



MINUTES

Regular Town Council Meeting

4:00 PM - Tuesday, September 14, 2021
Council Chambers

The Regular Town Council of the Town of Beech Mountain was called to order on Tuesday, September 14, 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
Assistant Parks and Rec Director Kate Prisco

1. CALL TO ORDER

2. ADOPTION OF AGENDA

- 2.1. Vice Mayor Accardi requested to amend the agenda, adding the topic of 'Bark Park Way speed bumps', to which Mayor Kaufman requested a second and Councilmember Melang seconded adding the agenda item.

Motion

Jimmie Accardi made a motion to adopt the amended agenda and Weidner Abernethy seconded the motion. CARRIED. unanimously.

3. INVOCATION- CHIEF TIM BARNETT

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENT

- 5.1. Public Comments

Mayor Kaufman requested those that signed up to speak to address the Council.

Mr. Wilson King of 405 Beech Mountain Parkway asked Council to revisit the topic of Bark Park Way and the speed limit. He stated the area and land parcels consist Public Works Facility, the dog park and playground, the recycling center, the new parking lot, and the expansion of the Ski Resort's overflow ski area speed limit concerns on Bark Park to 10 mph or at least 15.

Ms. Eva Jones of 100 Skiway Road #5 and Tree House condos recounted her difficulty with understanding the different aspects of the Sanitation Ordinance. There is no place for a garbage dumpster at her site and she said the company cannot pick-up the garbage at her condo because she will lose two parking spaces. She cannot use the Convenience Center; she will use Avery or Watauga county. She is confused about the size dimensions and the fencing. She has no information from Republic's representative. The public needs education about recycling materials. There needs to be supervision and clarity about receptacles and costs on the mountain.

6. FEATURED LOCAL BUSINESS- FRED'S MERCANTILE, FRED PFOHL

- 6.1.** Mr. Fred Pfohl of Fred's Mercantile passed out a history of the store and parcel site to the audience in attendance noting that in 1979, he and Margie purchased the property from bankruptcy court from the Caribbean Development Company. This allowed them to open the store on February 9, 1979, and the establishment has been open every day since. Mr. Pfohl said he is thankful every day for this community and to be able to go to work and serve at Fred's Mercantile. Mr. Pfohl thanked Bob for the newly completed projects in the town and for the future, he encouraged all of us to work together for the town.

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
- 7.2.** Mountain Community Bank-

Vice Mayor Accardi noted an error in the document and that the name of one the banks is First Community Bank not Highland Community Bank.

Motion

Approve

- 7.3.** Amendment to the FY 2022 Budget - Schedule of Fees

Motion

Approve

7.4. Declare 109 Hemlock Circle Surplus Property

Motion

Kelly Melang made a motion to approve the consent agenda which included: 7.1) adoption of the minutes for August 10 regular meeting and closed session, and the August 17, 2021, Town Hall meeting, 7.2) Mountain Community Bank amendment for authorized bank signatories, 7.3) Amendment to the Fiscal Year 2021-2022 Budget Schedule of Fees, and 7.4) Declare Surplus Property 109 Hemlock Circle PID: 1950349104000, and Weidner Abernethy seconded the motion. CARRIED. unanimously.

8. OLD BUSINESS

8.1. Emergency Medical Unit

Mayor Kaufman requested a motion to accept the proposal from Watauga Council to provide Emergency Medical Services

Motion

Weidner Abernethy made a motion to authorize the Town Manager to begin negotiations with Watauga County as the preferred provider for Emergency Medical Services, for a dedicated (EMRU) Emergency Medical Response Unit and Kelly Melang seconded the motion. CARRIED. unanimously.

8.2. Short-Term Rental Regulations Planning Board Report

Mayor Kaufman stated that the Council accepts the Planning Board report on short-term rentals. That no action would be necessary at this time nor in the near future, as the General Assembly is working on that bill in Raleigh. Bill 829 is currently being worked on for 'short-term rental regulations'. He suggested the public should contact their representatives with concerns and comments, as the representatives are drafting the regulations in the bill.

9. NEW BUSINESS

9.1. Bark Park Way

Vice Mayor Accardi noted that as Mr. King had pointed out, the amenities on the road such as the playground, Bark Park and playground, the pedestrians, and vehicle traffic and vehicles speeding are the issue. He requested signage or lowering the speed limit to 15 mph. He inquired if this was an enforce issue. Vice Mayor suggested the town could add portable speed bumps that are plastic and NCDOT approved on the roadway.

In response to Councilmember Melang's question, Vice Mayor said the portable plastic speed bumps are used at Appalachia State University. Councilmember Gonyea said with the upcoming busy winter season and

volume of traffic on the sled hill, she would err on the side of caution. The temporary traffic pattern calming options sound viable.

Councilmember Abernethy stated the speed limit is 25 mph and was not in favor of changing it but with proper signage such as the Lee's McRae signage which is visible and flashes at traffic in his opinion is proper signage. In the winter a flashing light that is well marked will work.

Mayor Kaufman directed the Town Manager to check the costs for the various suggested options. Mr. Pudney stated the roadway paving and striping improvements were underway and then we will be adding the crosswalk including the signage. He will research a portable speed bump and affirmed staff will find a solution.

9.2. Ord. No. 2021-04 to Amend Chapter 71 - Parking Regulations

Councilmember Abernethy inquired into the violations as referenced in Chapter 71.01 of the ordinance specifically item *(A) No person may park any vehicle or permit it to stand in any of the following locations: (8) on any area of any street where "No Parking" signs have been installed no person may park in front of a private driveway*, and he asked if the result of the violation is a ticket or a tow, to which Mr. Pudney stated that the reference is an existing regulation in the ordinance, and typically it is a warning if on private property and depending on the violation becomes a citation. Attorney Eggers confirmed that it would depend on the circumstances as to the remedy and police enforcement.

Motion

Weidner Abernethy made a motion to approve the amendment to Chapter 71- Parking Regulations and Erin Gonyea seconded the motion. CARRIED. unanimously.

9.3. Pay Parking Proposal

Vice Mayor Accardi inquired into the procedures at the town parking lot. Mr. Pudney announced there will be a team of personnel within town hall administration who will administer the payments with the company and Parks Department personnel who will monitor the lot and safety enforcement by the Police Department.

Mr. Pudney reviewed the OttoConnect mobile app proposal and in referencing page 65, fees and payments, enforcement, and customer service which includes phone and email support and resolving complaints and ticket issues. The Town personnel will work with the service representatives said Mr. Pudney. There is no equipment at the parking lot, people will download the app and Mr. Pudney explained how the app will work with an individual's phone. The town will install high powered WIFI at the location and it will be open and public. The WIFI is also available for usage at the sled hill.

Motion

Jimmie Accardi made a motion Staff recommends approval of the Parking Cast Proposal by Otto Connect for a period of two years and Erin Gonyea seconded the motion. CARRIED. unanimously.

9.4. Adventure Ropes Course at Shane Park-

Kate Prisco, Assistant Parks Director presented an overview for an Adventure Ropes Course at Shane Park. The Parks and Recreation staff researched the design for the course. Ms. Prisco reviewed the activities and participation by the community which included maxed-out attendance for summer camp and the new bike camp. The Department hired a new outdoor crew member for expansions of trails as well we have a new sled hill snow gun. There are campers at Shane Park every weekend and the revenue numbers were highlighted.

The proposed new Shane Park Rope Course is 100% paid for by donations at a cost of \$45,000. The department will maintain the course and the work is proposed to be performed by Beanstalk Bridges LLC. Mayor Kaufman noted this will be a nice addition to our Parks and Recreation programs.

Motion

Kelly Melang made a motion to accept the Shane Park Ropes Course project addition to Parks and Recreation programs and Weidner Abernethy seconded the motion. CARRIED. unanimously.

9.5. Emerald Outback Trail system lease agreement

Mayor Kaufman stated the Emerald Outback Trail system lease agreement is for the next 2 years

Motion

Kelly Melang made a motion to enter into the Emerald Outback Trail system lease agreement as drafted and Erin Gonyea seconded the motion. CARRIED. unanimously.

9.6. Lake Coffey Engineering RFQ

In response to Vice Mayor Accardi's request to review the topic of the Lake Coffey/Lake Santis surface water project, Mr. Pudney reviewed the issue of the water shortages on Beech Mountain and said the request came out of the need to secure another surface water reservoir. The Request for Qualification bid was sent out for an engineering firm to design the surface water project. An engineer will be contracted for the engineering design as well as to begin the permitting with Federal and State agencies, such as natural resource fish and wildlife game agency and has well as for building the dam.

An agreement with the Resort will be drafted by the attorneys in order to combine town lands with the resort's parcel at Lake Santis with Lake Coffey. It is estimated that a new dam reservoir will yield 30 million gallons of water. This reservoir will be an off-stream water source which means we do not have to release downstream.

Mr. Pudney estimates that the project doubles our water capacity as well as add greenspace. The project will look appealing. We will work with the Federal and State natural resource agencies and the fish and wildlife agency as building a dam is extensive. It is anticipated for a spring or summer of 2025 to be completed.

There was further discussion regarding the Watauga River Intake project. Mayor Kaufman noted that that project is years away from beginning as we need the County's permission. the issue is political and environmental groups are opposed.

Mr. Pudney said the Lake Coffey/Lake Santis project would not be a secondary water source as the Watauga River Intake project is and this is half the cost. At 50% reduction cost to construct, the surface reservoir is cost effective to operate.

Councilmember Abernethy noted the Lake Coffey project timeline and the efficiency of building the reservoir makes this project a major deal right now and he requested the Town Management to expedite this project as well as the EMS Station project due to time. In response to his inquiry, Mr. Pudney said we have two successful water wells. Mr. Pudney added we are still going to try another well. One that was drilled did not yield but the preliminary cost for research and drilling is \$50,000 so it is worth the investment. One was drilled at 300' to 800' and the cost for the deeper well was approximately \$80,000. We must have capacity for the well to be feasible. We conduct a 24-hour drawdown test. If the well meets level of criteria about 200,000 gallons, we will have capacity to continue. Then the operation costs are to treat and pump the water.

Motion

Weidner Abernethy made a motion to contract with West Consultants, PLLC to design and implement construction of the Lake Coffey Surface Water Reservoir Project and Kelly Melang seconded the motion. CARRIED. unanimously.

10. TOWN MANAGER AND STAFF REPORTS

10.1. DOI Report September 2021

10.2. Town Manager's Report, Mr. Pudney

Mr. Pudney said revenues are down as expected for this time of year. The Covid-19 Delta variant is prevalent, and we are monitoring the case load. Vaccinations are encouraged.

Projects Status Review:

- Parking Lot: paving signage, training staff
- Bark Park Bathroom
- Convenience Center exit is completed
- Water and Sewer lines replacement and repairs
- St. Andrews Road and Tamarack Road repairs
- High Country magazine news articles on the Watauga Medical Center
- Employee Appreciation Luncheon September 17 at 11:30
- Christmas Parade scheduled for December 22nd at 4:00

10.3. July Finance Reports

10.4. Fire Department Monthly Report

10.5. Police Department Monthly Report

10.6. August 2021 Recreation Report

10.7. DOI August Report

10.8. Planning and Inspection Report 2021-08

10.9. TDA September Report

11. TOWN COUNCIL COMMENTS

11.1. Councilmember Abernethy said the structure fire that occurred on Friday night was a large fire and he thanked Chief Pudney's performance during the fire. The Beech Mountain Police Department and volunteer fire members, the Town's dispatch staff and Fall Creek and Banner Elk who assisted.

Councilmember Melang congratulated staff and citizens on the successful kite festival and to the Police Department for the End of Summer Bash. The Locals Night at the Land of Oz was well attended, and the proceeds went to the Fire Department. She thanked Oz and their staff for helping.

Mayor Kaufman said happy new year in the Jewish tradition for year 5982.

12. CITIZENS' AGENDA COMMENTS

12.1. There was a question about the Bark Park speed bumps and the unidentified citizen suggested an arm sensor be used instead.

13. ADJOURNMENT

13.1. There being no further business, Mayor Kaufman requested a motion to adjourn at 5:10 p.m.

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

Town Clerk

Mayor, Town of Beech Mountain