

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
NOVEMBER 12, 1991

CALL TO ORDER

Mayor Miller called the regular meeting of the Beech Mountain Town Council to order at 6:03 PM on Tuesday, November 12, 1991 in the Council Chamber at Beech Mountain. Other Council Members present were Kakii Handley, Alan Holcombe and Reub Mooradian. Also present were Town Manager Al Greene, Town Attorney David Paletta, Public Works Director Joe Perry and Buddy Hale, representing the Town Engineer. Present in the audience were L. D. Hagaman and Chris Campbell of High Country Cablevision, Jamie Perrin of G.D.S. and several members of the public.

1. Agenda

Mayor Miller asked if there were any changes needed on the Agenda, and Al Greene asked that a Resolution on Supplemental Retirement Plan for the Police Department be inserted at 5 G (1).

2. Consent Agenda

Reub Mooradian moved that the Consent Agenda be approved. Alan Holcombe seconded the motion and the following items were unanimously approved:

- a. Minutes of the meeting of October 9, 1991.
- b. Resolution 91-11--1 on Law Enforcement Assistance Agreement between the Town and Watauga County.

3. Committee Reports

- a. Reub Mooradian reported that Watauga County is still considering their E 9-1-1 program. They have asked Boone to hold off on the institution of their program, and Boone has done so. They intend to hold a special meeting to get another proposal from their consultant this week. Avery County has placed the matter of their 9-1-1 system in the hands of the Fire Marshall.
- b. Rick Miller stated that the main topic at the Region D meeting he recently attended was the upgrading of their computer system. Mayor Miller also reported that he, Reub Mooradian, Al Greene and Tim Holland had attended the League of Municipalities annual convention in Charlotte that weekend.

4. Persons Wishing to Address the Council

- a. L. D. Hagaman, General Manager of High Country Cablevision:
Mr Hagaman introduced Chris Campbell, previously with Alpine Cabldvision. He asked if the Council had any questions or comments regarding cable service provided by High Country.

Reub Mooradian told Mr. Hagaman of his continued quest to get another NBC station (in addition to WCYB out of Johnson City) added to Beech Mountain's cable lineup. He also stated that he had received several requests to add the Fox Network and get WGN from Chicago back.

Mr. Hagaman indicated that there was a good possibility that Fox would be added to Beech Mountain's lineup. He explained the rules regarding pre-emption of competing affiliates of the same network, and indicated that WCYB had filed the necessary paperwork to preserve its preeminence in this market. He said, however, that he would look into getting a North Carolina NBC station.

Rick Miller asked why the cable company would only hook up four cable outlets in new homes, and Mr. Campbell explained that splitters degraded the signal, and anything above four lines made the reception unacceptable unless an amplifier is installed. He said that the consumers could install other outlets on their own, but that the cable company would only maintain the four installed by them. He also indicated that some electrical contractors prewire the homes for cable, and do not do it correctly. He said he would be happy to work with contractors in designing a system which would provide the consumer with the number of outlets and locations desired.

Reub Mooradian asked if there was a device which could be placed on the pole which would boost reception in a home located some distance from the pole, and was told that it should be done by a piece of equipment purchased by the consumer and installed in the home.

Rick Miller asked Mr. Hagaman to write a letter to Don Fulkerson telling him about the four way splitter so that he can advise contractors and electricians when they get their building permits.

- b. Jamie Perrin, G.D.S.: Mr. Perrin stated that he just wanted to touch base with the Council after the first four months of service by G.D.S., and asked if they had any comments or complaints regarding refuse collection. Reub Mooradian stated he still sees cans which have been put back into the receptacles at an angle, protruding up into the air which is unsightly.

Kakii Handley indicated they had a constant problem with GH-147 in that they produce more trash than they have cans to handle, and also do not turn over the cans but place the trash on top of the empty cans. Al Greene said this was the responsibility of the Town, and that he would look into the problem and contact the owners. Mrs. Handley asked if the G.D.S. employees were reporting problems of this type when encountered, and Mr. Perrin said they had been advised to do so. Mrs. Handley asked that a list of people who had been notified for violations of garbage regulations be provided the Council at its next meeting.

Mayor Miller asked about the possibility of recycling plastics and magazines, and Mr. Perrin replied that this would be possible when their new facility is completed. Al Greene pointed out that any recycling beyond that which the Town is now doing would cost the citizens money, rather than being a cost-effective process. He anticipates that the State will mandate certain programs in the future, but at the present he did not want to ask the citizens for more money for recycling.

5. Unfinished Business

a. Board of Adjustment Appointments

Reub Mooradian moved that Norma Buchanan and Bill Hagna be reappointed to the Board of Adjustment for three year terms, and that Andy Krecicki, Suzie Fisk and Larry Peraldo be appointed as alternate members (in that order) for one year terms. Alan Holcombe seconded the motion and it passed unanimously.

6. Special Presentation

Mayor Miller presented Alan Holcombe with a plaque commemorating his years of service to the Town as Councilman from 1985 to the present.

7. New Business

a. New Computer System Update

Mr. Greene stated that the present computer equipment, both hardware and software, are inadequate to the Town's needs. He said the staff felt the private market was sufficiently large as to be able to provide more sophisticated software. The purchase of software and hardware would be under the bid limits, so the staff desires to ask for informal bids. Melissa Norwood-Forbes had put a good deal of work into specifications which had been provided to the Council Members. Mr. Greene asked Council's wishes regarding leaving Region D's computer network, and Reub Mooradian moved that the Town withdraw and seek informal bids on both software and hardware. Alan Holcombe seconded the motion and it passed unanimously.

b. Consider Offer to Purchase CR-333

Reub Mooradian moved that the Council accept the offer of \$1,331 presented by Charisse Mc Lean for Lot CR-333, since the proposed sale had been advertised for the statutory time period without further upset bids. Kakii Handley seconded the motion and it passed unanimously.

c. Consider Offer to Purchase C-436

Kakii Handley moved that the Council accept the offer of \$1,700 presented by Roger Abney for Lot C-436, since the proposed sale had been advertised for the statutory time period without upset bids. Reub Mooradian seconded the motion and it passed unanimously.

d. Discussion of E 9-1-1 Bids

Al Greene stated that the Town had received a recommendation from the consultant that InterACT receive the contract to provide an E 9-1-1 system, since they were the low bidder. Mr. Greene indicated, however, that after adding all the costs of the system including Skyline Telephone, enlargement of the Dispatch Office, cost of seeking and receiving data from property owners, etc., it appeared that a subscriber fee of \$2.00 per month for five years would be required. As informal discussions with Council Members had indicated that was a bit higher than they had wished, he had asked InterACT to go over its bid in an effort to lower costs. While he had received a Faxed proposal, the consultant had not had an opportunity to go over it yet. It appeared, however, that the revised bid would allow a subscriber fee of \$1.75 per month. He said he anticipated having final figures available for the Council within a week or so.

Reub Mooradian asked if any of the recommended changes would eliminate the capability of upgrading the system without having to buy additional equipment. Mr. Greene indicated that it did not and, in fact, the low bidder had included a CAD, which is part of the anticipated future upgrading.

Kakii Handley asked if any input from the Fox Run area had been received, and Mr. Greene stated he had neither requested nor received any input from them. He said he intended to contact them when he knew what the subscriber fee would be. Mrs. Handley said she would like to see their answer as to whether or not they will go along with making payments voluntarily.

Rick Miller asked that Mr. Greene set up a special meeting as soon as possible, prior to November 25th if possible, to award the contract for the E 9-1-1 system and have a short organizational meeting of the new Council as well.

e. Consider Offer to Donate Lots BHW-114 AND 115

Kakii Handley moved that the Town accept the offer to donate lots BHW-114 and BHW-115 made by the University of Miami. Alan Holcombe seconded the motion and it passed three votes to one with Mayor Miller dissenting.

f. Consider Offer to Donate Lot C-450

Reub Mooradian moved that the Town accept the offer to donate lot C-450 made by Mr. Haynes. Alan Holcombe seconded the motion and it passed three votes to one with Mayor Miller dissenting.

g. Consider Resolution Adopting Zoning/Street Name Map and Set Date for Public Hearing on Renumbering Project

Al Greene indicated that Mrs. Mooradian had spent a good deal of time preparing a renumbering program. During the course

of the work, it was discovered that several small streets were unnamed, several were confusing and some required prefixes such as "north" or "upper" added to them. The Council Members were provided with a map showing the suggested names. Reub Mooradian moved that the Zoning/Street Name Map displayed in the Council Chamber be adopted, and that December 10, 1991 be set as the date for a Public Hearing on the renumbering project. Alan Holcombe seconded the motion and it passed unanimously

(1) Resolution on Supplemental Retirement

After reading the proposed Resolution, Alan Holcombe moved that the Council approve it. Reub Mooradian seconded the motion and it passed unanimously

h. Consider Resolution Declaring Cost and Setting Time and Place for Public Hearing on North Pinnacle Ridge Road Paving Project

Kakii Handley moved the Council adopt the Resolution Declaring the cost and setting 6:00 PM on December 10, 1991 as the date and time for a public hearing on the preliminary assessment roll on the paving of North Pinnacle Ridge Road. Reub Mooradian seconded the motion and it passed unanimously.

i. Tax Releases

Alan Holcombe moved that the five tax releases requested by the Tax Administrator be approved. Reub Mooradian seconded the motion and it passed unanimously. (Copies Attached)

j. Discussion of Animal Control

Al Greene referred to a request from Leslie Hoffman, and asked if Mrs. Hoffman wished to address the Council on the subject. Mrs. Hoffman stated that there are dogs which are running in packs through the town, that she had herself been bitten by one and urged some action of the Council to solve the problem.

Alan Holcombe said he felt one of the problems is that one does not know which dog belongs to whom, and Mrs. Handley said she felt all dogs should wear their tags. Al Greene pointed out that unless the Council adopts an ordinance, there is no requirement for ID other than a rabies tag. Rick Miller suggested that the letter which had been sent to all dog owners some years back be resurrected, but Reub Mooradian said the letter was merely a request for cooperation from dog owners, without any "teeth." He said he felt the Council was going to have to enact some sort of animal ordinance sooner or later to control the dogs running loose. Kakii Handley suggested getting recommendations from the Police on how to handle the situation short of a leash law.

8. Staff/Consultant Reportsa. Town Engineer's Report

Buddy Hale reported that the contractor does have the contracts on the Emerald Mountain Water Tank Project. Eggers indicated they would probably wait until March or April to get started. Kakii Handley suggested changing the date for completion to add a month, since the work did not get started in the fall as planned. There was a good deal of discussion on whether or not to change the contract to extend the dates prior to signing it, after which Alan Holcombe moved that the contract be changed to make the date for completion of the Town's work June 1st and the Developer's completion date October 1st. Kakii Handley seconded the motion and after further discussion, the motion passed three votes to one with Mayor Miller dissenting.

b. Public Works Director's Report

Joe Perry indicated that the patching work had not been completed due to the ice and snow. The striping has been completed and the reflectors are installed. Reub Mooradian asked the cost of the reflectors, and Mr. Perry indicated they had been \$30 each, installed. Mr. Mooradian said he felt the Council should set aside funds each year to have reflectors installed in portions of all paved roads within the Town until they are in all roads. Kakii Handley commended Mr. Perry for his perseverance in getting the reflectors installed.

Mrs. Handley asked about the possibility of getting reflectors in the portion of NC 184 from Banner Elk to Beech Mountain, and Mr. Greene said he had called the Division Engineer, who explained that all funds set aside for the installation of reflectors had been allocated for this fiscal year. Mr. Greene requested that we be considered in the next fiscal year, as a good deal of traffic comes up NC 184.

Reub Mooradian asked if the Public Works Department would take some warm day and get the paint off of the reflectors where the striping covered them.

c. Town Attorney's Report

David Paletta asked if there was any notice requirement to withdraw from the Region D computer group, and Al Greene said there was none, but that he intended to personally visit them and inform them now that the Council has made its decision.

d. Town Manager's Report

Al Greene reported that the Abstract of Votes had been received, showing Tim Holland receiving 51 votes, Rick Miller 47, Reub Mooradian 40, Kakii Handley 33 and Greg Brown 25. It also showed the following write-in votes: Stephen Ross 22, Fred Pfohl 4, Scott Lee 1, Greg Martin 1 and Clyde Barbare 1.

Mr. Greene stated that Davis-Martin-Powell had prepared drawings of the work necessary on the Charter Hills erosion problem. Mr. Greene said he had sent the drawings to the property owner and asked that he contact us regarding acquisition of the property. Alan Holcombe asked how long we had been dealing with the owner, and Joe Perry said it was four years or more. David Paletta said the first step in condemnation is to have an appraiser give the Town an appraisal, then he could send a Notice of Demand Letter to the owner inserting the amount. The owner would then have 31 days to answer. Usually it is during this 31 day period that some accommodation is reached.

Alan Holcombe moved that the Council direct Mr. Paletta to hire an appraiser to appraise the property. Reub Mooradian seconded the motion and it passed unanimously.

Mr. Greene said that he did not yet have all the figures on the Cantrell utility request, but had received the cost estimates and would report to Council soon.

9. Executive Session

Reub Mooradian moved that the Council go into Executive Session to discuss possible acquisition of property under the terms of N.C.G.S. 143-318.11(A)(1) and a personnel matter, N.C.G.S. 143-318.11(A)(8). Alan Holcombe seconded the motion and it passed unanimously. The Council went into Executive Session at 8:35 PM. The Council came out of Executive Session AT 8:55 PM.

Reub Mooradian moved that Al Greene receive an 8% pay raise effective December 1st. Alan Holcombe seconded the motion and it passed unanimously.

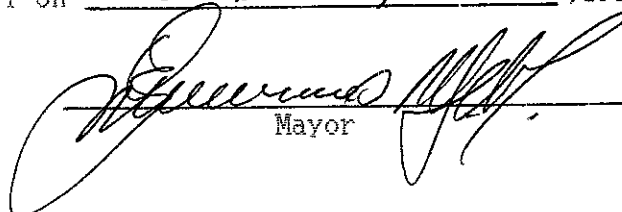
ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:00 PM.

Respectfully Submitted,


Barbara L. Mooradian
Town Clerk

Minutes approved by Town Council on December 10, 1991.


Mayor

ATTEST


Town Clerk

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Special Meeting, November 19, 1991

CALL TO ORDER

Mayor Miller called a Special Meeting of the Beech Mountain Town Council at 6:00 PM on Tuesday, November 19, 1991, in the Council Chamber at Town Hall. Other Council Members present were Kakii Handley, Alan Holcombe and Reub Mooradian. Also present were Town Manager Al Greene, Public Works Director Joe Perry, Chief of Police Jay Hefner and Council Members-elect Tim Holland and Greg Brown.

1. Swearing in of New Council Members

In order for Messrs. Holland and Brown to take part in the organizational meeting, they were given the Oath of Office by Notary Public Barbara Mooradian. The formal swearing-in of the entire Council will take place Tuesday, December 10, 1991 at 6:00 PM.

2. Organizational Meeting

Alan Holcombe, as a member of the public at large, opened the floor for nominations for Mayor. Reub Mooradian nominated Rick Miller. Tim Holland seconded the motion and it passed unanimously.

Mr. Holcombe opened the floor for nominations for Vice-Mayor. Reub Mooradian nominated Tim Holland. Rick Miller seconded the motion and it passed unanimously.

3. Consideration of E 9-1-1- Matters

Al Greene recounted a brief history of the bid process on the E 9-1-1 system: The bids were received October 23rd, and they were somewhat higher than anticipated. As State law allows contacting the low bidder for negotiation, this was done. On November 11, 1991, a letter was received from the low bidder, InterACT, suggesting several alternatives which would lower their contract price:

- a. The number of 14" monochrome terminals will be increased to two. One of these terminals will be dedicated to use as the system console. The other will be used for all E 9-1-1 activities such as answering calls and file maintenance.
- b. The UPS battery power will be reduced to two hours.
- c. The number of color workstations has been reduced to one. This 17" color workstation is used as the primary workstation for the E 9-1-1 and CAD functions.
- d. The number of ANI trunk cards within the ANI system has been reduced to two.

- e. The Key Phone System has been down-sized to eight lines. The appropriate spare level has been maintained. The same handsets will be used. One power failure phone is included.
- f. The voice recording system is still a dual channel TEAC unit, the MODEL 120. However, the tapes must be changed each 12 hours instead of 24 hours. The voice recorder will be a unit that has been used as a demo by TEAC at trade shows. This is the same model unit that is used by Watauga County.

Mr. Greene explained that these changes bring the price down to \$80,637.82. They also reduced the maintenance figures for the next ten years.

Rick Miller asked what the Subscriber Fee would be with the reductions, and Mr. Greene stated it was calculated at \$1.70 per year for five years. Kakii Handley pointed out the the proposed Resolution on the Subscriber Fee did not indicate it was for five years, and Mr. Greene said that could be changed if Council desired, though the Ordinance indicated the Fee would be set by Council "from time to time." Reub Mooradian said it would be helpful in explaining the Fee to the public, if there were some wording that Council anticipates the acquisition costs would be paid for in five years.

a. Waiver of Performance Bond Requirements

Kakii Handley moved that the requirement for a Performance Bond be waived in the bidding process. Tim Holland seconded the motion and it passed unanimously.

b. Award of Bid for E 9-1-1 System

Reub Mooradian moved that the bid for the Town's E 9-1-1 System be awarded to InterACT based upon their Bid Response dated October 23, 1991 and letter dated November 11, 1991, and contingent upon David Paletta's approval of the final contracts and procurement by InterACT of a letter of credit for the amount of the contract, also approved by David Paletta. Tim Holland seconded the motion and it passed unanimously.

c. Financing Proposal of Southern National Leasing

Kakii Handley moved that Council pass Resolution 91-11-4 approving the lease-purchase financing proposed by Southern National Leasing of five annual payments, in advance, at an annual percentage rate of 5.89%. Reub Mooradian seconded the motion and it passed unanimously.

d. Budget Amendments

Kakii Handley moved Council approve a budget amendment transferring #32,690 to 9-1-1 Fund. Tim Holland seconded the motion and it passed unanimously.

Reub Mooradian moved Council approve a budget amendment increasing revenue to the 9-1-1 Fund, and matching expenditures to the same fund by \$114,910. Tim Holland seconded the motion and it passed unanimously.

e. Resolution Setting Monthly Levy of E 9-1-1 Charge

Tim Holland moved Council adopt Resolution 91-11-5, with the addition of a sentence indicating Council anticipated the levy to last for five years, setting the monthly Subscriber Fee at \$1.70 for every access lines within the corporate limits. Kakii Handley seconded the motion and it passed unanimously.

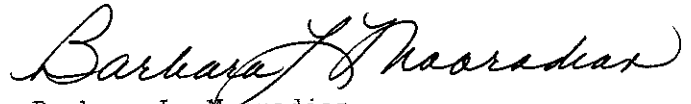
4. Surplus Property

Kakii Handley moved Council adopt Resolution 91-11-6 declaring a 1984 Ford F150 pickup truck, Serial #1FTEF14YOENA57416-22, of the Public Works Department surplus. Tim Holland seconded the motion and it passed unanimously.

ADJOURN

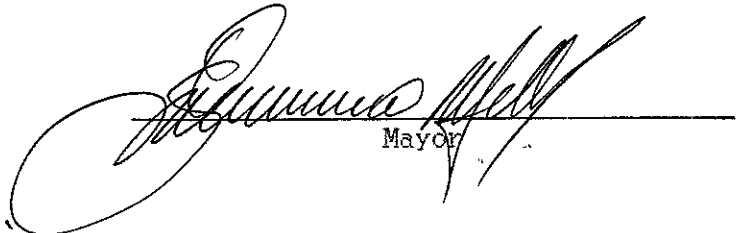
There being no further business to come before the Council, Reub Mooradian moved the meeting be adjourned. Kakii Handley seconded the motion and it passed unanimously. The meeting was adjourned at 5:55 PM.

Respectfully submitted,



Barbara L. Mooradian
Town Clerk

Minutes approved by Town Council on December 10, 1991.


Mayor

ATTEST:


Town Clerk