

MINUTES - BEECH MOUNTAIN TOWN COUNCIL

June 13, 1995

3. *Consent Agenda.*

Tim Holland moved the consent agenda be approved. Ed Waligroski seconded the motion and the following items were approved without dissent:

- a. Minutes of regular meeting of May 9, 1995
- b. Minutes of special Joint Planning Committee meeting of May 17, 1995.
- c. Minutes of budget workshop of May 23, 1995

4. *Committee Reports.*

Shiela Fletcher reported that the Watauga County Commissioners' meeting had been mostly concerned with the reduction in their tax rate, but increase of tax values, resulting in larger projected revenue for the next fiscal year despite lowering the tax rate.

5. *Old Business:*

- a. *Appoint Replacement for Jay Tischenkel, Economic Development Committee.* Tim Holland moved that Rick Miller be appointed to serve the remainder of Mr. Tischenkel's term (until December 1995). Kakii Handley seconded the motion and it passed unanimously. Mayor Pfohl thanked Mr. Miller for agreeing to serve the community in this volunteer fashion.

- b. *Consider Completion of Hiking Path, Lake Coffey.* Seth Lawless reported that the Beech Mountain Club Board of Directors had voted to pay the costs of paving the hiking trail, up to a maximum of \$9,000. He noted there is \$3,000 in the FY 94-95 budget for this project, and sought permission to add \$6,000 to the FY 95-96 budget to pay the Town's share of the project. He also noted that Mr. Herzfeld, owner of LL-2, had said he would donate an easement on his property, which would eliminate the need for 150 feet of proposed bridge. This would no doubt reduce the construction cost, but perhaps add to the paving costs, so Mr. Lawless felt that if the overall project cost was lowered, Beech Mountain Club's portion should be lowered.

Mayor Pfohl asked if the other property owners on the lake needed to be approached for an easement, and Mr. Lawless said there was no need for an easement, but as a matter of courtesy it would be good to contact them about the plans. Mr. Herzfeld had indicated he did not wish the portion of the trail crossing his property to be paved, but rather constructed in railroad ties or some such natural material. The Council agreed to visit Mr. Herzfeld's property following their joint meeting the following morning.

Tim Holland moved that \$6,000 maximum be approved for the FY 95-96 budget for the project, in whatever final form it may take. Ed Waligroski seconded the motion and it passed unanimously.

- c. *Consider Adoption of Resolutions 95-06-01 and 95-06-02, Paving of Galax Lane and Skiloft Road.* Kakii Handley moved that both resolutions be approved, reiterating that 100% of the costs would be borne by the property owners along those roads. Tim Holland seconded the motion and it passed unanimously.

6 ***New Business:***

- a. ***Alan Holcombe, Representing Mr. Sauer.*** Mr. Holcombe stated that Mr. Sauer intended to purchase GH-7, and in the process of making the purchase, an error in the original survey had been discovered. This error resulted in two stone pillars being constructed in the Town's right of way in front of the lot, rather than on the GH-7 property, itself. Mr. Sauer wished to purchase the small sliver of Town right-of-way so that there would be no cloud on his title. After general discussion of the best way to accommodate Mr. Sauer, Tim Holland moved that the Town give a non-warranty deed to the property to Mr. Sauer, provided his surveyor provide an adequate description of the property in question. Shiela Fletcher seconded the motion and it passed unanimously.

- b. ***Consider Street Bond Re-funding.*** Mr. Lawless noted that he and the Finance Officer had been investigating the possibility of re-funding the bonds which the Town had originally sold at 9.4% interest, and which extend until 2004. It appears that a substantial savings can be realized if the Town can re-fund the bonds at a lower interest rate. The Local Government Commission had prepared a conservative amortization schedule and even using their figures, the Town stands to save \$55,000 over the remaining course of the loan. Mr. Lawless indicated he had contacted several bond counsels, and received estimates on handling the re-funding from four, ranging from \$2,000 to \$8,500. The costs incurred in hiring bond counsel would be added to the principal of the loan, so would not be an added budget item. It is possible that the Town will not have to be re-rated by Moodys or Standard and Poors, but this will be up to the Local Government Commission. They are presently deciding whether the Town's old rating can still be used.

David Paletta commented on the various bond counsel bids, noting that the two low bids were very competitive. After some further discussion, Tim Holland moved that the Town pursue the re-funding, and utilize Hunter-Williams of Raleigh as bond counsel. Ed Waligroski seconded the motion and it passed unanimously.

- c. ***Consider Releasing FDIC Letter of Credit, Alpine Cablevision.*** Mr. Lawless referred to a letter which the Town had received asking that the \$5,000 letter of credit given the Town at the time of awarding the original cable television franchise be returned. The issuing lending institution has been declared insolvent, and the FDIC has taken over matters. It is unclear to the staff and Town Attorney why the LOC was originally given, but it appears that it had to do with guaranteeing the original installation of lines. Neither the staff nor Mr. Paletta can think of any reason that the Town should not return the LOC to the FDIC. Kakii Handley moved that the LOC be returned as requested. Ed Waligroski seconded the motion and it passed unanimously.

- d. ***Set Date for Public Hearing on Proposed Zoning Ordinance Change.*** Mr. Lawless said that the staff and Planning Board had proposed the addition of an R-2A zoning district designed only for the Skiloft Subdivision. Presently all of the improved lots in Skiloft are non-conforming lots, in that none observe the setbacks required in the R-2 district. Each time someone wishes to build, they have to appear before the Board of Adjustment requesting a variance. The proposed R-2A would allow houses to be no closer than ten feet from one another. Kakii Handley expressed doubt that another zoning district was necessary, especially since there are only three vacant lots left in the subdivision, not an overwhelming burden for the Board of Adjustment. She felt worried about the prospect of creating a precedent, allowing such subdivisions in the future. Roger Bullock said the Planning Board had considered that, but since such a request would involve a

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June 13, 1995

change to the Zoning Map, it could be considered on its own merits and then either approved or denied. Ellen Anderson suggested these concerns could be addressed at the Public Hearing. Seth Lawless suggested the Council schedule a special meeting, the purpose of which would be to hold a Public Hearing on the budget, and a Public Hearing on the proposed Zoning Ordinance change. After discussion, it was decided that 6:00 PM on Tuesday, June 27, 1995 would be the date and time for the special meeting.

e. ***Consider Budget Amendments.***

(1) ***Underground Storage Tank Capital Project.*** Mr. Lawless indicated that the additional soil testing required to replace the underground fuel tanks had resulted in \$10 in costs which exceeded the amount budgeted. Kakii Handley moved that the budget amendment to transfer the \$10 from General Fund be approved. Ed Waligroski seconded the motion and it passed unanimously.

(2) ***Lease/Purchase of Motorgrader and Dump Truck.*** The requested budget amendment would reflect receipt of the loan proceeds for the two purchases and then expenditure of those amounts for the respective vehicles. Shiela Fletcher moved the budget amendment be approved as requested. Tim Holland seconded the motion and it passed unanimously.

(3) ***Transfer Availability Fees to Water & Sewer Reserve.*** Mr. Lawless explained that this transfer represented all availability fees collected which will be held in reserve for water and sewer system improvements. Kakii Handley moved the amendment be approved as requested. Ed Waligroski seconded the motion and it passed unanimously.

e. ***Award Contract for Tractor/Mower and Adopt Budget Amendment Therefor.*** Mr. Lawless noted that only one bid had been received, therefore the tractor/mower was being readvertised for bids. It is hoped that sufficient bids will be received that the purchase can be an item of business at the special meeting on June 27th.

f. ***Budget Amendment, Recycling Center.*** The improvements to the recycling center are proceeding, and there were sufficient funds in the current year's budget to pave the area on which the roll-out container will sit. Smith and Sons were hired to do that paving, and have given the Town a special price to go ahead and pave the road to the sand pile up to where the roll-container will be, and a small area where GDS can back in to pick it up. It will require a budget amendment of \$1,500 to do the entire job, however. Kakii Handley asked if it was cheaper to do it now, as opposed to waiting, and Mr. Lawless said it was, since the paving company is on site. Tim Holland moved that the budget amendment be approved as described. Kakii Handley seconded the motion and it passed unanimously.

g. ***ABC Contact Person.*** Mr. Lawless explained that it appeared advisable to appoint a contact person who would be notified when individuals request an ABC permit within the Town. This would give the Town ten days to investigate the individual, indicate any disapproval, etc. It is suggested that the contact person be Chief of Police Hefner. Tim Holland moved that the appropriate resolution be adopted. Shiela Fletcher seconded the motion and it passed unanimously.

7 ***Staff/Consultant Reports.***

- a ***Town Engineer's Report.*** Ed Powell reported that an automatic rewash cycle had been installed which will save a significant amount of water when the filters have to be rewashd in accordance with quality standards. The Town has received the permit for addition of ammonia to change from chlorine to chloramine. It is anticipated that the distribution facility will be basically constructed by the staff. This construction will begin in a couple of weeks.

The Town has received a permit to construct the Bear Branch outfall line, and will be proceeding shortly.

Davis-Martin-Powell will begin to prepare plans for the paving of Skiloft Road and Galax Lane, and plan to have the project substantially completed in September-October

- b. ***Public Works Director's Report.*** Mr. Perry had no report.
- c. ***Town Attorney's Report.*** Mr. Paletta had no report.
- d. ***Chief of Police's Report.*** Chief Hefner had no report.
- e. ***Town Manager's Report.*** Mr. Lawless reported that the Winston-Salem staff had evaluated the Town's SOC application and sent it forward to Raleigh. They can take from three weeks to three months. Once approval is received, the Town staff will meet with consultants from the Winston-Salem office and go over what the requirements will be. It is most likely that the SOC will be issued by September
- f. ***Financial Report, Tax Report and Building Inspections Report.*** Kakii Handley commented on the big increase of income from investments over the budgeted amount and commended whoever is doing the investing

8 ***Other Business.***

Reub Mooradian asked if a means by which the Town can get back its own weather information be explored. Fred Pfohl said he thought that was a good idea, and also to get our emergency telephone numbers on Channel 2's line up with Boone's and Blowing Rock's. Mr. Lawless said he would investigate both items.

Kakii Handley asked if the staff could again investigate the 9-1-1 subscribers located within the 387 exchange but outside the Town limits, with the aim of getting them to pay a subscriber fee.

9. ***Closed Session.***

Tim Holland moved that the Council go into closed session under the provisions of N.C.G.S. 143-318.11(a)(3) and (5), to discuss settlement of a claim and to discuss the possible acquisition of property. The Council came out of closed session at 8:02.

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June 13, 1995

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:04 PM.

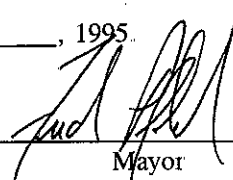
Respectfully submitted,



Barbara L. Mooradian
Town Clerk

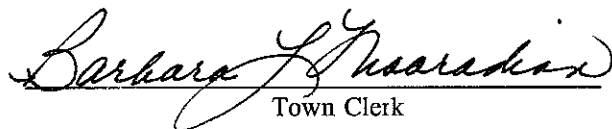
BLM/hs

Minutes approved by Town Council on JULY 11, 1995.



Mayor

ATTEST:



Town Clerk

MINUTES
JOINT MEETING, BEECH MOUNTAIN TOWN COUNCIL,
PLANNING BOARD AND ECONOMIC DEVELOPMENT COMMITTEE
June 14, 1995

CALL TO ORDER

A special joint meeting of the Beech Mountain Town Council, Planning Board and Economic Development Committee was called to order by Chairman Roger Bullock at 9:00 AM Wednesday, May 17, 1995 in the Council Chamber at Beech Mountain. Others present were Mayor Fred Pfohl, Vice Mayor Tim Holland, Members Shiela Fletcher, Kakii Handley and Ed Waligroski; Planning Board Members John Hoffman and Ed Lotz; Economic Development Committee Chairman Calder Smoot; Beech Mountain Club General Manager Bill Sposato, President Bettye Seaman and Rachel Dunn; Chamber of Commerce President Rick Owen and Director Jim Rickard; and Town Manager Seth Lawless. Present in the audience were a number of interested visitors.

1. *Approval of Agenda.*

Jim Rickard moved that the agenda be approved as submitted. Ed Lotz seconded the motion and it passed unanimously.

2. *Discussion of Means of Accessing Public Opinion.*

Roger Bullock asked if the committee felt it was getting the desired result from the process or if anyone felt the need to make changes in the way it is proceeding. Everyone agreed that the process is fine as it is.

Mr. Bullock referred to the draft survey which he had prepared, and indicated he had taken all the questions posed by committee members and put them into the survey format. He asked how the group wanted to go about accessing respondents. Tim Holland said he felt the survey was necessary. John Hoffman remarked that there will no doubt be a lot of individuals who won't respond. Rachel Dunn said the Club found their survey very advantageous, even though they did not get 100% participation. John Hoffman suggested that the rental agencies ought to hand out questionnaires, and perhaps the Chamber of Commerce.

Fred Pfohl noted that there are probably a lot of different groups who have to be surveyed, perhaps with differently worded questionnaires. Mr. Bullock said the questions might be quite different for tourists.

Mr. Bullock pointed out that there were two major ways of accessing people, orally or in writing. He did not see how oral questioning could be controlled, and suggested questions in writing would be best. Ed Lotz said he felt taxpayers should be the main

MINUTES - JOINT TOWN COUNCIL, PLANNING BOARD AND ECONOMIC
DEVELOPMENT COMMITTEE MEETING

June 14 1995

thrust for the questionnaires

Roger Bullock asked if a questionnaire for tourists should be done by the Chamber of Commerce, or be a part of this present process. John Hoffman said he felt it was very important to get tourist input, and perhaps the questionnaires could be mailed after the person returned to their home, but also felt they should be available locally at retail outlets, etc. Calder Smoot pointed out that there are visitors who are not renters, but day visitors, and perhaps someone with a clipboard needed to ask questions of visitors.

Roger Bullock asked if it was the consensus of the committee that the contact should be written, and it was. He asked if it was the consensus of the committee that the written process should include a survey of a type yet to be determined for tourists, and it was. He asked if a written type of survey should be different for those people who are property owners, and all agreed.

3. *Discussion of who will be Approached for Opinions.*

Mr. Bullock noted that there are some 4,000 lot owners who are not Club members but who do have a stake in Beech Mountain, as well as those who own homes. He asked the committee who should be the recipients of a questionnaire. Seth Lawless felt it was important to be able to distinguish who responded (lot owner vs. homeowner, Club member vs. non-member, etc.) Roger Bullock indicated that would be covered in the demographic section of the survey. He pointed out that the draft survey distributed contained only the present section, there would be a future section, comments section and a demographics section, as well, in the final product.

Mr. Bullock said he felt the committee was several months away from a finished survey. He said he believed the committee had reached a consensus that the Town does not need additional in-kind recreational facilities for the next five to ten years, but to improve what it now has. He indicated he was willing to take a crack at shaping the questions that would be in a "future" section and then to do a demographics section. When that is done, he will send another draft to all committee members. At the moment the intent is to do one questionnaire to be sent to all taxpayers, since different surveys for lot owners vs. home owners might cause resentment. He asked that the staff look at how it can be done on the computer so that responses can be coded by group. He asked the Chamber of commerce to work on the tourist and visitor questionnaire.

Rachel Dunn suggested that in the sections where the survey asks how often one uses the various facilities there be a category that says "never." Kakii Handley suggested that it would be useful to know the ages of the respondents and/or users of facilities. Bettye

MINUTES - JOINT TOWN COUNCIL, PLANNING BOARD AND ECONOMIC
DEVELOPMENT COMMITTEE MEETING

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Seaman thought it would be interesting to know the last time lot owners visited Beech Mountain and if not, why not.

The Chamber of Commerce questionnaire should address where the Town should be in five to ten years with regard to recreational facilities. It should ask why the visitor came to Beech Mountain and were their needs met. He felt the questionnaire should be relatively short, however. John Hoffman noted that High Country Host had twice sent individuals around checking on visitors and the Town might be able to get some information from them.

Seth Lawless suggested that ASU might be able to help with the questionnaire and to compile the information. Kakii Handley said ASU could probably write or help write the questions. Calder Smoot suggested using the concept of leisure activities as opposed to recreational activities in the survey. Roger Bullock wondered if those questions might be better suited to the tourist questionnaire, and asked the Chamber to include questions on dining, shopping, etc. Mrs. Handley said perhaps the responses would encourage the ski area to keep the village open in the summer.

Mr. Bullock stressed that it is very important to give the respondents feedback on all the responses received and also to act on the responses.

Shiela Fletcher asked if Mr. Bullock would like someone from ASU to come to the next meeting, and Mr. Bullock asked that he be contacted first, to get them started, then they can come to the meetings. Ms. Fletcher said she felt they would lead us in the right direction, and Mr. Bullock said he would hold off on further work on the questionnaire, to see what ASU will come up with. Mr. Lawless said ASU might simply want to critique the process but not get directly involved since the sampling is not as random as they like to work with.

ADJOURN

The next meeting was set for July 19, 1995 at 9:00 AM. There being no further business to come before the committee, the meeting was adjourned at 10:05 AM.

Respectfully submitted,



Barbara L. Mooradian
Town Clerk

MINUTES - JOINT TOWN COUNCIL, PLANNING BOARD AND ECONOMIC
DEVELOPMENT COMMITTEE MEETING

June 14 1995

BLM/hs

Approved by Town Council on July 11,, 1995.



Mayor

ATTEST:



Town Clerk

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
June 13, 1995

CALL TO ORDER

Mayor Fred Pfohl called the regular meeting of the Beech Mountain Town Council to order at 6:00 PM. Other Council Members present were Tim Holland, Shiela Fletcher, Kakii Handley and Ed Waligroski. Also present was Town Manager Seth Lawless, Public Works Director Joe Perry, Town Engineer Ed Powell, Police Chief Jay Hefner, Code Enforcement Officer Don Fulkerson and Town Attorney David Paletta. Present in the audience were a number of interested spectators.

1 ***Public Hearing, Proposed Improvement to Galax Lane and Skiloft Road.***

Pursuant to notice having been given via first class mail to owners of all property abutting the two roads in question and notice having been published in the Avery Journal on May 25, 1995 and in the Watauga Democrat on May 26, 1995, Mayor Pfohl called a Public Hearing on the proposed improvement to Galax Lane and Skiloft Road to order. Seth Lawless read the following letter from Mrs. Charles B. Jackson into the record:

"Dear Town Council, We are owners of Skiloft #16 or 122 Skiloft Road. Unfortunately we are unable to attend the open meeting. However, we would like to express a serious concern about parking in front of our house. It is already a problem. There is only room for one car. If the road is widened as proposed with the paving, there will be no room for any parking. We need to have a place to park our car and do not feel the Town has a right to take away the existing parking. Sincerely, Mary H. Jackson"

Rick Miller asked if that was the only complaint which had been received by the Town, and Mr. Lawless indicated it was. He stated that he and Ed Powell had visited the Jackson lot prior to the meeting, and it appears they will still have one full sized vehicle parking space. They estimated there will be some 350 square feet of parking area off the paved road. Mr. Powell said he did not believe the paving would have any adverse effect over what the Jacksons now have, and they could even have additional parking with little effort on their part.

There being no further questions or comments from the audience, Tim Holland moved that the Public Hearing be closed. Ed Waligroski seconded the motion and the Hearing was closed at 6:05 PM.

2 ***Adoption of Agenda.***

Fred Pfohl indicated that Alan Holcombe had asked to address the Council, and placed him as the first order of New Business. Seth Lawless had two items: a proposed budget amendment (added as item "f" under New Business); and a proposed resolution naming Chief Hefner as the contact person to be notified when anyone requests an ABC permit within the Town, (placed at item "g" under New Business.)

Kakii Handley moved the agenda be approved with those additions. Shiela Fletcher seconded the motion and it passed unanimously.

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Budget Workshop, June 14, 1994

CALL TO ORDER

The Beech Mountain Town Council met in special session June 14, 1995 at 6:00 PM in the Town Hall for the purpose of conducting a budget workshop following due advertisement in the Watauga Democrat edition of Friday, June 2, 1995. Mayor Pfohl opened the meeting and all Council Members were present. Seth Lawless, Sally Rominger, Joe Perry and Jay Hefner were the staff in attendance.

Mayor Pfohl stated that the budget had been previously presented, and asked the Council how they would like to proceed. All agreed that a decision should be made at the outset whether or not to cut the tax rate in view of property revaluation.

Mr. Lawless stated that the new values taxed at the same rate would generate approximately \$110,000 more than the previous year. The large items new to this budget were identified as: \$20,000 ammonia feed system at the water plant; \$55,000 for water tank painting; \$35,000 for paving part of Pinnacle Ridge Road; \$10,000 for culvert replacement on Pine Ridge Road; and approximately \$20,000 for a 2% cost of living increase for all employees.

Members of the Council discussed the desire to lower the tax rate, but the need for the proposed improvements.

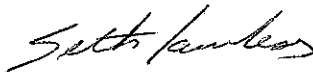
A discussion of the Town merit pay system was initiated by Kakii Handley. She noted concerns about the compounding of merit pay and COLA pay increases, and the cost to the Town. Upon a motion by Tim Holland, seconded by Kakii Handley, the Council directed the Town Manager to present merit bonus alternatives to the Council in the fall. The motion passed unanimously.

The Council reviewed each departmental budget, and recommended several changes. Mayor Pfohl thanked the staff and reminded everyone of the June 27, 1995 public hearing on the proposed budget.

ADJOURN

Upon a motion by Ed Waligroski, seconded by Shiela Fletcher, the meeting was adjourned at 8:30 PM.

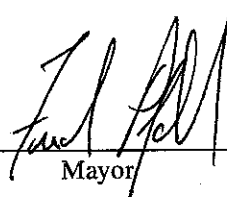
Respectfully submitted,



Seth Lawless
Town Manager

SL/blm

Minutes approved by Town Council on JULY 11, 1995.



Mayor

ATTEST:



Town Clerk

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Special Meeting, June 27, 1995

CALL TO ORDER

The Beech Mountain Town Council held a special meeting on Tuesday, June 27, 1995 at 6:00 PM in the Beech Mountain Town Hall. Mayor Pfohl and Council Members Holland, Handley and Fletcher were present, as was Town Manager Seth Lawless. The Mayor called the meeting to order at 6:02 PM.

The first item of business was to consider the design of Lake Coffey Trail. Mr. Lawless reported that the original plan to construct walking bridges along the far side of the lake would have to be re-employed, as the offer of an overland easement had been withdrawn. The Council did not take any action on the matter.

The second item of business was consideration of bids for a tractor and mowing equipment. The Manager reported that two bid openings had been held, but a third would be necessary to allow all interested vendors an opportunity to bid on the revised specifications. Mr. Lawless requested that the item be placed on the July regular meeting agenda. All agreed.

The next item was a Public Hearing on a proposed amendment to the Zoning Ordinance to establish a new zoning district - R-2A. R-2A would be identical to R-2, except minimum lot sizes proposed were 2,280 square feet with no setback requirements other than a minimum distance of ten feet between structures. Mr. Lawless stated that the new zone was proposed to be implemented on Skiloft Road and Galax Lane, where all structures are out of compliance with minimum lot size and setback requirements. The Mayor recognized Ellen Anderson, who opposed the proposal based upon the precedent it could set for other areas in Town.

Erika McClung was recognized and also stated opposition to the proposed change. She noted that the Board of Adjustment had never denied a variance to prospective builders on Skiloft Road or Galax Lane.

Vice Mayor Holland stated that rebuilt structures and additions would also not need variances under the proposed change. Mayor Pfohl asked if there were any further comments, then closed the Hearing.

The next item was the Public Hearing on the proposed FY 1995-1996 budget. Mr. Lawless reviewed each fund and major areas of capital outlay. Mayor Pfohl opened the Hearing and recognized Ed Lotz. Dr. Lotz said that he thought the proposed expenditures were justified, but that the Council should try to cut the tax rate based on the recent revaluation. He went on to state that his total County/Town tax bill would increase more than 30%. Council Member Handley expressed her desire to lower the rate. Mayor Pfohl stated that he had hoped for a lower rate, but did not want to have to lower it one year and raise it the next. He asked for any additional comments on the proposed budget.

Erika McClung asked about the State repeal of intangibles tax, and its impact on the Town budget. Mr. Lawless replied that the State will replace the intangibles tax with other funds and hold the municipalities harmless for the foreseeable future. Mayor Pfohl closed the hearing.

The final item of business was consideration of the FY 1995-1996 Town budget. Upon a motion by Council Member Fletcher, seconded by Council Member Holland, the budget was adopted without dissent.

MINUTES - BEECH MOUNTAIN TOWN COUNCIL

June 27, 1995

ADJOURN

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

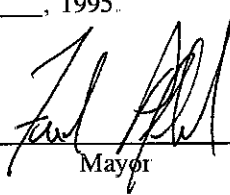
Respectfully submitted,



Seth Lawless
Town Manager

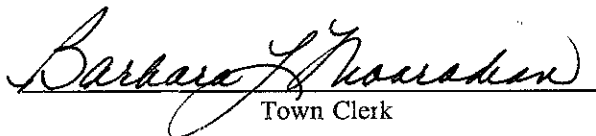
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Minutes approved by Town Council on July 11,, 1995.



Mayor

ATTEST:



Town Clerk