	State and Tribal Assistance Grant (federal, administered by NCDWI)
USDA-RD	US Department of Agriculture – Rural Development

4.1 Related Projects (partial listings)

Project Title (brief project description)	Client Name/Funding Agency	Contact Information	Estimated Construction Cost	Construction Cost (w/approved change orders)	Principal in Charge
Buckeye Lake New Water Treatment Plant – a one million gallon per day drinking water treatment facility	Town of Beech Mountain USDA-RD	403 Beech Mountain Parkway Beech Mountain, NC 28604 (828) 387-4236 Robert Pudney, Town Manager	\$5,000,000	\$4,743,106.00	Benjamin B. Thomas, PE
City of Shelby Water Interconnect (16", 12", 8", and 6" waterline and booster pump station with 1 -1,500 GPM water pump and 1 – 800 GPM water pump)	Town of Boiling Springs	PO Box 1014 Boiling Springs, NC 28017 (828) 434-2357 Justin Longino, Town Manager	\$1,144,960.30	\$1,144,960.30	Benjamin B. Thomas, PE
Music Mountain Water Project (waterline extension, water pumping station with 2 – 300 GPM pumps and 1 – 10,000 gallon water storage tank)	Burke County CDBG	PO Box 1486 Morganton, NC 28680 (828) 439-4391 Mark Delehant, Director of General Services	\$627,768.83	\$599,904.58	David W. Poore, PE
Mineral Springs Mountain Water System (8" and 6" waterlines, 100,000 gal. steel ground storage tank and 3 – vertical turbine pump stations synchronized to lift water 600', and 1 pump station with 2 – 35 GPM pumps and an hydropneumatic tank	Burke County CDBG	PO Box 1486 Morganton, NC 28680 (828) 439-4391 Mark Delehant, Director of General Services	\$1,212,500.00	\$1,191,225.00	Benjamin B. Thomas, PE
Town of Troutman Water Interconnect – approx. 38,000 LF of 12" PVC WL, a meter vault, a pressure reducing vault	EnergyUnited Water Corporation DWSRF	P.O. Box 168 Stony Point, NC 28678 (704) 585-6518 Rod Watts, Manager	\$1,524,800	\$1,323,748	Benjamin B. Thomas, PE
City of Newton Water Interconnect (20", 16", and 12" waterline, booster pump station with 2 – 1,850 GPM pumps)	EnergyUnited Water Corporation DWSRF	P.O. Box 168 Stony Point, NC 28678 (704) 585-6518 Rod Watts, Manager	\$3,898,102.40	\$3,989,399.87	Benjamin B. Thomas, PE
St. Peters Church Road Water Project (12", 8" and 6" waterlines and one booster pump station with 2 – 600 GPM water pumps)	City of Hickory	PO Box 398 Hickory, NC 28603 (828) 323-7427 Shawn Pennell, Dir. Public Services	\$778,188.00	\$778,188.00	Benjamin B. Thomas, PE
System-Wide Water & Sewer System Improvements Project included over 13, 000 LF of water mains and over 19,000 LF of sewer main/service lines.	Town of Rhodhiss CDBG-I	PO Box 40 Rhodhiss, NC 28667 (828) 396-8400 Rick Justice, Town Administrator	\$2,396,000.00	\$3,391,342.42	Benjamin B. Thomas, PE

Project Title (brief project description)	Client Name/Funding Agency	Contact Information	Estimated Construction Cost	Construction Cost (w/approved change orders)	Principal in Charge
Pleasant Hill Community Water System (24,000 LF of waterline and water pumping station with 2 – 315 GPM pumps)	Town of Ronda ARRA	PO Box 398 Ronda, NC 28670 (336) 835-2061 Victor Varela, former Mayor	\$1,075,437.5 8	\$1,071,061.1 4	David W. Poore, PE
Skiview Drive Water System & Street Improvements – Contract A: approx. 4,500 LF of 6” DIP waterline with Appurtenances and 4,500 LF of Street Resurfacing	Town of Seven Devils Local Funds	Debbie Powers, Town Manager	\$330,985	\$453,525	David W. Poore, PE
Water System Efficiency & Reliability Improvements - Approx. 13,500 LF of 8” waterline, new booster pump station, improvements to booster pump station, 2 submersible tank mixers and cleaning of 2 tanks, 2 meter vaults, a pressure reducing valve vault, and SCADA system modifications	Town of Taylorsville DWSRF	67 Main Avenue Drive Taylorsville, NC 28681 (828) 632-2218 David Odom, Town Manager	\$850,000	\$978,099	Benjamin B. Thomas, PE
Waterline Replacements - Replace approx. 10,664 LF of 6” PVC waterline with appurtenances	Town of Taylorsville DWSRF/ARRA	67 Main Avenue Drive Taylorsville, NC 28681 (828) 632-2218 David Odom, Town Manager	\$397,210	\$522,770	Benjamin B. Thomas, PE

*NOTE: In most cases, where the final construction cost or contract amount exceeds the pre-bid estimate, the reason is that the Owner desired to use remaining budgeted funds to increase the project scope.

4.2 **Completed Water and Wastewater System Improvements Projects (Partial listing)**

The following projects are just a few of the water and wastewater system improvements designed by West Consultants, PLLC:

Project	Location	Construction Cost	Year Completed
Alexander County - Vashti Road CDBG Water Project	Alexander County, NC	\$1,035,414	2011
Alexander County – Shurtape Technologies Job Retention Wastewater Project	Alexander County	\$1,181,225	2018
Brentwood Water Corporation - New Water Storage Tank	Burke County, NC	\$487,570	2011
Burke County – Highway 18-S and Rhoney Road CDBG Water Project	Burke County, NC	\$1,826,336	2020
Town of Crossnore – Wastewater Treatment Plant Improvements	Avery County, NC	\$897,504	2014
Town of Gamewell - Cloverdale Area Sanitary Sewer	Caldwell County, NC	\$889,615	2007
Town of Harmony – Town-Wide Sewer Project A-Collection System B-Wastewater Treatment Plant	Iredell County, NC	A-\$2,417,244 B-\$810,790	2011
City of Morganton/Burke County – Morganton Business Park Water Improvements A-500,000 Gal. Elev. Water Tank B-Booster Station	Burke County, NC	A-\$1,598,879 B-\$462,273	under construction (est. complete August 2021)
Town of Taylorsville - Wastewater Treatment Plant Improvements	Alexander County	\$1,719,815	2018
Town of Taylorsville - Waterline Replacements	Alexander County	\$522,721	2010
Town of Taylorsville – Linney’s Mountain Area Water System Improvements	Alexander County	\$204,221.10	2020
Town of Troutman - Sewer Interconnect with Town of Mooresville	Iredell County	\$1,330,806	2007
Town of Troutman - 1 MG Elevated Tank and 16” Water Main	Iredell County	\$1,378,208	2008
Town of Troutman – 2018 Collection System Rehabilitation	Iredell County	\$552,059	under construction
Town of Troutman – Water System Efficiency Improvements	Iredell County	\$615,685	2015
Town of Valdese – 2018 Water Systems Upgrades	Burke County	\$775,365	2020

4.3 Project Owners/References

Project Owner	Contact	Phone Number
Alexander County 621 Liledoun Road Taylorsville, NC 28628	Rick French, County Manager	(828)-632-9336
Town of Banner Elk PO Box 2049 Banner Elk, NC 28604	Rick Owen, Town Manager	(704) 898-5398
Burke County PO Box 219 Morganton, NC 28680-0219	Mark Delehant General Services Director	(828) 764-9060
Town of Crossnore PO Box 165 Crossnore, NC 28166	Eddie Yarber, Mayor	(828) 733-0360
Town of Gamewell 2750 Old Morganton Road Lenoir, NC 28645	Mary Carter, Town Clerk	(828) 754-1991
Town of Harmony PO Box 118 Harmony, NC 28634	D. Lee Matney, Mayor	(704) 546-2339
City of Morganton PO Box 3448 Morganton, NC 28680-3448	Phillip Lookadoo, Dir. Development & Design Services	(828) 438-5260
Town of Rhodhiss PO Box 40 Rhodhiss, NC 28667-0040	Rick Justice, Town Manager	(828) 396-8400
Town of Rutherford College PO Box 406 Rutherford College, NC 28671	Kenneth Geathers, Jr., Town Manager	(828) 874-0333
Town of Sawmills 4076 US Highway 321-A Granite Falls, NC 28630	Chase Winebarger, Town Manager	(828) 396-7903
Town of Seven Devils 1356 Seven Devils Road Seven Devils, NC 28604	Debbie Powers, Town Manager	(828) 963-5343
Town of Taylorsville 67 Main Avenue Drive Taylorsville, NC 28681	David Odom, Town Manager	(828) 632-2218
Town of Troutman PO Box 26 Troutman, NC 28166	Steve Shealy, Finance Director Ronald N. Wyatt, Town Manager	(704) 528-7600
Town of North Wilkesboro PO Box 218 North Wilkesboro, NC 28659	Dale Shumate, Public Services Director	(828) 667-7129

5.0 Rate Schedule

WEST CONSULTANTS, PLLC - PROFESSIONAL FEES

<u>CLASSIFICATION</u>	<u>HOURLY RATE</u>
Professional Engineer	\$100.00
Professional Engineer Construction	\$90.00
Observer	
Staff Engineer	\$80.00
Survey Manager	\$80.00
Survey: 1-Man Fieldcrew	\$80.00
Survey: 2-Man Fieldcrew	\$105.00
Survey: 3-Man Fieldcrew	\$126.00
Survey Technician	\$45.00
Construction Administrator	\$60.00
Construction Observer	\$50.00
CAD Technician/Drafter	\$45.00
Engineer Technician	\$40.00
Clerical	\$40.00

EXPENSES

- A. Mileage – per current IRS allowable limits
- B. Reproduction costs, postage, overnight lodging, meals, and other incidental expenses shall be a direct invoice charge per receipts (no mark-up).

ASSOCIATED SERVICES

Associated job required services such as soil analysis, materials, surveying, testing, etc., shall be pre-negotiated and agreed upon prior to initiating work.

WATTS ENGINEERS, PLLC PROFESSIONAL FEES **Plumbing, Mechanical & Electrical Services**

<u>CLASSIFICATION</u>	<u>HOURLY RATE</u>
Senior Principal Professional Engineer	\$150.00
Principal Professional Engineer	\$125.00
Staff Professional Engineer	\$100.00
Professional Engineer Construction Inspector	\$100.00
Engineering Technician	\$80.00
CAD Technician/Drafter	\$50.00

Town of Beech Mountain
Lake Coffey Reservoir Project
Proposed Task List and Schedule
September 14, 2021

Since this project was conceived, Town staff and consultants have determined that the project is likely feasible and is estimated to cost between \$8M and \$13M. Discussions have taken place with the owner of Lake Santis regarding a long-term lease and with USDA-Rural Development regarding financing. In addition, informal consultation with the Division of Water Resources and the NC Wildlife Resources Commission indicates that the proposed reservoir can be permitted without having a minimum release requirement. This is based on routing West Fork Pond Creek and East Fork Pond Creek around the reservoir, only skimming high flows from these streams to fill the reservoir.

The following tasks and schedule are proposed at this time. They are subject to change due to various factors, including the discovery of information during one task that may delay subsequent tasks.

Task		Start Date	End Date
1.	Planning Phase: meet with or contact key agencies to confirm feasibility and permitting requirements of the Project (NCWRC, DWR 401, DWR-Public Water Supply, DWR-Water Planning Section, USACE, USFWS, DEMLR Dam Safety); determine Mean Annual Flow (MAF) in each stream and percentage allowed to skim; confirm permissible to eliminate outlet stream from Lake Coffey (Index #8-20-2.5(2))	9/15/21	10/15/21
2.	Planning Phase: increase level of detail of concept plan and update cost opinion; estimate operating costs; perform alternatives analysis and environmental scoping; determine facilities shared with Beech Mtn Resort, if any; endangered species survey, if required	10/15/21	11/15/21
3.	Planning Phase: complete preliminary engineering report (PER) and Environmental Assessment (EA) for USDA-RD loan application; start the 401/404 permitting process (submit preliminary plans and request for Individual Permit (IP))	11/15/21	12/15/21
4.	Design Phase: data collection - topographic survey, stream/wetlands delineation, etc. (reservoir site and force main route)	11/1/21	12/15/21

Task		Start Date	End Date
5.	Design Phase: 75% complete plans (detailed drawings but no structural, electrical, or detailed design); use for getting feedback from Town staff, agencies, and landowners; make revisions where needed	12/15/21	3/15/22
6.	Design Phase: soil testing and analysis	12/15/21	2/15/22
7.	Design Phase: submit 95% complete plans & specs for all permits (DEMLR Dam Safety, DEMLR – erosion control, DWR -Public Water Supply, and finish 401/404 permitting)	2/15/22	4/15/22
8.	Design Phase: prepare 100%/final construction documents for bidding (plans and specifications) and easement plats. Town to start acquiring easements.	4/15/22	6/15/22
9.	Design Phase: Agencies to review permit applications and plans; respond to comments; make revisions as needed; complete easement acquisitions	4/15/22	12/15/22
10.	Receive permits, advertise for bids, hold prebid meeting, open bids	12/15/22	2/15/23
11.	Evaluate bids and bidders; recommend award to lowest, responsive, responsible bidder; Town Council to award construction contract	2/15/23	3/15/23
12.	Construction Phase: execute contracts, USDA-RD to review/concur	3/15/23	4/15/23
13.	Construction	4/15/23	12/15/24
14.	Initiate Operation: Fill reservoir, test, make ready for summer of 2025	12/15/24	5/15/25



COUNCIL ACTION ITEM

TO: Town Council
FROM: Sean Royall
DATE: September 14, 2021
SUBJECT: Adventure Ropes Course at Shane Park

FOR THE PURPOSE OF:

For approval by town council

ATTACHED FOR YOUR CONSIDERATION:

Shane Park adventure ropes course proposal

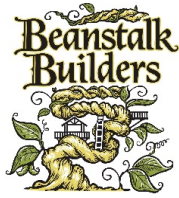
FINANCIAL IMPLICATIONS:

Funding has been verbally committed by donations. No funding needed by town

SIGNATURES:

Town Manager

Town Clerk



Shane Park Rope Course Project Proposal

Project Scope:

Beech Mountain's Parks and Recreation Department is proposing a self-led low-ropes adventure course featured at the Shane Park. The work will be performed by Beanstalk Bridges LLC.

The project will link tree to tree by an assortment of rope elements and a slide. The course will be low to the ground meeting safety standards and not requiring any harnesses or course leader. The project is to build a ropes system close to 275' in length, 10-5x5 deck platforms without railing on existing trees.

Rope elements will be as follows:

- Burma Bridge
- Upside Down Burma
- Train Tracks
- Jail Call
- Zipline
- Postman Walk
- Deep Burma
- Slide
- Monkey Fists
- Web loop

The course will be located in the tree line beside of the bath house facility. The course uses existing trees and natural lay of the land, no major construction or heavy equipment will be needed. The course will not cross the creek or take up any open green space.

The course will have three enter/exit points with well-defined archways.

The project is quoted at \$45,000. It will be paid in full by donations the Recreation Department and town manager have discussed with the private parties.

Maintenance Cost:

Parks and Recreation Department will maintain the course. It will be on the Certified Playground Inspection list where an audit is performed. This inspection is done in house by the Parks and Recreation staff. The decks will be pressure washed yearly and clear coat applied bi-annually. For staining and pressure washing an estimated 2 work days for 1 staff member.

- 5-gallon clear coat stain - \$300 bi-annually

Photo Examples of features:



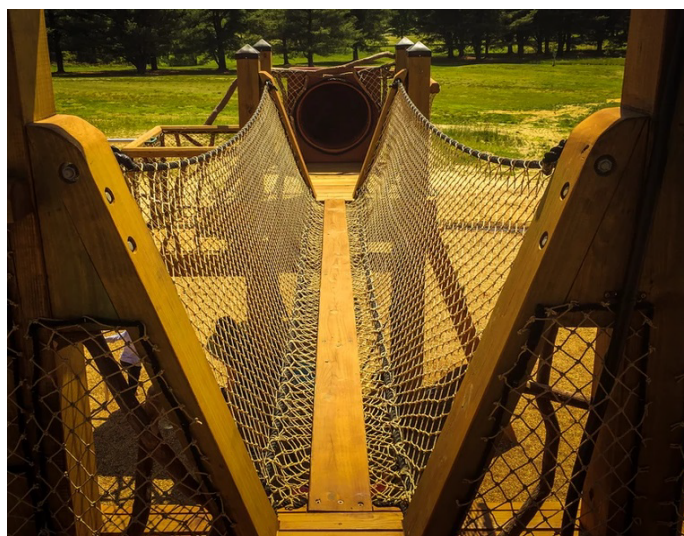
Deck/train tracks
to slide
(handrails
not on decking)



5x5 Deck
(railing
wont be
included)



Web loop



Burma/Balance Beam



COUNCIL ACTION ITEM

TO: Mayor & Town Council
FROM: Bob Pudney
DATE: September 14, 2021
SUBJECT: Emerald Outback Trail system lease agreement

FOR THE PURPOSE OF:

Please Note: the Emerald Outback Trail system lease agreement is forthcoming as agreed upon by the parties and will be printed and presented to Council before the regular meeting scheduled September 14, 2021 for Town Council consideration. We thank you for your patience as we expedite this matter.

SIGNATURES:

Town Manager

Town Clerk

Prepared by and return to:
Van Winkle Law Firm (CDJ), PO Box 7376, Asheville, NC 28802-7376

STATE OF NORTH CAROLINA
COUNTY OF AVERY

LICENSE AGREEMENT

THIS LICENSE AGREEMENT (“License” or “Agreement”) is made and entered into this ____ day of _____, 2021 by and among **EMERALD MOUNTAIN, INC., EMERALD OPPORTUNITIES, INC.,** and **EMERALD MOUNTAIN DEVELOPMENT, INC.** (collectively “Emeralds”) and the **TOWN OF BEECH MOUNTAIN** (“Town”) (collectively, the “Parties”).

WITNESSETH

WHEREAS, Emeralds are the owners of certain property located in the Town of Beech Mountain, North Carolina, which property is more particularly described on Exhibit “A” attached hereto (“License Area”); and

WHEREAS, the Parties previously entered into an agreement for the Town’s use of the License Area for recreational hiking and bicycling as shown in Book 460, Page 1737, County Registry (“Prior Agreement”); and

WHEREAS, pursuant to the Prior Agreement, a five (5) year renewal provision was established unless Emeralds notified the Town in writing of an intent not to renew; and

WHEREAS, by letter dated August 23, 2021, Emeralds provided to the Town in writing their intent not to renew the Prior Agreement; and

WHEREAS, the Parties are desirous of entering into this License in order to allow the Town an ability to continue operations of the applicable trail network while the Parties resolve, if possible, a long term plan for the License Area as an integral part of Emeralds’ long-range visions and objectives for the development of their valuable property comprising the License Area;

NOW, THEREFORE, for and in consideration of the premises and the sum of One Dollar (\$1.00) to it in hand paid, the receipt of which is hereby acknowledged, Emeralds hereby give and

grant unto the Town a license to access and use the property described on Exhibit "A" attached hereto for public active or passive recreational hiking, and bicycling, including the right to maintain during the license period the existing trail network that currently is situated on the License Area. The Town shall have the sole right to promulgate rules and regulations for reasonable use of the property by the public, provided the property is used for the purposes stated herein.

EMERALDS AND TOWN, for themselves, further agree as follows:

1. The Town shall be solely responsible, at its expense, for maintaining the License Area in accordance with the purposes set forth herein, including maintenance of a trail network, prevention and control of erosion, removal of trash, waste and litter, and efforts to control trespassing, vandalism and other crimes within the License Area. Notwithstanding anything to the contrary, the Town shall not expand or add additional improvements with the intent to expand the existing trail network without the prior written consent of Emeralds, which may be withheld in Emeralds' sole discretion. The quality, character, nature, and design of the existing trail network shall be in the sole discretion of the Town. Emeralds shall have the right, but not the obligation, to enter the License Area and use it for all purposes not inconsistent with the Town's License, including the right, but not the obligation, to enter the License Area to plant flowers, remove litter, and beautify same in the event the Town fails to perform such functions in a reasonable time or manner or to take investigative steps related to the future development of the property, including, but not limited to, surveying and soil sampling.
2. This Agreement is terminable at any time by either party upon ninety (90) days written notice from the terminating party to the other party. Notice may be sent via personal or electronic delivery or by first class mail. Notice is deemed received by the Town if delivered to the Town Manager or Town Clerk. Included within the blanket right of termination is Emeralds' right to unilaterally decide to develop or sell all or any portion of the land comprising the License Area and to provide notice to the Town to terminate in order to facilitate a sale or development. This Agreement is not assignable by the Town without the express written consent of Emeralds, which may be withheld in Emeralds' sole discretion. To the extent that any physical condition of the License Area is not in good condition or stable as a result of the action or inaction of the Town, then the Town shall remain responsible to correct same within a reasonable period of time upon notice despite any termination.

To the fullest extent permitted by law, the Town shall defend, indemnify and hold harmless Emeralds, their directors, officers, shareholders, owners, managers, employees, agents, successors and assigns, from and against all claims, demands, loss and damage by third parties arising out of or relating to use of the License Area by the Town or the public, provided such claims do not result from the acts, negligence or willful misconduct of Emeralds or their directors, officers, shareholders, owners, managers, employees, agents, successors and assigns. The Town shall maintain such risk pool insurance as the Town Council for the Town of Beech Mountain deems appropriate to cover the Town in the event of liability, and shall include the License Area within the area covered as to its liability.

The Town shall name Emerald Mountain, Inc., Emerald Opportunities, Inc. and Emerald Mountain Development, Inc. as additional insureds of general liability and property damage coverages that are each a minimum of \$2 million dollars. The Town presently maintains risk pool insurance coverage through the North Carolina League of Municipalities. Additionally, nothing contained in this License Agreement shall be deemed as a waiver of Governmental Immunity and any related defenses of the Town as to any claims which may be brought by any third parties. These Parties acknowledge that this License is given pursuant to and in reliance on the statutory protections afforded to Emeralds in N.C.G.S. §38A-4.

3. This Agreement shall automatically terminate upon condemnation of any portion of the License Area. The Town agrees to not use this Agreement or the Prior Agreement in any way to devalue the property comprising the License Area. In the event of condemnation, any improvements to the land shall be deemed owned by Emeralds on their respective properties without any claim or interest inuring in favor of the Town.
4. Subject to the termination provisions contained in paragraphs 2 and 3 above, this Agreement has a term of two (2) years from the date written above.
5. Emeralds retain fee simple ownership of the title to the License Area, subject to the limited rights granted to Town herein, for the specific purpose of allowing the land burdened by the License Area to be included in the calculation of zoning density for building improvements permitted on Emeralds' land.
6. Emeralds make no representations or warranties whatsoever, whether express or implied, with respect to the condition of or title to the property that is the subject of this Agreement, which property the Town agrees to accept, AS IS, in its present legal and physical condition. To the fullest extent permitted by law, the Town, members of the public using the property pursuant to the Town's License and any of their invitees or licensees shall assume all risks of utilizing the License Area.
7. The Emerald Outback trails may be open to the public from dawn to dusk April 1st through November 15th. Occasional guided hikes during closed times may be permitted as part of this Agreement. The Town shall be responsible for enforcing the hours of operation.
8. All signage shall be approved by Emeralds and shall be provided and maintained by the Town and will be consistent with the kind and quality of other signs utilized by the Town of Beech Mountain for such purposes. Once installed, the signage shall become a fixture to the land and become the property of Emeralds.
9. No motorized vehicles will be allowed on the Emerald Outback trails except for maintenance purposes, safety patrols, or emergency response personnel.
10. No pets shall be permitted upon the Emerald Outback trails except on occasional guided hikes or approved tours.

11. The Emeralds are permitted to change locks at the Access Road gate location; in the event that occurs, Emeralds shall provide to the Town a key or code to access any locks.
12. Within thirty (30) days of this Agreement, the Town shall prepare a parking lot site plan for the anticipated vehicles of the public using the License Area, including appropriate signage, which plan must be approved by Emeralds. The Town shall enforce the plan once approved and be responsible for enforcement of vehicles not complying with said plan, including, but not limited to, coordinating the towing of noncompliant persons.
13. In the event the Town fails to perform any obligation set forth in this agreement, Emeralds shall provide written notice to the Town Manager for the Town of Beech Mountain stating with specificity the problem under this Agreement. In the event the Town fails to correct such problem within sixty days of the written notice described above, Emeralds may terminate this Agreement as set forth herein.

IN WITNESS WHEREOF, the Parties have executed this License Agreement the day and year first written.

[signatures appear on following pages]

EMERALD MOUNTAIN, INC.

By: _____

Name: _____

Title: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that he/she is the _____ of Emerald Mountain, Inc. and that he/she, as _____, being authorized to do so, executed the foregoing instrument on behalf of Emerald Mountain, Inc. Sworn to and subscribed to before me.

Witness my hand and official stamp or seal, this _____ day of _____, 2021.

My commission expires: _____

Notary Public

PLACE NOTARY SEAL INSIDE THIS BOX ONLY!

EMERALD OPPORTUNITIES, INC.

By: _____

Name: _____

Title: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that he/she is the _____ of Emerald Opportunities, Inc. and that he/she, as _____, being authorized to do so, executed the foregoing instrument on behalf of Emerald Opportunities, Inc. Sworn to and subscribed to before me.

Witness my hand and official stamp or seal, this _____ day of _____, 2021.

My commission expires: _____

Notary Public

PLACE NOTARY SEAL INSIDE THIS BOX ONLY!

EMERALD MOUNTAIN DEVELOPMENT, INC.

By: _____

Name: _____

Title: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that he/she is the _____ of Emerald Mountain Development, Inc. and that he/she, as _____, being authorized to do so, executed the foregoing instrument on behalf of Emerald Mountain Development, Inc. Sworn to and subscribed to before me.

Witness my hand and official stamp or seal, this _____ day of _____, 2021.

My commission expires: _____

Notary Public

PLACE NOTARY SEAL INSIDE THIS BOX ONLY!

TOWN OF BEECH MOUNTAIN

[Municipal Seal]

By: _____

Name: _____

Title: _____

Attest:

_____, Town Clerk

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____

Name: _____

Title: Town of Beech Mountain Finance Officer

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that he/she is the **Clerk** for the Town of Beech Mountain, a North Carolina municipal corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its **Mayor**, sealed with its municipal seal and attested by her/him as its Clerk. Sworn to and subscribed to before me.

Witness my hand and official stamp or seal, this _____ day of _____, 2021.

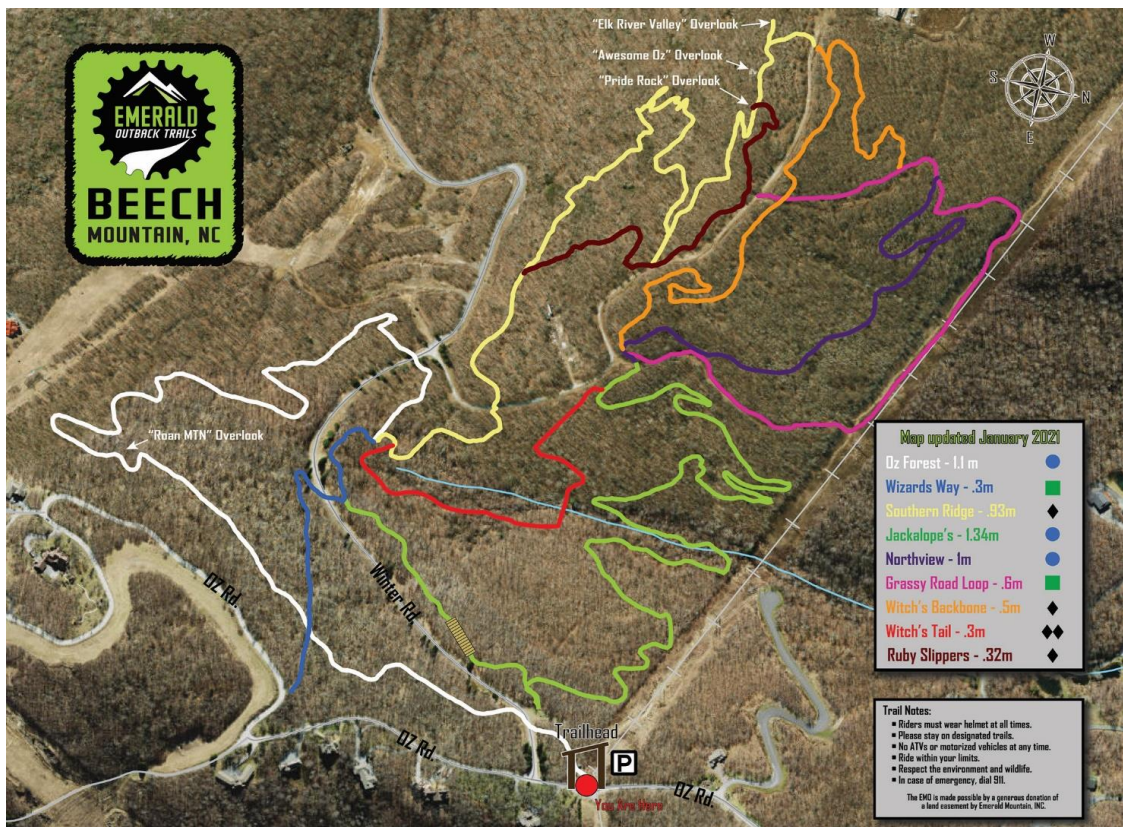
My commission expires: _____

Notary Public

PLACE NOTARY SEAL INSIDE THIS BOX ONLY!

Exhibit "A"

Lying and being in Beech Mountain, North Carolina, and being more particularly described as follows:



4817-6027-0840, v. 1



REPORT

TO: Town Council
FROM: Steve Smith
DATE: September 14, 2021
SUBJECT: July Finance Reports

FOR THE PURPOSE OF:

Update Town Council on July activity.

ATTACHED FOR YOUR CONSIDERATION:

July 2021 Finance Report

July 2021 Budget Report

STAFF RECOMMENDATION:

Review

SIGNATURES:

Town Manager

Town Clerk

8-20-2021 09:24 AM

TOWN OF BEECH MOUNTAIN
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2021

PAGE: 1

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	4,059,426	24,489.48	24,489.48	0.00	4,034,936.52	0.60
Interest Income	16,900	1,134.31	1,134.31	0.00	15,765.69	6.71
Miscellaneous Income	543,000	127,514.84	127,514.84	0.00	415,485.16	23.48
State Revenue	1,972,177	4.53	4.53	0.00	1,972,172.47	0.00
Miscellaneous Revenue	0	0.00	0.00	0.00	0.00	0.00
Fees	43,000	9,159.15	9,159.15	0.00	33,840.85	21.30
Gains/Losses	5,000	0.00	0.00	0.00	5,000.00	0.00
Other	448,879	0.00	0.00	0.00	448,879.00	0.00
Other Sources	2,196,934	0.00	0.00	0.00	2,196,934.00	0.00
TOTAL REVENUES	9,285,316	162,302.31	162,302.31	0.00	9,123,013.69	1.75
<u>EXPENDITURE SUMMARY</u>						
Administration	1,733,641	77,451.60	77,451.60	137.92	1,656,051.48	4.48
Tax Collections	49,239	5,925.79	5,925.79	0.00	43,313.21	12.03
Vistors Center	502,018	25,702.61	25,702.61	0.00	476,315.39	5.12
Police	1,256,751	137,013.87	137,013.87	62,118.67	1,057,618.46	15.85
Fire	515,242	45,029.30	45,029.30	1,462.07	468,750.63	9.02
Special Projects	0	0.00	0.00	0.00	0.00	0.00
Building Inspections	204,621	20,080.09	20,080.09	0.00	184,540.91	9.81
Planning	136,290	13,418.48	13,418.48	0.00	122,871.52	9.85
Vehicle Maintenance	227,668	22,255.19	22,255.19	3,482.90	201,947.07	11.30
Road Maintenance	3,495,478	330,749.08	330,749.08	107,442.55	3,098,351.81	11.36
Recreation	1,164,368	202,935.69	202,935.69	8,908.13	952,524.18	18.19
TOTAL EXPENDITURES	9,285,316	880,561.70	880,561.70	183,552.24	8,262,284.66	11.02
REVENUE OVER/(UNDER) EXPENDITURES	0 (	718,259.39) (	718,259.39) (	183,552.24)	860,729.03	0.00

8-20-2021 09:41 AM

TOWN OF BEECH MOUNTAIN
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2021

PAGE: 1

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	500	0.00	0.00	0.00	500.00	0.00
Miscellaneous Income	46,500	0.00	0.00	0.00	46,500.00	0.00
State Revenue	0	0.00	0.00	0.00	0.00	0.00
Metered Sales & Fees	2,623,792	241,795.60	241,795.60	0.00	2,381,996.40	9.22
Gains/Losses	0	0.00	0.00	0.00	0.00	0.00
Other	140,000	0.00	0.00	0.00	140,000.00	0.00
Other Sources	731,900	0.00	0.00	0.00	731,900.00	0.00
TOTAL REVENUES	3,542,692	241,795.60	241,795.60	0.00	3,300,896.40	6.83
<u>EXPENDITURE SUMMARY</u>						
W/S Administration	1,512,281	76,566.52	76,566.52	255.00	1,435,459.48	5.08
Water	1,067,770	119,792.74	119,792.74	8,852.28	941,757.43	11.80
Sewer	342,441	22,450.32	22,450.32	7,943.53	312,047.15	8.88
Taps & System	620,200	87,984.22	87,984.22	15,034.39	517,181.39	16.61
TOTAL EXPENDITURES	3,542,692	306,793.80	306,793.80	32,085.20	3,206,445.45	9.49
REVENUE OVER/(UNDER) EXPENDITURES	0 (	64,998.20) (	64,998.20) (	32,085.20)	94,450.95	0.00

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TOWN OF BEECH MOUNTAIN
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2021

PAGE: 1

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	0.00	0.00	0.00	150.00	0.00
Miscellaneous Income	67,000	6,575.00	6,575.00	0.00	60,425.00	9.81
State Revenue	180	0.00	0.00	0.00	180.00	0.00
Fees	710,149	75,467.51	75,467.51	0.00	634,681.49	10.63
Gains/Losses	0	0.00	0.00	0.00	0.00	0.00
Other	315,000	0.00	0.00	0.00	315,000.00	0.00
Other Sources	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,092,479	82,042.51	82,042.51	0.00	1,010,436.49	7.51
<u>EXPENDITURE SUMMARY</u>						
Sanitation	1,092,479	247,777.39	247,777.39	219.10	844,482.51	22.70
TOTAL EXPENDITURES	1,092,479	247,777.39	247,777.39	219.10	844,482.51	22.70
REVENUE OVER/(UNDER) EXPENDITURES	0 (	165,734.88) (	165,734.88) (	219.10)	165,953.98	0.00

Town of Beech Mountain
Monthly Financial Report
Fiscal Year 2022

Fiscal Year 2022		Through the reported month												8%	% of
<u>General Fund</u>	<u>Budget</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>YTD</u>	<u>Budget</u>
Total Revenue	9,285,316	162,302												162,302	1.75%
Total Expenditures	9,285,316	880,562												880,562	9.48%
Total General Fund fund balance as of July 1st	8,009,204	8,009,204	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	8,009,204	
Revenues Less Expenditures		(718,259)	-	-	-	-	-	-	-	-	-	-	-	(718,259)	
Estimated change to Fund Balance		7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	7,290,945	
<u>Water/Sewer Enterprise Fund</u>															
Total Revenue	3,542,692	241,796												241,796	6.83%
Total Expenses	3,542,692	306,794												306,794	8.66%
Unrestricted Cash Reserves as July 1st	1,977,631	1,977,631	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,977,631	
Revenues Less Expenses		(64,998)	-	-	-	-	-	-	-	-	-	-	-	(64,998)	
Estimated Change in Cash Reserves		1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	1,912,633	
<u>Sanitation Enterprise Fund</u>															
Total Revenue	1,092,479	82,043												82,043	7.51%
Total Expenses	1,092,479	247,777												247,777	22.68%
Unrestricted Cash Reserves as July 1st	863,360	863,360	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	863,360	
Revenues Less Expenses		(165,734)												(165,734)	
Estimated Change in Cash Reserves		697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	697,626	
<u>Cash & Investments All FUNDS</u>		<u>Fund</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	
Branch Banking and Trust (Pooled) #1	Pooled	909,950													
North Carolina Capital Management Trust #2	General Fund	6,336,179													
Mountain Community - Certificates of Deposit #4	General Fund	103,359													
North Carolina Capital Management Trust #6	Utility Fund	1,207,304													
North Carolina Capital Management Trust #8	Sanitation Fund	218,171													
North Carolina Capital Management Trust #9	E911 Fund	72,989													
Total Cash & Investments		8,847,952	-	-	-	-	-	-	-	-	-	-	-	-	
<u>Transfers for the month</u>															
From #2 to #1 \$750,000															



REPORT

TO: Town Council
FROM: Bob Pudney
DATE: September 14, 2021
SUBJECT: Fire Department Monthly Report

SIGNATURES:

Town Manager

Town Clerk

**BEECH MOUNTAIN FIRE DEPARTMENT
Monthly Report
August 31, 2021**

EVENT	THIS PERIOD	SAME PERIOD LAST YEAR	FISCAL YTD
FIRE CALLS	11	14	20
MEDICAL CALLS	19	15	46
FIRE SAFETY INSPECTIONS	2	0	2
PUBLIC EDUCATION	0	0	0
FIRE HYDRANT INSPECTIONS	0	0	0
TRAINING HOURS	196	453	415
MEETINGS	5	5	9

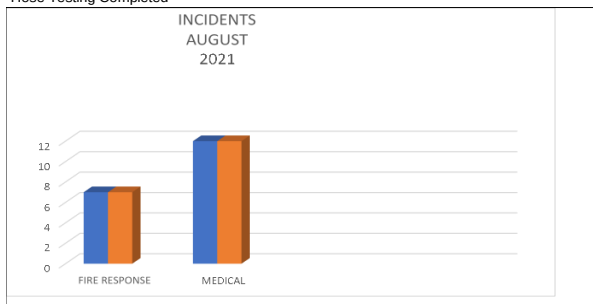
COMMENTS:

Membership Recruitment Program.

9S Inspection

Pump Testing

Hose Testing Completed





REPORT

TO: Mayor and Town Council
FROM: Tim Barnett
DATE: September 14, 2021
SUBJECT: Police Department Monthly Report

SIGNATURES:

Town Manager

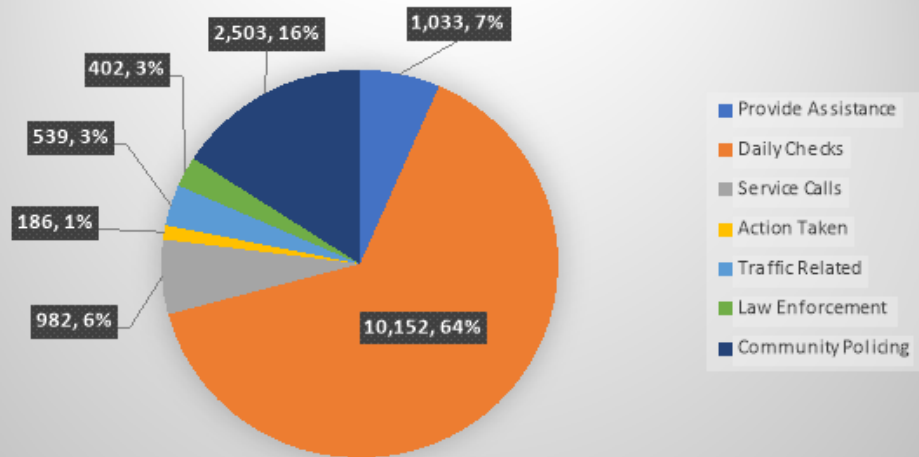
Town Clerk



Activity Log Yearly Summary Totals
Beech Mountain Police Department
January 1, 2021 through August 31, 2021

<i>Call Type</i>	<i>2020</i>	<i>2021</i>	<i>Call Type</i>	<i>2020</i>	<i>2021</i>
Provide Assistance			Traffic Related		
Assist Fire Department	17	31	Driving While Impaired	3	3
Assist Investigation	0	3	Improper Parking	75	103
Assist Other Agency	63	71	Stationary/Directed Patrol	143	222
Assist Town Dept/Business	16	9	Traffic Control	18	38
Assist Homeowner	19	34	Vehicle Accidents	36	59
Assist Motorist	323	268	Vehicle Stops	119	114
Assist Other Officer	149	168			
Escort	355	376	Law Enforcement Calls		
Assist Medical Calls	46	73	911 Hang Ups	11	19
			Alarms	48	66
Daily Checks			Breaking & Entering	14	10
Business Checks	7,764	8,424	Domestic Complaints	22	11
Care Track Test	0	0	Fight	2	6
Security Checks	1,177	189	Fire Works Violations	10	12
Residence Checks	996	1,518	Fraud	6	3
Welfare Check	32	21	Hit & Run	2	1
			Intoxicated/Drunk & Disruptive	12	6
Service Calls			Investigation	19	28
Animal Control Domestic/Wildlife	66	63	Larceny	7	20
Calls for Service	349	730	Mental Subject	6	2
Deliver Letter/Message	132	65	Missing Person	8	3
Found Property	5	13	Noise Disturbance/Loud Music	36	44
Golf Cart / UTV Inspections	42	45	Open Door/Open Window	37	55
ATV/Golf Cart Complaints	15	8	Prowler	1	1
Recreation/Town Deposit	37	54	Shots Fired/Sound of Shots Fired	9	2
COVID/mask	0	4	Subject with Gun/Weapon	1	0
			Suspicious Vehicle	27	34
Action Taken			Trespassing	36	44
Court	9	4	Vandalism	7	6
Felony Arrest	1	3	Continuing Investigation	6	29
Misdemeanor Arrest	6	16			
State Citations	58	35	Community Policing		
Town Ordinance Violations	4	31	Community Policing Contacts	2,885	2,484
Verbal Warning	70	66	Community Events	21	19
Warning Citations	29	7			
Warrant Service	19	24			
2020 Event Totals: 16,110			2021 Event Totals: 16,326		

2021 Monthly Condensed Calls





REPORT

TO: Council and Town Manager
FROM: Sean Royall
DATE: September 14, 2021
SUBJECT: August 2021 Recreation Report

FOR THE PURPOSE OF:

For review by council and town manager

ATTACHED FOR YOUR CONSIDERATION:

Recreation Report, August 2021

SIGNATURES:

Town Manager

Town Clerk



August 2021 Recreation Report

Facility Report

Finance Report

Total Monthly Revenue	\$7,624.85
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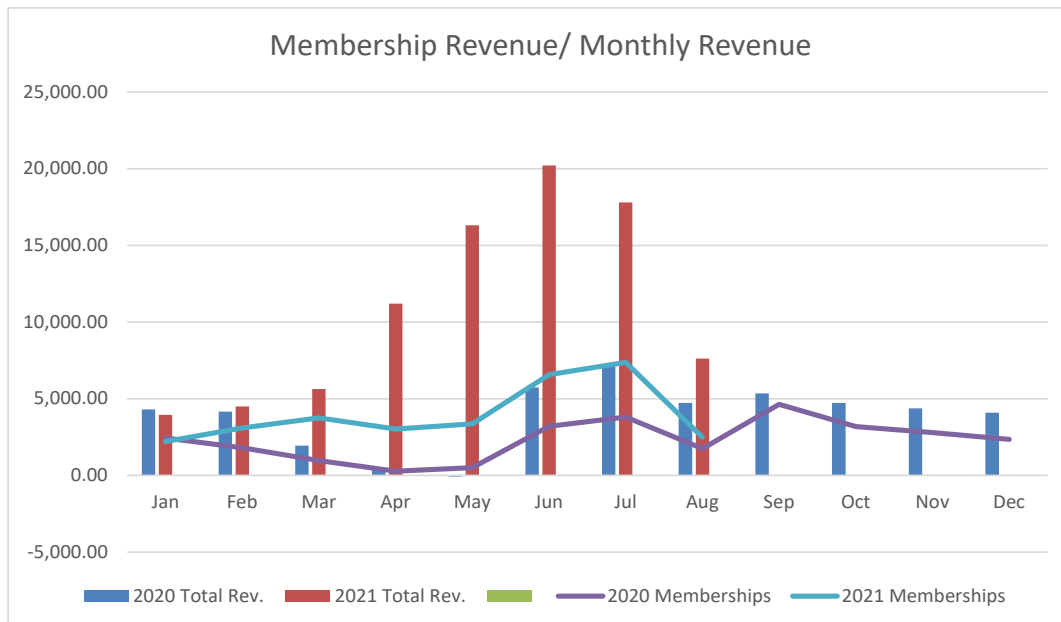
Check-In Report

Member Visits	687
Non-Member Visits	218

Membership Report

Total Memberships \$2,487.50

Family Annual \$2,000.00		
Active	Passes Expired (not renewed)	Passes sold
148	5	10
Individual Annual \$312.50		
Active	Passes Expired (not renewed)	Passes sold
129	2	3
Week Passes \$175.00	Individual	Family
	4	3

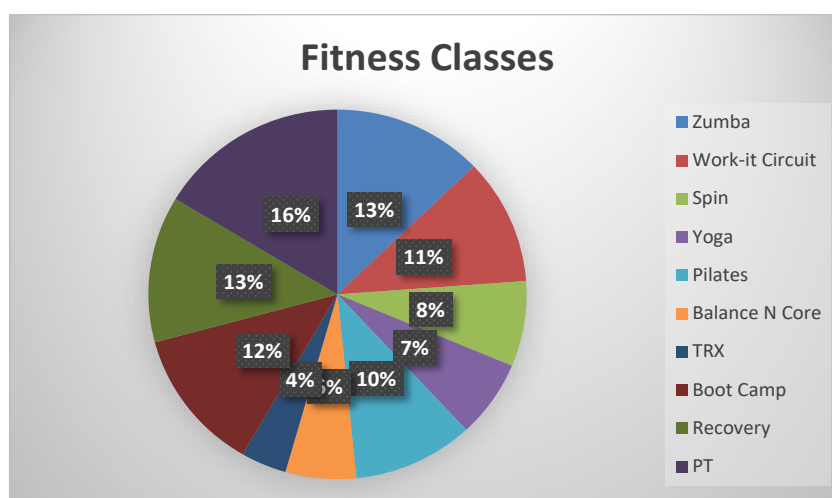


Fitness Report

Participants:

Number of classes offered in the month/ Participants.

Zumba	7	72
Work-it Circuit	7	62
Spin	9	42
Yoga	4	38
Pilates	4	58
Balance N Core	3	34
TRX	3	22
Boot Camp	4	70
Recovery	4	72
PT		92



Event/Outdoor Report

Participants:

Emerald Outback Trail	6714
Guided Hike	11/ 1
Craft Night	3
Bike Camp/ Bike Rodeo	11
Trivia	5 Teams
Night Hike	25
Snake Program	6

Facility Reservations

Pavilion	\$20
Shane Park	\$800

Director's Notes:

- Held the first Bike Camp, 9th-13th for ages 5-12.
- Shane Park sign installed
- New snow gun on order
- Fitness storage system installed in gym at Buckeye
- Several fences repaired across the mountain

Respectfully Submitted,

Sean Royall
Parks and Recreation Director
Town of Beech Mountain



REPORT

TO: Town Council
FROM: Daniel Davis
DATE: September 14, 2021
SUBJECT: DOI August Report

FOR THE PURPOSE OF:

August reports for Public works, water plant, wastewater, and sanitation

SIGNATURES:

Town Manager

Town Clerk

Sanitation Department
Monthly Report

2020	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
JANUARY	145.41	0.00	1.75	0.85	0.81	2.50	0.39	0.00	10	1	4	1	2	0
FEBRUARY	104.70	0.00	0.00	0.54	0.44	1.71	0.38	6.44	0	0	6	4	1	0
MARCH	95.10	0.00	2.85	0.71	0.43	2.54	0.42	3.75	11	1 many		7	1	0
APRIL	75.66	0.00	4.20	1.06	0.69	2.14	0.56	0.00	35	2	3	7	2	0
MAY	92.11	0.00	1.75	0.99	0.52	2.26	0.42	5.05	18	1	1	1	2	1
JUNE	131.97	3.34	2.63	1.03	0.69	2.13	0.35	5.69	14	2	10	8	7	15
JULY	163.45	0.00	4.68	1.53	1.46	5.96	0.39	7.22	25	4 many		10	many	40
AUGUST	134.91	1.12	1.50	8.15	8.63	2.89	0.94	5.26	20	5 many		many	many	35
SEPTEMBER	129.92	0.00	3.00	1.72	1.31	6.45	1.21	5.55	5	2 many		0	10	0
OCTOBER	156.60	0.00	4.00	1.22	1.26	3.19	0.41	0.00	30	5	20	10	15	0
NOVEMBER	116.36	0.00	2.00	0.94	0.55	2.76	0.39	4.73	5	0	5	10	10	0
DECEMBER	146.17	1.22	2.00	0.90	0.89	2.10	0.36	3.42	0	0	0	0	0	0
YTD TOTALS	1492.36	5.68	30.36	19.64	17.68	36.63	6.22	47.11	173	23	49	58	50	91
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
JANUARY	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
FEBRUARY	141.92	Res. Const. Day	1.50	0.62	0.52	2.14	0.40	0.00	5	25	25			0
MARCH	131.71	Res. Const. Day	3.73	1.08	0.44	0.00	0.00	5.13	11	8	25	10	11	0
APRIL	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
JUNE	143.36	Res. Const. Day	3.00	0.94	1.30	2.43	0.31	4.53	20	4	16	25	25	68
JULY	149.64	Res. Const. Day	2.50	1.33	1.04	2.95	0.32	0.00	20	2	25	25	25	2
AUGUST	119.25	Res. Const. Day	2.00	0.84	0.90	2.96	0.33	4.97	20	5	25	25	15	25
SEPTEMBER														
OCTOBER														
NOVEMBER														
DECEMBER														
YTD TOTALS	1005.99	0.00	22.75	7.31	5.74	18.75	2.46	19.31	111	53	161	97	96	122

Town of Beech Mountain
Water Treatment Monthly Operation Report

August 2021 flow totals:

Raw Water: 19.3 MG
.621 MGD Avg
.468 Min MGD
.972 Max MGD

Finished Water: 16.9 MG
.546 MGD Avg
.376 Min MGD
.785 Max MGD

All Bacteria samples taken were absent of Coliform Bacteria.

All daily tests are in compliance.

July Wastewater Report

Grassy Gap Wastewater Plant

Total Flow	1.054	MG
Average Flow	0.034	MGD
Daily Max	0.092	MGD
Daily Min	0.015	MGD
Limit	0.08	MGD

Pond Creek Wastewater Plant

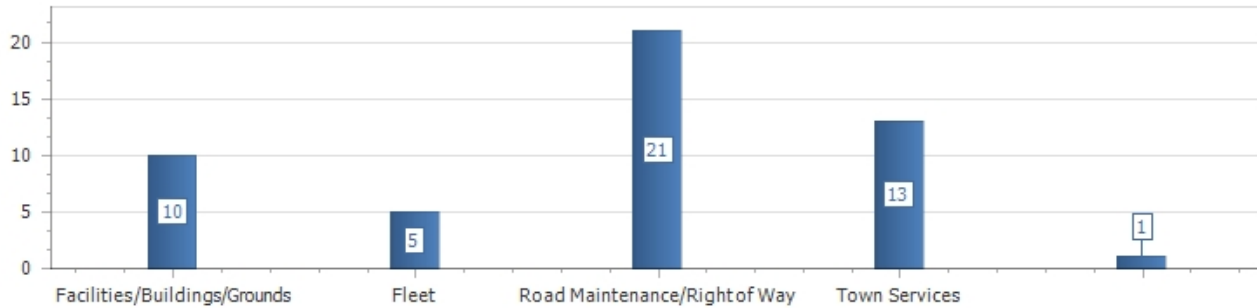
Total Flow	5.6	MG
Average Flow	0.182	MGD
Daily Max	0.51	MGD
Daily Min	0.11	MGD
Limit	0.4	MGD

Completed WOs by Site Analysis

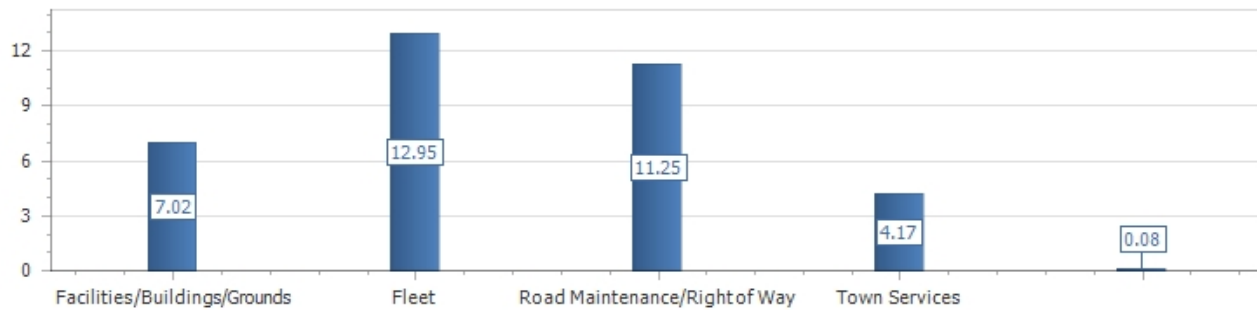
Date Printed: 09/02/2021

Page 1 of 1

Total



Average days to close



Site	Total	Average days to close
Facilities/Buildings/Grounds	10	7.02
Fleet	5	12.95
Road Maintenance/Right of Way	21	11.25
Town Services	13	4.17
Water Treatment/ Distribution System	1	0.08

Report Parameters

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

Search:

Advanced Filters: [Originated] Between '08/01/2021' And '08/31/2021'

Tags:

Summary

Date Printed: 09/02/2021

Page 1 of 4

Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
1463	Completed	PM				Fleet	2004 160 CLC Excavator Trackhoe	Public Works Shop	Whitney Spagnolo	08/01/2021	08/02/2021		0.00	0.00
1461	Completed	PM	2 - High		Compliance Reporting	Water Treatment/Distribution System		Buckeye Water Treatment Plant	Daniel Davis	08/01/2021	08/02/2021	08/01/2021	0.00	0.00
1473	Completed	PM	2 - High		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/03/2021	08/05/2021	08/03/2021	0.00	0.00
1487	Completed	Non-PM	2 - High		Tires	Fleet	#804	Police Station*	David Clawson	08/09/2021		08/09/2021	0.00	0.00
1488	Completed	Non-PM	2 - High		Water Leak	Town Services	102 GALAX LN		Joe Townsend	08/09/2021		08/11/2021	0.00	0.00
1489	Completed	Non-PM	2 - High		Water Leak	Town Services	105 WEDLING WEG #3		Joe Townsend	08/09/2021		08/11/2021	0.00	0.00
1490	Completed	Non-PM	2 - High		Other-Taps and Systems	Town Services	108 ST ANDREWS RD		Daniel Davis	08/09/2021		08/12/2021	0.00	0.00
1503	Completed	Non-PM	2 - High		Sign Reinstall-Replacement	Road Maintenance/Right of Way	WATERTANK RD		Whitney Spagnolo	08/13/2021		08/17/2021	0.00	0.00
1516	Completed	Non-PM	2 - High		Clear Street of Obstruction-Debris	Road Maintenance/Right of Way	RED OAK RD		Whitney Spagnolo	08/19/2021		09/01/2021	0.00	0.00
1524	Completed	Non-PM	2 - High		Culvert Maintenance	Road Maintenance/Right of Way	PINE RIDGE RD		Matthew Clawson	08/20/2021		09/01/2021	0.00	0.00
1526	Completed	PM	2 - High		Custodial	Facilities/Buildings/Grounds		PUD PWD Office	Whitney Spagnolo	08/23/2021	08/24/2021	09/01/2021	0.00	0.00
1531	Completed	Non-PM	2 - High		Drainage Issue	Road Maintenance/Right of Way	HORNBEAM RD		Whitney Spagnolo	08/23/2021		09/01/2021	0.00	0.00
1536	Completed	Non-PM	2 - High		Debris Removal	Road Maintenance/Right of Way	ST ANDREWS RD		Chrissy Bonestell	08/23/2021		09/01/2021	0.00	0.00
1466	Completed	Non-PM	3 - Medium		Customer Complaint	Road Maintenance/Right of Way	PINNACLE RIDGE RD		Whitney Spagnolo	08/02/2021		08/03/2021	0.00	0.00
1467	Completed	Non-PM	3 - Medium		Tires	Fleet	2014 Jeep Patriot	Town Hall	Whitney Spagnolo	08/02/2021		08/27/2021	0.00	0.00
1468	Completed	Non-PM	3 - Medium		Asphalt Repair	Road Maintenance/Right of Way	PINE RIDGE RD		Daniel Davis	08/02/2021		08/19/2021	0.00	0.00

Summary

Date Printed: 09/02/2021

Page 2 of 4

Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
1470	Completed	Non-PM	3 - Medium		Water Leak	Town Services	234 BIRCHWOOD LN		Water Plant	08/02/2021		08/03/2021	0.00	0.00
1472	Completed	Non-PM	3 - Medium		Customer Complaint	Road Maintenance/ Right of Way	CHARTER HILLS RD		Whitney Spagnolo	08/02/2021		09/01/2021	0.00	0.00
1474	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/03/2021	08/04/2021	08/19/2021	0.00	0.00
1480	Completed	Non-PM	3 - Medium		Data Log	Town Services	105 WEDLING WEG #1		Water Plant	08/05/2021		08/09/2021	0.00	0.00
1481	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/06/2021	08/07/2021	08/19/2021	0.00	0.00
1482	Completed	Non-PM	3 - Medium		Culvert Maintenance	Road Maintenance/ Right of Way	NORTH PINNACLE RIDGE RD		Whitney Spagnolo	08/06/2021		09/01/2021	0.00	0.00
1491	Completed	Non-PM	3 - Medium		Customer Complaint	Town Services	119 HOLLY LN		Whitney Spagnolo	08/09/2021		08/19/2021	0.00	0.00
1493	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/10/2021	08/11/2021	08/17/2021	0.00	0.00
1495	Completed	Non-PM	3 - Medium		Other-Taps and Systems	Town Services	112 ASH LANE		Whitney Spagnolo	08/10/2021		08/17/2021	0.00	0.00
1497	Completed	Non-PM	3 - Medium		Brakes	Fleet	#803	Police Station*	Whitney Spagnolo	08/11/2021		08/27/2021	0.00	0.00
1498	Completed	Non-PM	3 - Medium		Water Meter Read	Town Services	238 BIRCHWOOD LN		Water Plant	08/12/2021		08/20/2021	0.00	0.00
1499	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/13/2021	08/14/2021	08/17/2021	0.00	0.00
1501	Completed	Non-PM	3 - Medium		Other	Road Maintenance/ Right of Way	SLOPES RD		Whitney Spagnolo	08/13/2021		09/01/2021	0.00	0.00
1508	Completed	PM	3 - Medium		Custodial	Facilities/Buildings/Grounds		PW Utilities Office	Daniel Davis	08/17/2021	08/18/2021	08/19/2021	0.00	0.00
1511	Completed	Non-PM	3 - Medium		Ditch Maintenance	Road Maintenance/ Right of Way	SAWMILL BRANCH		Whitney Spagnolo	08/18/2021		09/01/2021	0.00	0.00
1512	Completed	Non-PM	3 - Medium		Customer Complaint	Road Maintenance/ Right of Way	VILLAGE RD		Whitney Spagnolo	08/18/2021		08/20/2021	0.00	0.00
1517	Completed	Non-PM	3 - Medium		Other	Road Maintenance/ Right of Way	PINNACLE RIDGE RD		Whitney Spagnolo	08/19/2021		09/01/2021	0.00	0.00

Summary

Date Printed: 09/02/2021

Page 3 of 4

Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
1519	Completed	Non-PM	3 - Medium		Grading	Road Maintenance/ Right of Way	RAVEN RD		Whitney Spagnolo	08/19/2021		09/01/2021	0.00	0.00
1521	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	08/20/2021	08/21/2021	09/01/2021	0.00	0.00
1527	Completed	Non-PM	3 - Medium		Water Meter Read	Town Services	212 BIRCHWOOD LN		Water Plant	08/23/2021		08/28/2021	0.00	0.00
1530	Completed	Non-PM	3 - Medium		Road Maintenance	Road Maintenance/ Right of Way	OZ RD		Whitney Spagnolo	08/23/2021		08/25/2021	0.00	0.00
1548	Completed	Non-PM	3 - Medium		Customer Complaint	Town Services	3441 BEECH MTN PKWY F4		Whitney Spagnolo	08/25/2021		08/31/2021	0.00	0.00
1550	Completed	Non-PM	3 - Medium		Culvert Maintenance	Road Maintenance/ Right of Way	GRASSY GAP LOOP RD		Matthew Clawson	08/26/2021		09/01/2021	0.00	0.00
1551	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	08/27/2021	08/28/2021	09/01/2021	0.00	0.00
1560	Completed	Non-PM	3 - Medium		Water Leak	Town Services	107 MEADOWVIEW CIRCLE		Water Plant	08/30/2021		08/30/2021	0.00	0.00
1567	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	08/31/2021	09/01/2021	09/01/2021	0.00	0.00
1571	Completed	Non-PM	3 - Medium		Customer Complaint	Town Services	3441 BEECH MTN PKWY F4		Water Plant	08/31/2021		09/01/2021	0.00	0.00
1469	Completed	Non-PM	4 - Low		Ditch Maintenance	Road Maintenance/ Right of Way	NORTH PINNACLE RIDGE RD		Matthew Clawson	08/02/2021		08/19/2021	0.00	0.00
1494	Completed	Non-PM	4 - Low		Customer Complaint	Road Maintenance/ Right of Way	CLUB HOUSE RD		Whitney Spagnolo	08/10/2021		08/19/2021	0.00	0.00
1502	Completed	Non-PM	4 - Low		Other	Road Maintenance/ Right of Way	VILLAGE RD		Chrissy Bonestell	08/13/2021		08/19/2021	0.00	0.00
1518	Completed	Non-PM	4 - Low		Washout or Erosion	Road Maintenance/ Right of Way	SKIWAY RD		Whitney Spagnolo	08/19/2021		09/01/2021	0.00	0.00
1523	Completed	Non-PM	4 - Low		Drainage Issue	Road Maintenance/ Right of Way	BEECH MOUNTAIN PKWY EXT		Whitney Spagnolo	08/20/2021		09/01/2021	0.00	0.00
1554	Completed	Non-PM	4 - Low		Valve Locate	Town Services	105 VILLAGE CREEK RD		Water Plant	08/27/2021		09/01/2021	0.00	0.00

Summary

Date Printed: 09/02/2021

Page 4 of 4

Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
1506	Completed	PM	5 - Spare Time		Maintenance	Fleet	Ford F150	Public Works Shop	Whitney Spagnolo	08/16/2021	08/17/2021	08/27/2021	0.00	0.00

Records Selected: 50

Total Cost \$ Total Hrs

0.00 0.00

Report Parameters

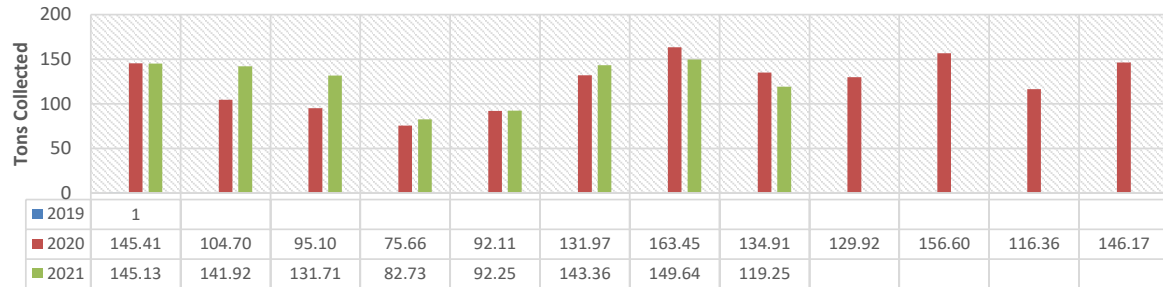
Filter: Contains([WO Status], 'Completed') And Not Contains([Source Site], 'Parks & Rec')

Search:

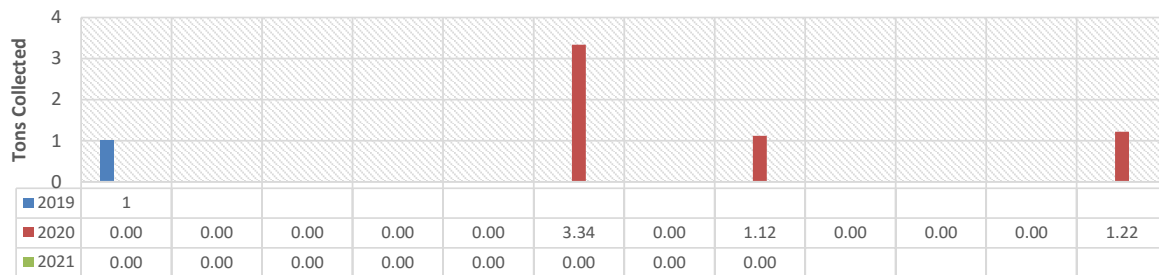
Advanced Filters: [Originated] Between '08/01/2021' And '08/31/2021'

Tags:

Solid Waste



Construction Material



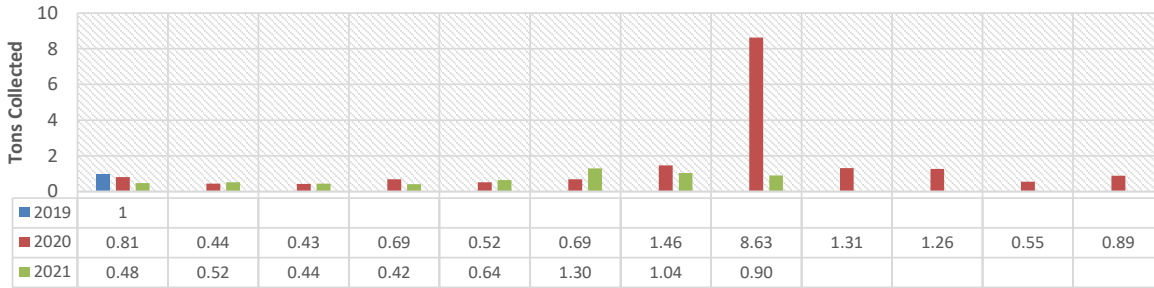
Recycled Metal



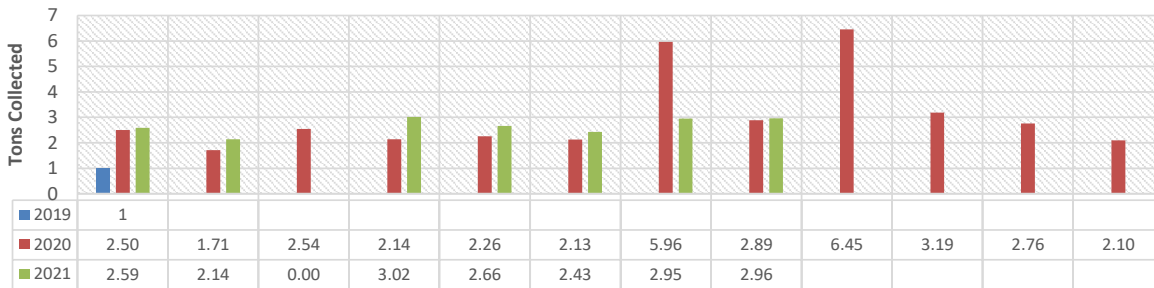
Recycled Paper



Recycled Plastic



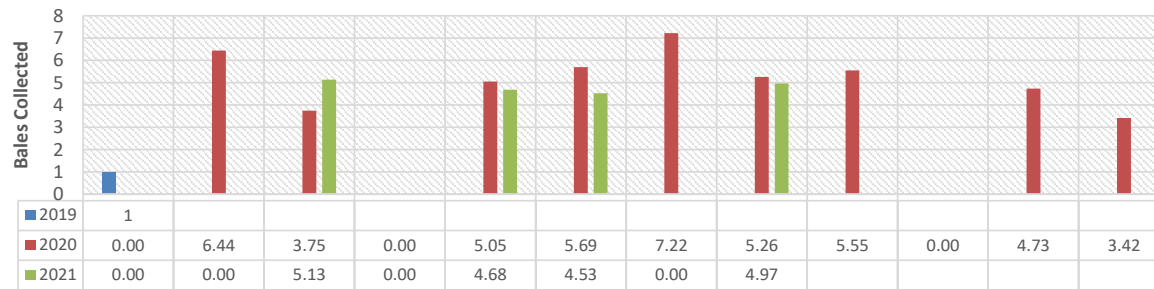
Recycled Glass



Recycled Aluminum



Recycled Cardboard





REPORT

TO: Town Council
FROM: Preston Yates
DATE: September 14, 2021
SUBJECT: Planning and Inspection Report 2021-08

FOR THE PURPOSE OF:

Report of Planning and Inspection activities for the month of August.

SIGNATURES:

Town Manager

Town Clerk

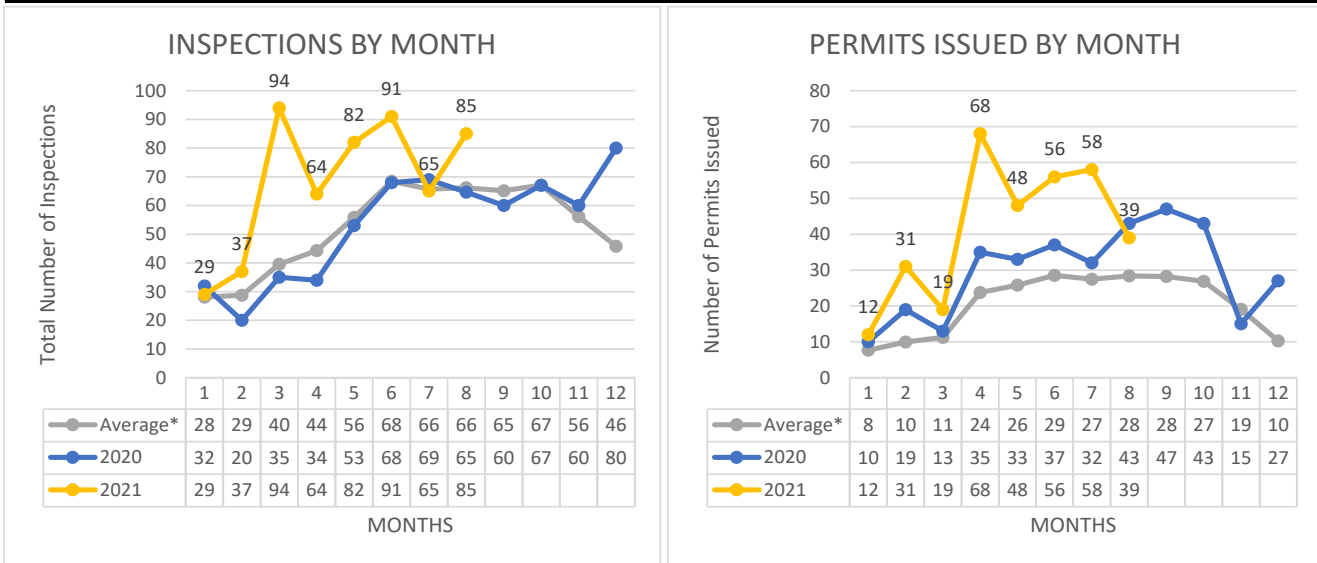
TOWN OF BEECH MOUNTAIN
Monthly Report
Department of Building Inspections
August-2021

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	50	35	35	85	68	264
Electrical	18	6	12	24	22	108
Plumbing	8	2	8	10	19	69
Htg/Air & Misc.	9	22	10	31	25	106

2. Permits Issued

No. Issued	31	58	43	97	75	331
Value	\$ 719,595	\$ 2,765,450	\$ 553,537	\$ 3,485,045	\$ 940,637	\$ 10,085,543
Permit Fees	\$ 24,946.20	\$ 77,438.75	\$ 19,214.00	\$ 102,384.95	\$ 27,285.00	\$ 223,622.45



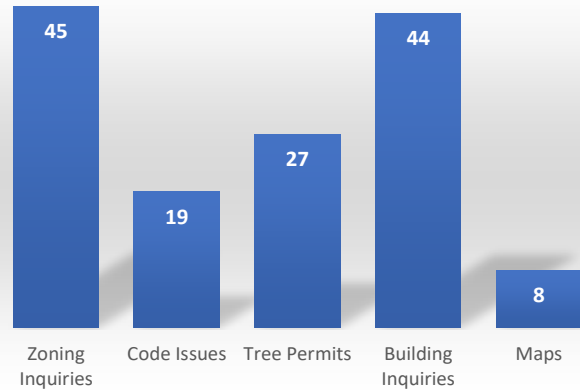
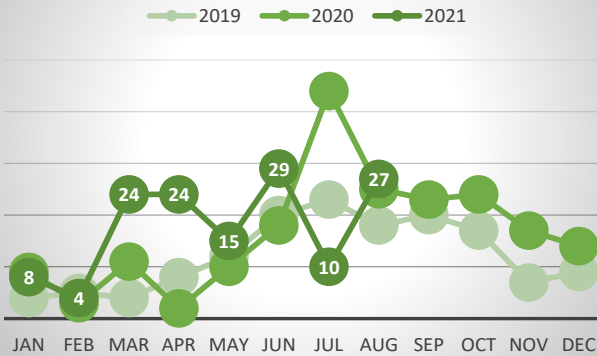
*NOTE: Average Inspections and Permits are calculated based on a running average since April 2009

3. Nature of Building Permits

# of Permits	Type	Address	Total Fees	Valuation	New Bldgs FY to Date	New Bldgs Last FY
2	New Single Family		\$ 22,811.20	\$ 488,212	12	4
	New Multi-Family				0	0
	New Commercial				0	0
29	Other	Various	\$ 2,135.00	\$ 231,383		
31			\$ 24,946.20	\$ 719,595		

TOWN OF BEECH MOUNTAIN
PLANNING AND ZONING MONTHLY REPORT
 August-2021

Tree Permits



Summary and Highlights

Building:

Building permit issuance remains above 10-year average
 2 New Homes permitted in July

Zoning:

Zoning inquiries remain elevated

Trees:

Tree permits rebound from July

GIS/Mapping:

Updates to several layers underway
 Map requests continue at high level

Planning Board:

Planning Board finalized review of Short-Term Rental regulations
 Continue to monitor State Legislature for potential changes to local authorities
 Planning Board continues review of Affordable Housing and Workforce Housing issue

Board of Adjustment:

BOA approved two variances at August 3 meeting

Other:



REPORT

TO: Mayor and Town Council
FROM: Kate Gavenus
DATE: September 14, 2021
SUBJECT: TDA September Report

FOR THE PURPOSE OF:

This report gives examples of PR and marketing activities, media coverage, economic development and results for the previous month.

ATTACHED FOR YOUR CONSIDERATION:

TDA September Report

SIGNATURES:

Town Manager

Town Clerk

**Beech Mountain TDA Report
To Town Council
September 2021**

Marketing/Media:

A travel writer was hosted on the mountain in August. Many thanks for the support from VCI Rentals, Mi Jalisco, Fred's Deli, Poppy's Coffee Shop, Beech Alpen Restaurant, Holy Smokes, the Beech Mountain Resort, the Brick Oven, Buckeye Rec Center, and the Land of Oz.

The Hi-Lo Adventure Trail kick-off took place August 26th with a business expo of locations on the trail. Around 100 people learned about the trail and 1000 maps were distributed to partners along the route. Many thanks to Buckeye Rec Center, which provided the venue, Paul Hegner and Armando Garcia, who staged the site, the Corklickers, who provided the entertainment, the TDA, which funded the project, Mayor Barry Kaufman, council members Jimmie Accardi and Kelly Melang, and Town Manager Bob Pudney, who represented the Town of Beech Mountain.

Examples of media coverage received in August:

Hi-Lo Trail: <https://www.hcpress.com/beechnmountain/hi-lo-adventure-trail-connects-beech-mountain-visitors-to-other-parts-of-avery-and-watauga-counties-and-eastern-tennessee.html>

Resort and environment: https://www.wataugademocrat.com/news/beechnmountain-resort-partners-with-mountaintrue-and-watauga-riverkeeper-to-support-sustainability-and-the-environment/article_71c0f687-5367-514b-a334-c3ce0b948845.html

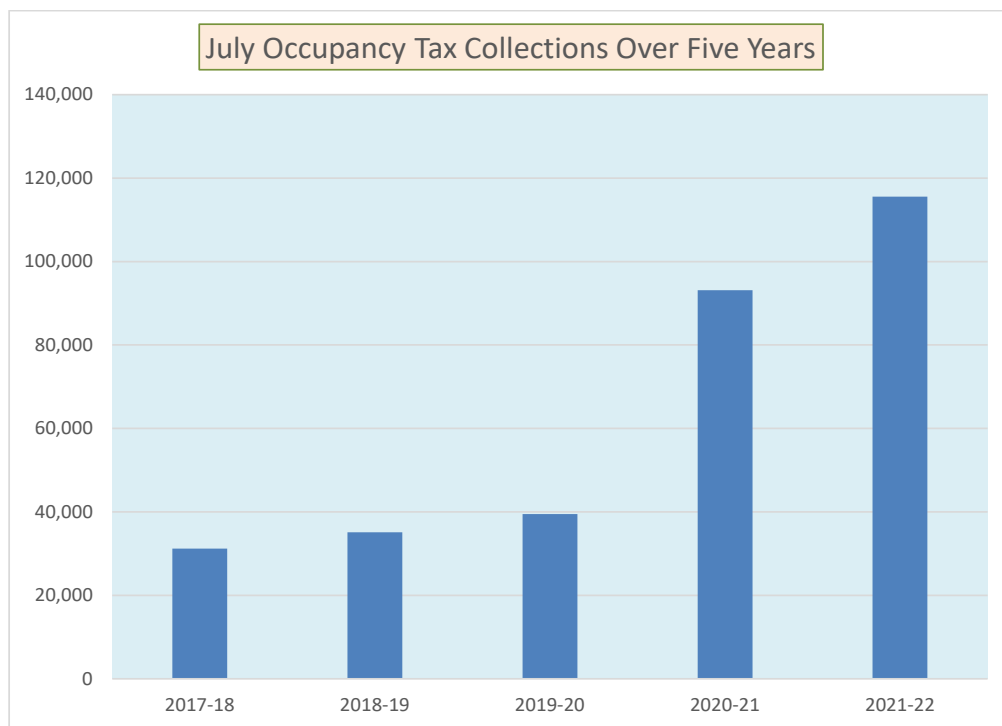
Fall getaway: <https://www.southernliving.com/travel/north-carolina/beechnmountain-nc>

Fall trips: <https://www.yahoo.com/lifestyle/why-fall-getaway-beech-mountain-203842974.html?guccounter=1>

Avery Quilt Trail: <https://okramagazine.com/digital-issues/issue-15-2021-full-edition/> Pages 109-115 (FIVE glorious color pages)

Results:

There were 722 visitors in the Visitor Center during the month of August, which was less than the 800 visitors received in August 2020. **Occupancy tax of \$115,569 in the month of August (for July overnight stays) which was 24.11% greater than the \$93,120 collected in August of 2020.** 2880 room nights were reported.



While tax collected is higher for July 2021 than in 2020, the number of overnights in STR's on the mountain is lower. Room nights for July 2020 equaled 3330, while the town had 2880 overnight stays from visitors in July 2021.

The increase reflects an increase in LTR's, prices and the remittance of taxes directly from Airbnb and VRBO.

September 2021 Economic Development News

Census Summary: The 2020 Census shows a population of 614 residents in the Town of Beech Mountain. 572 people are 16 or older, and 44% of these are employed. There are 2,398 total housing units, of which 304 are full-time residences.

On Beech Mountain:

A meeting took place last month regarding the viability of developing workforce housing on the mountain. The resort and the club need seasonal staff, as well as housing suitable for a smaller number of year-round full-time employees. Several other businesses report trying to attract employees who need to live on the mountain or a short distance away and are finding that lack of housing is impeding recruitment. Dr. Lee King, President of Lees-McRae College, will also be convening a meeting regarding workforce housing. He has expressed frustration regarding the recruitment of faculty and staff, who are unable to re-locate due to the unavailability of housing. He plans to hold his meeting prior to the first of October and will include Beech Mountain and Avery County officials.

Kat's Overlook is no longer a giant blue building, due to the cleaning and painting done to accommodate the first of the enterprises that will be housed in the structure. Permits will be requested this month for remodeling of the restaurant area, which will be run by the chef who started the restaurants for Sandals resorts in Jamaica.

In the Area:

Unemployment remains low, and many jobs are going unfilled, both on the mountain and in the High Country.

A new campground is being developed in Newland, which will allow recreational vehicles, and will be within walking distance of restaurants and shopping.

The old Pineola Motel has been renovated and re-opened as the Pineola, with RV camping, a tap room, gift shop, and hotel rooms as well.



REPORT

TO: Town Council
FROM: Daniel Davis
DATE: October 12, 2021
SUBJECT: DOI Report September 2021

FOR THE PURPOSE OF:

Public Works, Water, Sewer, Sanitation monthly report.

SIGNATURES:

Town Manager

Town Clerk

Town of Beech Mountain
Water Treatment Monthly Operation Report

September 2021 flow totals: 16.2 MG
 .538 MGD AVG
 .439 MGD MIN
 .761 MGD MAX

All Bacteria samples taken were absent of Coliform Bacteria.

All daily tests are in compliance.

Grassy Gap Wastewater Plant						
				Total Flow	1.116	MG
				Average Flow	0.036	MGD
				Daily Max	0.114	MGD
				Daily Min	0.015	MGD
				Limit	0.08	MGD
Pond Creek Wastewater Plant						
				Total Flow	5.735	MG
				Average Flow	0.185	MGD
				Daily Max	0.68	MGD
				Daily Min	0.08	MGD
				Limit	0.4	MGD

Summary

Date Printed: 10/05/2021

Page 1 of 4

Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
1575	Completed	Non-PM	2 - High		Clear Street of Obstruction -Debris	Road Maintenance/ Right of Way	SNOWPL OW LN		Whitney Spagnolo	09/01/2021		09/14/2021	0.00	0.00
1582	Completed	Non-PM	2 - High		Water Leak	Town Services	906 CHARTE R HILLS RD		Chrissy Bonestell	09/02/2021		09/08/2021	0.00	0.00
1590	Completed	PM	2 - High		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/07/2021	09/09/2021	09/14/2021	0.00	0.00
1603	Completed	Non-PM	2 - High		Detect Water Leak	Water Treatment/ Distribution System		Water Service Area	Daniel Davis	09/10/2021		09/14/2021	0.00	0.00
1605	Completed	Non-PM	2 - High		Water Leak	Town Services	106 DOGWO OD LN		Chrissy Bonestell	09/13/2021		09/13/2021	0.00	0.00
1612	Completed	Non-PM	2 - High		Clear Street of Obstruction -Debris	Road Maintenance/ Right of Way	SHAGBA RK RD		Matthew Clawson	09/15/2021		09/15/2021	0.00	0.00
1615	Completed	Non-PM	2 - High		Other-Taps and Systems	Town Services	Service Lines	Water Service Area	Chrissy Bonestell	09/15/2021		09/28/2021	0.00	0.00
1632	Completed	PM	2 - High		Custodial	Facilities/Build ings/Grounds		PUD PWD Office	Whitney Spagnolo	09/23/2021	09/24/2021	09/27/2021	0.00	0.00
1633	Completed	Non-PM	2 - High		Debris Removal	Road Maintenance/ Right of Way	WILD DAISY LN		Daniel Davis	09/23/2021		09/27/2021	0.00	0.00
1572	Completed	PM	3 - Medium		Complianc e Reporting	Water Treatment/ Distribution System		Buckeye Water Treatment Plant	Daniel Davis	09/01/2021	09/02/2021	09/01/2021	0.00	0.00
1583	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/03/2021	09/04/2021	09/14/2021	0.00	0.00
1585	Completed	Non-PM	3 - Medium		Hydrant Flushing	Town Services	100 SKIWAY RD APT 5		Matthew Clawson	09/03/2021		09/08/2021	0.00	0.00
1591	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/07/2021	09/08/2021	09/14/2021	0.00	0.00
1592	Completed	Non-PM	3 - Medium		Drainage Issue	Road Maintenance/ Right of Way	CREEKRI DGE RD		Daniel Davis	09/07/2021		09/14/2021	0.00	0.00
1596	Completed	Non-PM	3 - Medium		Drainage Issue	Road Maintenance/ Right of Way	SUGAR MAPLE LN		Whitney Spagnolo	09/08/2021		09/14/2021	0.00	0.00
1601	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/10/2021	09/11/2021	09/14/2021	0.00	0.00

Summary

Date Printed: 10/05/2021

Page 2 of 4

Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
1607	Completed	Non-PM	3 - Medium		Drainage Issue	Road Maintenance/ Right of Way	TAMARA CK RD		Chrissy Bonestell	09/13/2021		09/15/2021	0.00	0.00
1609	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/14/2021	09/15/2021	09/14/2021	0.00	0.00
1620	Completed	Non-PM	3 - Medium		Other-Taps and Systems	Town Services	324 PINNACLE RIDGE RD		Matthew Clawson	09/16/2021		09/27/2021	0.00	0.00
1621	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/17/2021	09/18/2021	09/27/2021	0.00	0.00
1626	Completed	Non-PM	3 - Medium		Water Line Locate (811)	Town Services	124 ASTER TRL		Matthew Clawson	09/20/2021		09/24/2021	0.00	0.00
1628	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/21/2021	09/22/2021	09/27/2021	0.00	0.00
1635	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/24/2021	09/25/2021	09/27/2021	0.00	0.00
1644	Completed	PM	3 - Medium		Custodial	Facilities/Build ings/Grounds		PW Utilities Office	Daniel Davis	09/28/2021	09/29/2021	09/28/2021	0.00	0.00
1576	Completed	Non-PM	4 - Low		Grounds Maintenance	Wastewater Treatment/ Collection System	Generator Generac 25 kW	Klonteska Lift Station	Whitney Spagnolo	09/01/2021		09/28/2021	0.00	0.00
1577	Completed	Non-PM	4 - Low		Ditch Maintenance	Road Maintenance/ Right of Way	GREENBRIAR RD		Whitney Spagnolo	09/01/2021		09/15/2021	0.00	0.00
1579	Completed	Non-PM	4 - Low		Debris Removal	Road Maintenance/ Right of Way	ARROWOOD RD		Whitney Spagnolo	09/01/2021		09/14/2021	0.00	0.00
1580	Completed	Non-PM	4 - Low		Ditch Maintenance	Road Maintenance/ Right of Way	ELDERBERRY RIDGE RD		Whitney Spagnolo	09/02/2021		09/28/2021	0.00	0.00
1581	Completed	Non-PM	4 - Low		Debris Removal	Road Maintenance/ Right of Way	FOXGRAPE HOLLOW RD		Whitney Spagnolo	09/02/2021		09/28/2021	0.00	0.00
1586	Completed	Non-PM	4 - Low		Water Leak	Town Services	224 DOGWOOD LN		Matthew Clawson	09/03/2021		09/28/2021	0.00	0.00
1587	Completed	Non-PM	4 - Low		Customer Complaint	Town Services	111 OLD FIELD RD		Matthew Clawson	09/03/2021		09/08/2021	0.00	0.00
1593	Completed	Non-PM	4 - Low		Other-Taps and Systems	Town Services	102 THISTLE LN		Whitney Spagnolo	09/07/2021		09/28/2021	0.00	0.00
1595	Completed	Non-PM	4 - Low		Other	Road Maintenance/ Right of Way	RED OAK RD		Whitney Spagnolo	09/08/2021		09/08/2021	0.00	0.00

Summary

Date Printed: 10/05/2021

Page 3 of 4

Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
1597	Completed	Non-PM	4 - Low		Debris Removal	Road Maintenance/ Right of Way	CHARTER HILLS RD		Whitney Spagnolo	09/08/2021		09/15/2021	0.00	0.00
1606	Completed	Non-PM	4 - Low		Water Line Locate (811)	Town Services	245 GREENBRIAR RD		Matthew Clawson	09/13/2021		09/15/2021	0.00	0.00
1608	Completed	Non-PM	4 - Low		Ditch Maintenance	Road Maintenance/ Right of Way	JACKPINE RD		Matthew Clawson	09/13/2021		09/15/2021	0.00	0.00
1611	Completed	Non-PM	4 - Low		Water Line Locate (811)	Town Services	110 OVERBROOK TRAIL		Chrissy Bonestell	09/14/2021		09/15/2021	0.00	0.00
1613	Completed	Non-PM	4 - Low		Water Line Locate (811)	Town Services	101 SAGE KNOLL		Matthew Clawson	09/15/2021		09/15/2021	0.00	0.00
1614	Completed	Non-PM	4 - Low		Dead Animal	Road Maintenance/ Right of Way	BEECH MOUNTAIN PKWY		Matthew Clawson	09/15/2021		09/15/2021	0.00	0.00
1616	Completed	Non-PM	4 - Low		Road Maintenance	Road Maintenance/ Right of Way	SASSAPHRAS RD		Matthew Clawson	09/15/2021		09/27/2021	0.00	0.00
1617	Completed	Non-PM	4 - Low		Ditch Maintenance	Road Maintenance/ Right of Way	FOXGRAPE HOLLOW RD		Matthew Clawson	09/15/2021		09/28/2021	0.00	0.00
1618	Completed	Non-PM	4 - Low		Grading	Road Maintenance/ Right of Way	MAPLEWOOD LANE		Matthew Clawson	09/16/2021		09/27/2021	0.00	0.00
1619	Completed	Non-PM	4 - Low		Other-Taps and Systems	Town Services	127 POND CREEK RD		Matthew Clawson	09/16/2021		09/28/2021	0.00	0.00
1627	Completed	Non-PM	4 - Low		Customer Complaint	Town Services	124 TEABERRY TRAIL		Water Plant	09/20/2021		09/20/2021	0.00	0.00
1629	Completed	Non-PM	4 - Low		Other-Taps and Systems	Town Services	106 FAIRWAY DR		Matthew Clawson	09/21/2021		09/28/2021	0.00	0.00
1634	Completed	Non-PM	4 - Low		Other	Road Maintenance/ Right of Way	TIGER LILLY		Whitney Spagnolo	09/23/2021		09/27/2021	0.00	0.00
1637	Completed	Non-PM	4 - Low		Right of Way Maintenance	Road Maintenance/ Right of Way	BLUEBIRD CT		Daniel Davis	09/24/2021		09/27/2021	0.00	0.00
1641	Completed	Non-PM	4 - Low		Customer Complaint	Road Maintenance/ Right of Way	BEECH MOUNTAIN PKWY		Matthew Clawson	09/27/2021		09/28/2021	0.00	0.00
1645	Completed	Non-PM	4 - Low		Debris Removal	Road Maintenance/ Right of Way	LOCUST RIDGE RD		Matthew Clawson	09/28/2021		09/28/2021	0.00	0.00

Records Selected: 49

Total Cost \$ Total Hrs

Summary

Date Printed: 10/05/2021

Page 4 of 4

Work Order #	WO Status	Origin	Priority	Work Type	Work Category	Site	Source Asset	Source Location	Assigned To	Originated	Expected	Completed	Cost \$	Hour(s)
													0.00	0.00

Report Parameters

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

Search:

Advanced Filters: [Originated] Between '09/01/2021' And '09/30/2021'

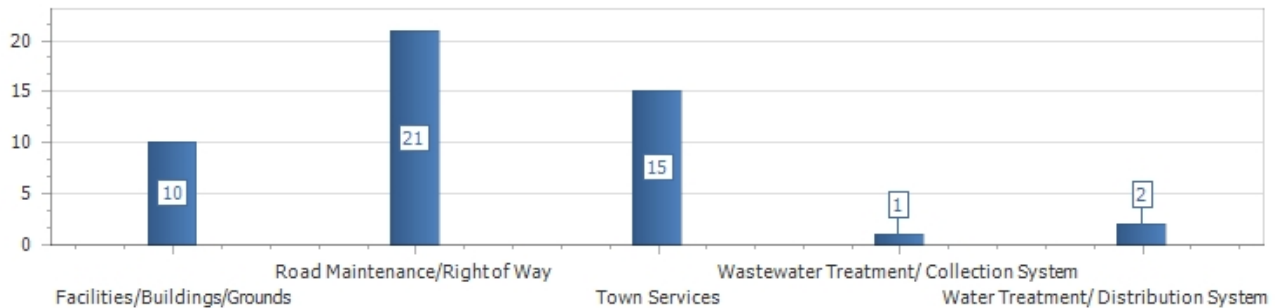
Tags:

Completed WOs by Site Analysis

Date Printed: 10/05/2021

Page 1 of 1

Total



Average days to close



Site	Total	Average days to close
Facilities/Buildings/Grounds	10	5.23
Road Maintenance/Right of Way	21	7.81
Town Services	15	7.46
Wastewater Treatment/ Collection System	1	26.93
Water Treatment/ Distribution System	2	1.95

Report Parameters

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

Search:

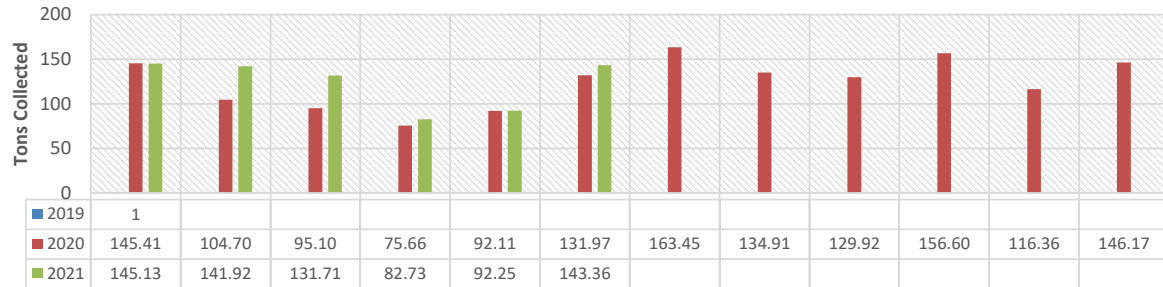
Advanced Filters: [Originated] Between '09/01/2021' And '09/30/2021'

Tags:

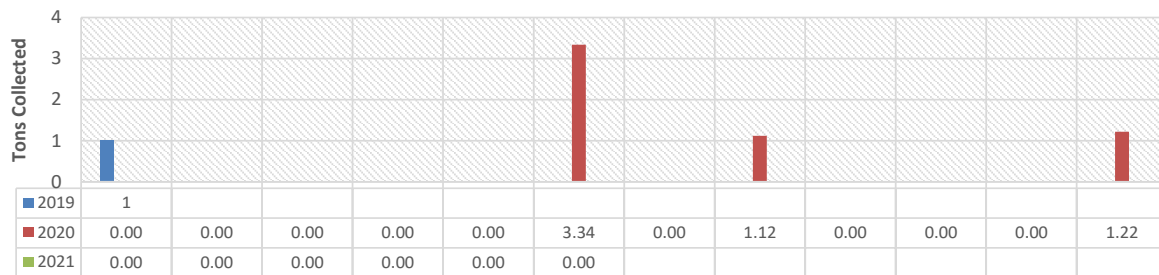
Sanitation Department
Monthly Report

2020	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
JANUARY	145.41	0.00	1.75	0.85	0.81	2.50	0.39	0.00	10	1	4	1	2	0
FEBRUARY	104.70	0.00	0.00	0.54	0.44	1.71	0.38	6.44	0	0	6	4	1	0
MARCH	95.10	0.00	2.85	0.71	0.43	2.54	0.42	3.75	11	1 many		7	1	0
APRIL	75.66	0.00	4.20	1.06	0.69	2.14	0.56	0.00	35	2	3	7	2	0
MAY	92.11	0.00	1.75	0.99	0.52	2.26	0.42	5.05	18	1	1	1	2	1
JUNE	131.97	3.34	2.63	1.03	0.69	2.13	0.35	5.69	14	2	10	8	7	15
JULY	163.45	0.00	4.68	1.53	1.46	5.96	0.39	7.22	25	4 many		10 many		40
AUGUST	134.91	1.12	1.50	8.15	8.63	2.89	0.94	5.26	20	5 many		many many		35
SEPTEMBER	129.92	0.00	3.00	1.72	1.31	6.45	1.21	5.55	5	2 many		0	10	0
OCTOBER	156.60	0.00	4.00	1.22	1.26	3.19	0.41	0.00	30	5	20	10	15	0
NOVEMBER	116.36	0.00	2.00	0.94	0.55	2.76	0.39	4.73	5	0	5	10	10	0
DECEMBER	146.17	1.22	2.00	0.90	0.89	2.10	0.36	3.42	0	0	0	0	0	0
YTD TOTALS	1492.36	5.68	30.36	19.64	17.68	36.63	6.22	47.11	173	23	49	58	50	91
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
JANUARY	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
FEBRUARY	141.92	Res. Const. Day	1.50	0.62	0.52	2.14	0.40	0.00	5	25	25			0
MARCH	131.71	Res. Const. Day	3.73	1.08	0.44	0.00	0.00	5.13	11	8	25	10	11	0
APRIL	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
JUNE	143.36	Res. Const. Day	3.00	0.94	1.30	2.43	0.31	4.53	20	4	16	25	25	68
JULY	149.64	Res. Const. Day	2.50	1.33	1.04	2.95	0.32	0.00	20	2	25	25	25	2
AUGUST	119.34	Res. Const. Day	2.00	0.84	0.90	2.96	0.33	4.97	20	5	25	25	15	25
SEPTEMBER	106.22	Res. Const. Day	6.43	1.01	0.79	4.41	0.85	0.00	4	1	6	2	16	2
OCTOBER														
NOVEMBER														
DECEMBER														
YTD TOTALS	1112.30	0.00	29.18	8.32	6.53	23.16	3.31	19.31	115	54	167	99	112	124

Solid Waste



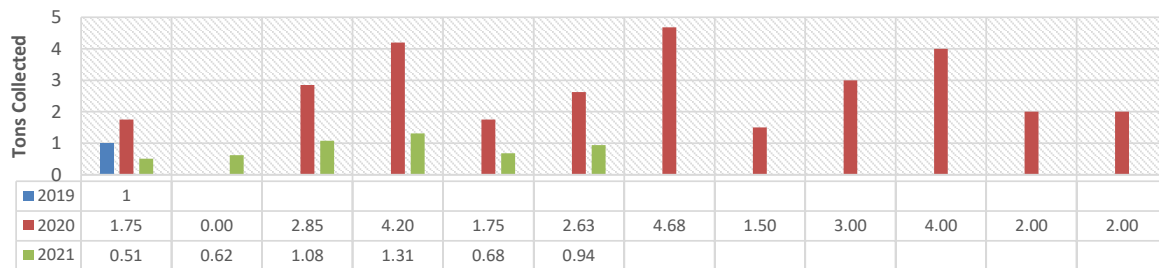
Construction Material



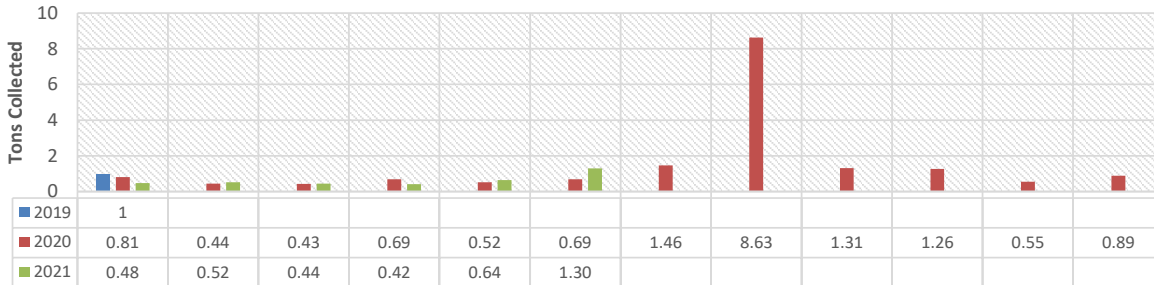
Recycled Metal



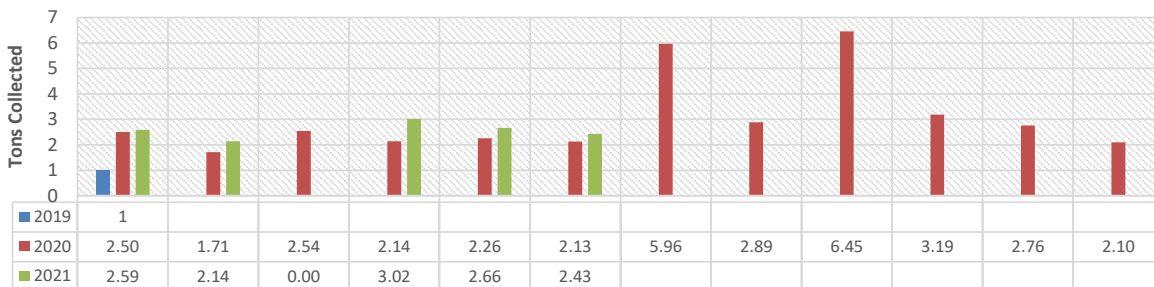
Recycled Paper



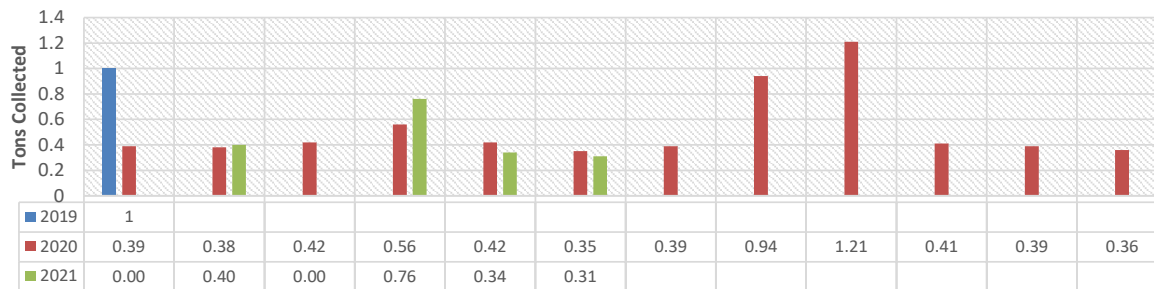
Recycled Plastic



Recycled Glass



Recycled Aluminum



Recycled Cardboard

