

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
June 8, 1993

CALL TO ORDER

Mayor Rick Miller called the regular meeting of the Beech Mountain Town Council to order at 6:04 PM. Other Council Members present were 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, and Public Works Director Joe Perry. Present in the audience were a number of interested citizens.

1. Consent Agenda.

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

- a. Minutes of the meeting of May 11, 1993.
- b. Minutes of the meeting of May 27, 1993.

2. Committee Reports.

There were no committee reports.

3. Tour DuPont Committee Report.

Shiela Fletcher presented a plaque from WCYB-TV to the Town. She asked, if the Town Council was in favor, that a letter of intent to support the Tour DuPont next year be written and signed by the Mayor. Reub Mooradian moved that the Council approve the letter of intent. Greg Brown seconded the motion and it passed unanimously. Ms. Fletcher said the Town should know by June 15 if the Tour would be returning to Beech Mountain.

Mayor Miller thanked both Ms. Fletcher and Fred Pfohl, on behalf of the Council, for the fantastic job done bringing the Tour DuPont to Beech Mountain.

4. New Business.

- a. Consider Donation of Lot C-131 to Town. Al Greene stated that the owner of C-131 owed \$54.73 in taxes to the Town, and none to the County. Reub Mooradian moved that the Council accept the donation. Greg Brown seconded the motion and it passed three votes to one, with Mayor Miller dissenting.
- b. Consider Donation of lot RW-353 to Town. Mr. Greene stated that the owner of lot RW-353 owed \$95.84 to the Town in taxes, and nothing to the County. Reub Mooradian moved that the Council accept the donation. Greg Brown seconded the motion and it passed three

MINUTES

June 8, 1993

votes to one, with Mayor Miller dissenting.

- c. Determination of Creditable Service. Mr. Greene explained that one of the State-mandated requirements for law enforcement officers was a monthly separation allowance for those retiring at age 55 until they reach age 62. The formula for calculating the allowance was based upon the salary at the time of retirement and years of "creditable service." Since the Town's retirement program does not define "creditable service," the Council was being asked to do so. Mr. Greene said that one definition could be years of service with the Town since its incorporation; the other, years of service with the Town and with the POA as a security officer.

Reub Mooradian asked if service with the POA had been used to the benefit of anyone who has left the Town's employ, and Mr. Greene replied that vacation and sick leave which had been accrued was carried forward when employees began working for the Town. Mr. Mooradian moved that "creditable service" be defined as years served as an employee of the Town of Beech Mountain since its incorporation. Kakii Handley seconded the motion. Greg Brown asked if, when the Town was incorporated, any promises were made to POA employees regarding their time of service. Mr. Mooradian said he did not recall anything except that the vacation and sick leave accruals would be transferred. Al Greene pointed out, also, that in 1981 there was no separation pay benefit in existence, so it would not have been discussed.

The vote was taken and the motion passed unanimously.

- d. Consider Capes Request for Adjustment of Water Bill. Mr. Greene distributed copies of a letter from Bob Capes requesting an additional adjustment on his water bill over and above the adjustment already made to the sewer portion, together with supporting documentation supplied by Mr. Capes. Reub Mooradian said that, while he did not wish to give the impression that people cannot appeal to the Council as a last resort, the staff had been given the responsibility for making adjustments and he was satisfied that the matter had been handled correctly. He therefore moved that the Council not consider Mr. Capes' request. Greg Brown seconded the motion.

Mr. Brown then asked a series of questions relating to the Town's turning off (or on) owners' water meters for a fee, seeming opposed to the practice. Mr. Greene said all towns must be able to turn customers' meters on or off, and that there would be no justification for saying "No" when requested to do so. Kakii Handley suggested that turning off the meter at the owner's request was simply an added insurance against leaks, and did not absolve the customer

from the requirement to have his own cutoff valve and using it properly when the property was not occupied.

The vote was taken and the motion passed unanimously.

- e. Resolution Authorizing Staff to File FEMA Applications. Al Greene stated that the Federal Emergency Management Agency (FEMA) required the Town name an "agent" to act for it in matters pertaining to the Town's request for financial assistance due to the blizzard of '93. Greg Brown moved that a resolution naming the Town Manager as the contact individual for FEMA matters be adopted. Reub Mooradian seconded the motion and it passed unanimously.

- f. Schedule Public Hearing on Recommended Zoning and Subdivision Regulation Revisions. Mr. Greene noted that the Planning Board had reviewed and suggested for approval three matters: The first were amendments to the Zoning Ordinance requiring parking facilities be brought into compliance with Section 1102 at the time a nonconforming use of a structure was enlarged, altered or reconstructed; the second was the creation of a Certificate of Approval for Recording Minor Subdivision Plats; and third, a change in the size requirement for turn-arounds in cul-de-sacs from 90 ft. to 70 ft. in residential zones, the latter two being changes to the Subdivision Regulations.

The Council set 6:00 PM on Tuesday, July 13, as the date and time for a public hearing on the proposed amendments. Kakii Handley asked John Hoffman, as a member of the Planning Board, if he was happy with the way minor subdivisions would be approved by the Zoning Administrator without coming before the Planning Board. Mr. Hoffman said there was, of course, a possibility of something being overlooked, but that he was basically satisfied with the arrangement.

- g. Consider Request for Grading Private Road. Mr. Greene indicated he had received a request from the developer of Beech Creek Estates that the Town grade the private roads within their development for a fee. Mr. Greene recommended that the Town not get into that business, as there are private companies who provide such services. Kakii Handley moved that the Council not approve the Town's grading of private driveways or streets. Greg Brown seconded the motion and it passed unanimously.

- h. Discuss Commercial and Multi-Family Recycling. Mr. Greene said he had been asked to consider providing recycling receptacles for multi-family developments' use on their property. He asked the Council if it wished the staff to study such a proposal to augment our recycling program. Rick Miller said he thought it was a good

MINUTES

June 8, 1993

idea to look into. Reub Mooradian agreed, and asked that additional means of trash flow reduction might also be found. The consensus of the Council was that the staff should study the possibility, including types of containers to be used, costs, means of passing on the costs to the consumers, etc.

- i. Consideration of Capital Projects. Mr. Greene asked that the Council authorize the staff to bid out three capital projects once the plans and specifications are complete, pointing out that the final awarding of a bid (or not) would still be at the Council's discretion. Kakii Handley moved that the Town Engineer be authorized to solicit bids on the Charter Hills waterline replacement project; replacement of the underground storage tanks; and the Charter Hills Road repair once plans and specifications are complete, contingent upon the Fire Department approving locations for fire hydrants. Reub Mooradian seconded the motion and it passed unanimously.
- j. Consider Letter to Utilities Commission Regarding Substation. Al Greene distributed copies of a letter suggested by Mountain Electric urging the Utilities Commission to allow it to proceed with the substation project; a draft of that letter which had been revised by the staff and a draft which had been revised further by Mr. Paletta. Reub Mooradian moved that Mr. Paletta's draft be sent. Greg Brown seconded the motion and it passed unanimously.

5. Staff/Consultant Reports.

1. Town Engineer's Report. Ed Powell had no report. Mayor Miller asked about the progress of the pumping station. Mr. Powell said he had been told by Bill Lapsley that the pumps and equipment had been ordered. He added that he and Joe Perry had inspected the work required at Emerald Mountain (road paving, hydrant installation, sewer line completion, manhole readjustment) and that all had been completed. It was pointed out that hydraulic testing had not been done on the sewer lines since their repair, and Mr. Powell was asked if this was a requirement. Mr. Powell said he felt comfortable with the visual inspection of those lines not previously tested, and would not require additional air testing.

Mr. Mooradian said he feared that the developer had been given so many extensions on deadlines that there is a perception that such extensions will always be granted. He said that as far as he was concerned enough leeway had been granted and any further requests would be rejected. Mayor Miller echoed Mr. Mooradian's statement. Mr. Greene also assured the Council that if further delays were encountered, the staff would never again recommend that Council accept monetary guarantees of completion of requirements before allowing final plat approval but, rather, the

actual completion of the work. Mr. Powell said he would talk to Mr. Lapsley and impart this information to him.

- b. Public Works Director's Report. Joe Perry had no report. Reub Mooradian asked for a report on reflectors, and Mr. Perry said that twenty reflectors needed to be replaced (cost: \$75 each) and that 172 would remain needing replacement of lenses (cost: \$10 each). Kakii Handley asked if Mr. Perry could find out from the DOT what the normal life span of a reflector is, i.e., how often do the lenses need replacement, etc. Mr. Perry said he would have the information for the Council by June 15th, the date of the next budget workshop.
- c. Town Attorney's Report. Mr. Paletta had no report.
- d. Chief of Police's Report. Chief Hefner had no report, but called attention to a clerical error in his printed monthly report.
- e. Town Manager's Report. Mr. Greene had no report, but asked for an Executive Session to cover performance by an appointed official.
- f. Financial Report. The report was accepted with only a comment about the tax collection rate. Mr. Greene stated that the rate was currently 96.2% and more was expected.

6. Other Business.

Kakii Handley passed out material on a National Bottle Bill, requesting that the Council consider it and perhaps a resolution or policy on the subject could be passed at the next meeting.

Rick Miller noted a very nice letter from Bill Sposato regarding the expeditious manner in which Al Greene handled a problem regarding a street light at the Club's new stairway at the clubhouse.

7. Executive Session.

Greg Brown moved that the Council go into executive session under the provisions of N.C.G.S. 143-318.11 (a) (1), (4) and (5). Kakii Handley seconded the motion and the Council went into executive session at 7:45 PM. The Council came out of executive session at 8:31 PM.

ADJOURN

Kakii Handley moved that the meeting be adjourned, as there was no further

MINUTES

June 8, 1993

business to come before the Council. Greg Brown seconded the motion which passed unanimously. The meeting was adjourned at 8:32 PM.

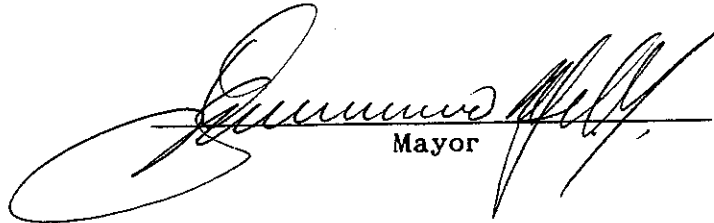
Respectfully submitted,



Barbara L. Mooradian
Town Clerk

BLM/hs

Minutes approved by the Town Council on JULY 13, 1993.


Mayor

ATTEST:


Town Clerk

TOWN OF BEECH MOUNTAIN
MINUTES
BUDGET WORKSHOP
June 15, 1993

CALL TO ORDER

Mayor Rick Miller called the meeting to order at 6:15 P.M. All Council members were present with the exception of Tim Holland. Others in attendance were Bill McClung, Joe Perry and Al Greene.

At the conclusion of the previous Budget Workshop, several items remained unresolved. At this meeting, each of these items was discussed by the Council as follows:

1. Whether or not to replace those reflectors that were missing from Beech Mountain Parkway or the replacement of those that no longer reflect adequately.

At the conclusion of the discussion, the staff was instructed to include \$1,720 in the budget for replacement of reflectors.

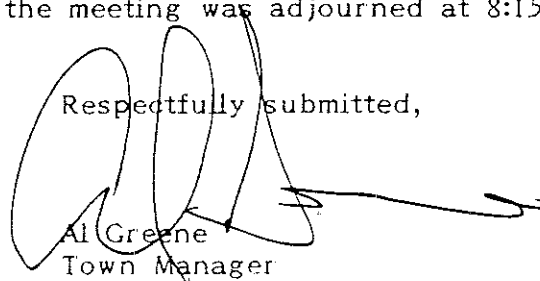
2. After consideration of quotes received by the Public Works Director, Council reached consensus to fund uniforms for all Public Works' and Utilities' employees.
3. The topic of bullet-proof vests was discussed, with Council deciding to accept the staff's recommendation for three (3) vests.
4. Council debated whether to raise utility rates 8% or 10%. They reached agreement that to continue to maintain the system at the appropriate level for the foreseeable future, additional revenues had to be found, and a 10% increase at this time is the minimum practical increase in light of future needs.
5. The Council again reviewed the proposed advertising budget. Mr. McClung, from E.D.C., answered questions from the Council Board on the proposed budget. At the conclusion of the discussion, Council instructed the staff to reduce the E.D.C. budget by the \$7,600 that had been discussed by the E.D.C. and the Chamber Board at the E.D.C. meeting on May 26.

6. The Council discussed maintenance for the Town Hall. The Mayor mentioned the need for painting, for both exterior and some portions of the interior. Council agreed, and instructed the staff to increase this line item in the Administration Department from \$4,000 to \$8,000.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 8:15 P.M.

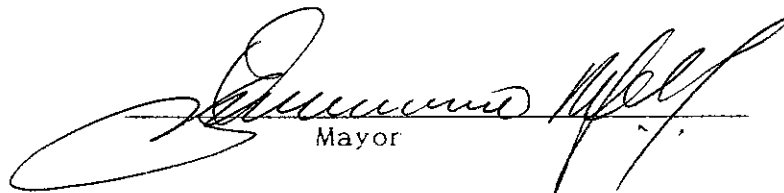
Respectfully submitted,



Al Greene
Town Manager

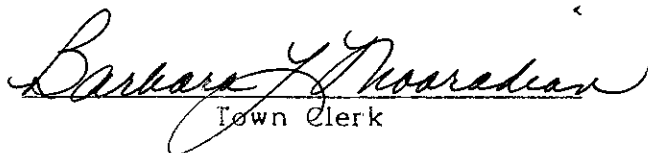
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Minutes approved by Town Council JULY 13, 1993.



Mayor

ATTEST:



Barbara J. Noardian
Town Clerk

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
June 23, 1993

CALL TO ORDER

Mayor Miller called a Special Meeting of the Beech Mountain Town Council to order at 6:00 PM in the Council Chamber at Town Hall. Other Council Members present were Tim Holland, Greg Brown, Kakii Handley and Reub Mooradian. Also present were Town Manager Al Greene, Public Works Director Joe Perry and Chief of Police Jay Hefner. Present in the audience were Ed Lotz and a reporter from a Winston-Salem newspaper.

1. Public Hearing - 1993/94 Budget.

Mayor Miller called the Public Hearing to order and asked Al Greene to make a brief opening statement. Mr Greene stated that the 1993/94 budget proposal calls for revenues and expenditures in all funds of \$2,839,670. Broken down by fund the figures are:

General Fund \$1,816,030 - \$216,600 = \$1,599,430.

Water and Sewer \$880,450 - \$18,000 = \$862,450

Sanitation \$111,120 - 0 = \$111,120

E 911 \$32,070 - \$4,690 = \$27,380

The total budget adjusted for interfund transfers is \$2,600,380.

The increase in operating expenses for a five year period since 1989/90 is 17.77%. This figure includes additional costs from new programs and services including recycling, composting and E 911 service.

The increase in operating expenses in all funds over the current year is 6.9%. These increases in operating expenses over the current year result in part from:

- a. The provision of uniforms and steel-toed boots for all Public Works and Utility employees.
- b. State and EPA mandates for new and expensive tests for water and wastewater.
- c. Increase in maintenance and repairs for the painting of Town Hall.
- d. 23% increase in Workers Compensation rates.
- e. 25% increase in landfill tipping fees.
- f. Potential unemployment expenses 325% higher than the current year's budget.

The coming year's budget includes significant appropriations for capital projects including:

- a. Charter Hills water line replacement: \$201,000.
- b. Charter Hills Road Repair: \$25,000.
- c. Charter Hills Road resurfacing: \$159,500
- d. Hemlock Hills water tank: \$49,000.

The budget provides for a 4% cost of living increase for all regular employees. In addition, in order to keep the utility fund on a sound

MINUTES

June 23, 1993

financial footing, the budget proposal calls for a 10% increase in water and sewer rates. No increases are being considered in:

- a. The tax rate.
- b. Garbage fees.
- c. Any other rates or fees charged by the Town.

Ed Lotz spoke in favor of delaying the replacement of 2" water lines in Charter Hills Road for three to four years, since the surface of the road seemed in good shape and he had been told that the length of time until resurfacing should be required was ten to twelve years.

It was pointed out that the five year capital improvement plan had been created with input from both the Public Works Department and the Town Engineer, both of whom recommended that the water lines be replaced this year. Mayor Miller referred to the 2" pipe which had been replaced in the Skiway area, which was so corroded inside that very little water could pass through. Reub Mooradian alluded to a fire which had occurred on the upper end of Charter Hills Road, and recounted how the Fire Department had had to suspend pouring water on the fire twice due to a lack of pressure. It was also pointed out that the DOT had stated that road surfaces in Beech Mountain, because of the extremes of weather and the increased use of studded tires and chains, probably would need to be replaced every 7 to 8 years.

Dr. Lotz asked about the road stabilization program; if this was something with a foreseeable ending or an ongoing program requiring funds every year. The answer was that some aspects of stabilization, such as raising a roadbed significantly due to the possibility of water mains in the road freezing were more or less one-time projects, but normal erosion and deterioration had to be repaired every year.

Dr. Lotz distributed copies of statistics which he had compiled over the years showing annual growth, tax rates from the date of incorporation, water and sewer usage annually, and other statistics. All Council Members found the compilation very interesting.

There being no further comments or questions about the budget from the public, the Public Hearing was declared closed at 6:35 PM.

2. Consider FY 93/94 Budget Ordinance.

Kakii Handley moved that the FY 1993/94 budget ordinance be approved as presented (copy attached hereto). Reub Mooradian seconded the motion. There was general discussion regarding the expenditure for bullet-proof vests, during which it was revealed that the vests have a shelf life of approximately five years, after which they should be replaced. Greg Brown asked if the wearing of vests would be mandatory, and Chief Hefner replied that unless a vest was issued to every officer individually, it would

June 23, 1993

be difficult to mandate usage. Although the vests are adjustable to a degree, every vest would not fit every individual well enough to require wearing for an extended period of time. The current plan is to have the vests available in several sizes for use when warranted.

The vote was taken and the motion passed unanimously.

3. Consider Amendment to Water and Sewer Use Ordinance.

Reub Mooradian moved that the proposed amendment to the Water and Sewer Use Ordinance (copy attached hereto) be approved as submitted. Tim Holland seconded the motion and it passed unanimously.

4. Consider Amendment to Personnel Ordinance.

Reub Mooradian moved that the proposed amendment to the Personnel Ordinance, promoting two Equipment Operators to Heavy Equipment Operators (with no change in personnel numbers) be approved. Tim Holland seconded the motion and it passed unanimously.

5. Consider Amendments to FY 92/93 Budget and

6. Consider Radio Equipment Capital Project Budget Ordinance.

Al Greene explained that the two amendments to the FY 92/93 budget (1) transferred \$23,750 into a reserve for underground storage tank replacement and (2) transferred \$25,240 into a capital project for radio equipment purchase. The Capital Project Budget Ordinance establishes the capital project budget for radio equipment purchase. Kakii Handley moved that the two FY 92/93 amendments and the capital project budget ordinance be approved. Greg Brown seconded the motion and it passed unanimously.

Al Greene publicly thanked the Department Heads and Finance Officer for all their hard work putting the budget together.

ADJOURN

There being no further business to come before the Council, Reub Mooradian moved for adjournment. Kakii Handley seconded the motion and it passed unanimously. The meeting was adjourned at 6:53 PM.

Respectfully submitted,



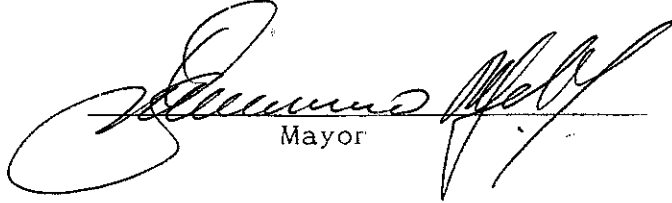
Barbara L. Mooradian
Town Clerk

BLM/hs

MINUTES

June 23, 1993

Minutes approved by Town Council on JULY 13, _____, 1993



Mayor

ATTEST:



Town Clerk