

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
May 11, 1993

CALL TO ORDER

Mayor Rick Miller called the regular meeting of the Beech Mountain Town Council to order at 6:08 p.m. Other Council Members present were Tim Holland, Kakii Handley, Greg Brown and Reub Mooradian. Also present were Town Manager Al Greene, Town Attorney David Paletta, Town Engineer Ed Powell, Police Chief Jay Hefner, Public Works Director Joe Perry and Code Enforcement Officer Don Fulkerson. Present in the audience were a number of interested citizens.

1. Public Hearing, Proposed Amendments to Zoning Ordinance and Subdivision Regulations.

Mayor Miller called the Public Hearing on the proposed amendments to the Zoning Ordinance and Subdivision Regulations to order. Don Fulkerson explained the Zoning Map, and the various provisions of the proposed changes. He explained that the density restrictions would not apply to single family residential lots already platted.

Mayor Miller explained that the changes are mandated by the State, and that Beech Mountain has little choice but to make them. Al Greene pointed out that the Town proposes to adopt the minimum regulations required, and that if they are not adopted the State itself will enforce the regulations and charge the Town \$10,000 per month as a penalty. One of the regulations permitted by the State is the recombination of contiguous lots owned by the same party to make a larger lot, but that the Town staff had recommended omission of this requirement.

Roger Bullock asked if the new requirements would apply to single family residential lots which might be created by new subdivisions, and Mr. Fulkerson replied that, if the property was within a watershed, then the lots created would have to be either one acre or two acres in size, depending on the district in which they were located. In addition, there are restrictions as to how close one can build to a creek or waterfall within the watershed. Mr. Fulkerson was asked about already platted residential lots which might be on a creek, and he replied that the owner would have to adhere to a 30 foot buffer zone along the creek. If this would make the lot unbuildable, then the owner would be a candidate for asking for a variance.

Jan Elder asked several questions regarding the development of their property, but was advised to ask them of Avery County since the property is not within the Town limits and would not be regulated by Beech Mountain's Zoning Ordinance or Subdivision Regulations. Concern was expressed about the existing commercial property which would be affected by the new regulations, and Mr. Fulkerson pointed out that there is an appeal process to use of the property is rendered useless by the regulations.

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Al Greene stated that the staff was going to recommend that the Town Council not adopt the changes at this meeting, as there were some questions which needed research. Someone raised a question about any construction or subdivision which might take place between the present time and the date of adoption of the amendments, and was told that anything occurring before adoption would be grandfathered in.

There being no further questions or comments the Public Hearing was declared closed at 6:35 PM.

Al Greene asked that two items be added to the agenda: (1) Tour DuPont Budget Amendments and (2) Continued Discussion of the Emerald Mountain Water Tank Agreement. Greg Brown asked that Continued Consideration of Electromagnetic Fields be added, as he had a copy of the Street Stories broadcast which contained a piece on EMFs. All subjects were added to the agenda.

2. Consent Agenda.

Kakii Handley moved the Consent Agenda be approved. Greg Brown seconded the motion and the following items were unanimously approved:

- a. Minutes of the meeting of April 13, 1993.
- b. Minutes of the meeting of April 21, 1992.

3. Committee Reports.

There were no committee reports.

4. Tour DuPont Committee Report.

Shiela Fletcher reported that the anticipated arrival time of the cyclists has been changed from 6:00 to 6:30. Donations have been very gratifying, and things are pretty much in order for the event. She complimented Joe Perry on the work his crews have done making the community look good. Mayor Miller announced that on Friday morning starting at about 10:30 the portion of the Beech Mountain Parkway from just after the gazebo to the Town limit would be closed and traffic will be routed along Meadowview Circle. Ms. Fletcher reminded everyone that there will be a shuttle service from the Resort parking area to the finish line which will run continuously from 3:30 to 8:00 PM on the day of the race. Tim Holland described the events at the finish in Massanutten, and explained the reasons for the proposed budget amendments. Reub Mooradian moved that the budget amendments be approved. Greg Brown seconded the motion and it passed unanimously.

5. Old Business.

a. Consider Resolution of Consideration to Annex Property. Al Greene pointed out the area map which had been distributed to all Council Members, and indicated this resolution of consideration was identical to one which had been passed two years previously. Tim Holland moved that the resolution of consideration be passed. Reub Mooradian seconded the motion and it passed unanimously.

b. Consider Amendments to Zoning Ordinance and Subdivision Regulations. Based upon a recommendation by the staff, action on this item was tabled until a later date.

c. Discussion of Out-of-Town 911 Subscriber Fees. Mr. Greene outlined a problem which exists now that Avery County is charging residents with a subscriber fee of \$1.20, including those within the 387 exchange which are not within the Town but reach our dispatcher by dialing 9-1-1. He pointed out three possible solutions, none of which were ideal: (1) that the County be required to install a selective routing device which would make any 9-1-1 calls made from those outside of the Town ring at the Avery County Dispatcher. This solution is costly, and less than ideal since the Avery County Dispatcher would, no doubt, immediately turn around and notify our dispatcher. (2) would be the turning over by Avery County to the Town of the \$1.20 per month they collect. This is less than ideal, since it would result in citizens within the Town being charged more than those outside of Town, while receiving the same service. (3) would be for Avery County to remit the \$1.20 per month to the Town plus an additional 50¢ per month out of their General Fund to equal the fee charged in-Town recipients of 9-1-1 service.

After some discussion, Reub Mooradian moved that the Town Manager be asked to contact Avery County officials and ask if (1) they will reimburse the Town of Beech Mountain the \$1.20 per month per household they are receiving, (2) they would make up the difference of 50¢ per month from their General Fund and (3) they would support us in getting a local legislative act which would enable the Town to charge subscribers outside the Town who receive 9-1-1 service from the Town the same amount it charges its citizens within the Town. Greg Brown seconded the motion and after some more discussion it passed unanimously.

d. Continued Discussion of Emerald Mountain Water Tank Agreement. David Paletta stated that he had received the additional escrow funds required at the last Council meeting, that he has a signed agreement in hand and that the extension of the letter of credit is supposed to arrive in his office the following day. He expressed some concern that the developer had changed an effective date from May 10 to May 15 and suggested that either the date be changed by the Town to May 13th or that the Mayor be instructed not to execute the agreement until the

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extended letter of credit is received. Tim Holland moved that the Mayor be instructed not to execute the agreement until everything required is in hand. Kakii Handley seconded the motion and it passed unanimously.

6. New Business.

a. Consider Reappointment/Replacement of EDC Members. Al Greene stated that all three appointments to the Economic Development Committee expired at the end of April, and that all three current members had indicated their willingness to serve another term. He also pointed out that he felt the EDC was doing an excellent job. Reub Mooradian moved that all three members (Calder Smoot, Ron Nichols and Bill McClung) be reappointed. Greg Brown seconded the motion and it passed unanimously.

b. Consider Solid Waste Grant Application. Mr. Greene indicated that the State was again offering grants to expand recycling. The Town had applied for a similar grant the previous year without success, but this year the thrust is to add or expand the recycling of plastics. Since the Town's expansion is aimed at just such recycling, Mr. Greene wanted to recycle the prior year's application and see if we could receive a grant to construct a small building which would house the baling machine, as well as store plastics until enough material is on hand to warrant transport. While the submission of the application is not binding, it is hoped that if it is awarded the Town can match the grant with the expenditure of \$7,200 (in both cash and in-kind services) and expand our recycling capabilities. Tim Holland moved that the Town submit the grant application. Reub Mooradian seconded the motion and it passed unanimously.

c. Consider Scheduling Budget Workshop. Mr. Greene sought a date for the first budget workshop and, after discussion, 6:00 PM on Thursday, May 27 was decided upon.

d. Consider Tax Releases. Tim Holland moved that the tax releases submitted by the Tax Administrator be approved. Greg Brown seconded the motion and it passed unanimously.

7. Staff/Consultant Reports.

a. Town Engineer's Report. Ed Powell reported that the contractor for both the Bear Branch Sewer Outfall Line Project and the Ultraviolet Treatment Unit Project was on site and is in the process of finalizing both items. With regard to Emerald Mountain, the water tank has been backfilled and painted, and the two required hydrants have been installed.

b. Public Works Director's Report. Joe Perry had no report. He was commended for having the striping done on the Beech Mountain Parkway so early in the year. Reub Mooradian complained that striping used to be done twice each year, but now seems to have slipped to only once per

year, and urged Mr. Greene to allow adequate funds in the upcoming budget for striping both in spring and fall. He also asked about the reflectors, indicating they have lost their reflective quality.

c. Town Attorney's Report. David Paletta had no report.

d. Chief of Police's Report. Jay Hefner had no report. Tim Holland commended Chief Hefner on representing the Town at Massanutten during their hosting of the finish line of Tour DuPont.

e. Town Manager's Report. Al Greene announced that Town Hall Day in Raleigh would be held on May 25, 1993 if anyone was interested in attending.

Mr. Greene said that he and Joe Perry had met with engineers from the Department of Transportation relative to the construction of sidewalk(s) from the Town limit to Kat's, and that they would furnish their recommendations and cost estimates shortly.

Mr. Greene indicated that he and Chief Hefner were still working out the fine points of the contract with Motorola. He hoped the differences would be worked out shortly.

f. Financial Report. The Financial Report was distributed for the Council's information. Mrs. Handley expressed her concern over the low percentage of collection of taxes, hoping that the percentage would be increased significantly before the budget for the next fiscal year had to be approved.

8. Other Business.

The Council watched a tape of the Street Stories program which featured a segment on Electromagnetic Fields.

9. Executive Session.

Reub Mooradian moved that the Council go into Executive Session under the provisions of N.C.G.S. 143-318.11 (a) (4) and (5). Tim Holland seconded the motion and it passed unanimously. The Council went into Executive Session at 8:30 PM. The Council came out of Executive Session at 9:05 PM.


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ADJOURN

There being no further business, Tim Holland moved that the meeting be adjourned. Kakii Handley seconded the motion and it passed unanimously. The meeting was adjourned at 9:06 PM.

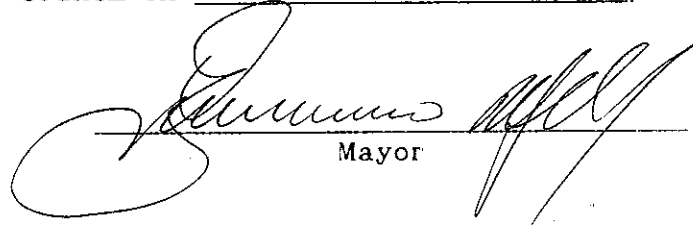
Respectfully submitted,



Barbara L. Mooradian
Town Clerk

BLM/hs

Minutes approved by the Town Council on _____, 1993.



Mayor

ATTEST:

Town Clerk

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BEECH MOUNTAIN TOWN COUNCIL
Budget Workshop, May 27,1993

CALL TO ORDER

The meeting was called to order at 6:04 P.M. All members of the Town Council, except Greg Brown, were present. Staff members present were Al Greene and Joe Perry.

Al Greene gave Council an overview of the Budget Message and provided a summary of projects and programs in the staff's recommended 93-94 Budget. Following this summary, the Town Council reviewed the proposed budget by department. Issues discussed included:

1. The need for detailed explanation of the proposed Advertising Budget, including a breakdown of the Administrative Expense line item.
2. An increase in the number of bullet-proof vests recommended for the Police Department, from three to five.
3. The need for a FAX machine for the Police Department.
4. Possible cost involved in providing uniforms to all Public Works and Utility employees.
5. The possibility of increasing the Taps and System Maintenance Budget by including funds for the addition of new fire hydrants to the system.
6. An increase in Water and Sewer Rates of 10%, as opposed to the 8% recommended by the staff.

In addition to discussing the issues outlined above, Council asked the staff to provide additional information on the following:

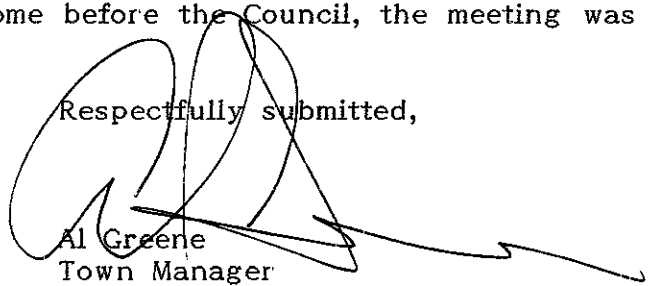
1. Number of 911 subscribers outside the Town Limits who have voluntarily paid the subscriber fee to the Town.
2. A breakdown of Miscellaneous Income of the Water and Sewer Department.
3. The possibility of replacing existing reflectors in the road.
4. At the conclusion of the review, Council decided to hold an additional Workshop on June 15, at 6:00 P.M., and also to hold a Public Hearing and official meeting to consider budget matters on June 23, at 6:00 P.M.

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ADJOURN

There being no further business to come before the Council, the meeting was adjourned.

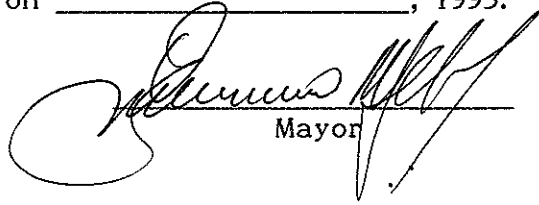
Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to be 'Al Greene', written over the text 'Respectfully submitted,'.

Al Greene
Town Manager

AG:th

Minutes Approved by Town Council on _____, 1993.

A large, stylized handwritten signature in black ink, written over a horizontal line. Below the signature, the word 'Mayor' is printed.

Mayor

ATTEST:

Town Clerk

