

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
May 13, 1997

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 Shiela Fletcher, Reub Mooradian, Rick Owen and Ed Waligroski. Also present were Town Manager Seth Lawless, Town Attorney David Paletta, Public Works Director Joe Perry and Town Engineer Ed Powell. There were a number of interested parties in the audience

Invocation. The meeting was opened in prayer by Pastor Hayst Harrold.

Pledge of Allegiance. Ed Waligroski led those present in the Pledge of Allegiance to the flag

1. *Adoption of Agenda.*

Seth Lawless asked that consideration of bids on the Christie Way Paving Project be added as item "j" under New Business. Shiela Fletcher moved the amended agenda be approved. Ed Waligroski seconded the motion and it passed unanimously.

2. *Consent Agenda.*

Reub Mooradian moved the Consent Agenda be approved. Rick Owen seconded the motion and the following items were unanimously approved:

- a. Minutes of the Regular Meeting of April 8, 1997
- b. Minutes of the Special Meeting of April 29, 1997.

3. *Committee Reports.*

Mayor Pfohl reported that he, Rick Owen and Ed Waligroski had attended the League regional meeting in Block Rock which was most informative.

4. *Persons Wishing to Address the Council, Charlie Burleson.*

Mr. Burleson spoke on behalf of the owners of Northridge Villas Condominium. He explained that prior to GDS collecting the garbage, Northridge Villas had utilized cans, which had been placed in an enclosed building. When they were required to switch to a dumpster, they removed one end and part of the roof of the building, and placed the dumpster inside. This has proven to be unsatisfactory, as people often just throw their trash over the wall, it often does not make the dumpster but lands on the ground, splitting open and spewing trash about. The condominium would like to switch back to cans, but requests a deviation from the Solid Waste Management Ordinance requirement for two cans per unit to one can per unit. He pointed out that the four yard dumpster which currently serves the condominium holds less than the 33 cans requested would hold. Mayor Pfohl asked for Joe Perry's opinion, and Mr. Perry replied that keeping the trash "trapped" within the building helps matters, and also that he had suggested the condominium might want to pay for extra pickups at Christmas time and perhaps a couple of times in the summer months, when heavy usage, and Mr. Burleson had agreed

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Reub Mooradian suggested that if the Council wishes to grant this request they establish a period of review, after which the condominium can be asked to change back to a dumpster or add more cans if either is deemed necessary. He moved the Council approve the deviation, with the caveat that the situation be reviewed in three months and then again three months after that, and asked that Mr. Perry's personnel keep track of the situation at the condominium. Shiela Fletcher seconded the motion and it passed unanimously.

4. *New Business.*

a. *Consider Offers to Donate Lots HH-262 and WH-24 to Town.* Rick Owen moved Council approve the donation of the two lots. Reub Mooradian seconded the motion and it passed unanimously.

b. *Consider Resolution 97-05-01, Supporting Spring 1998 Hill Climb.* Mr. Lawless noted the Economic Development Committee had suggested the date be moved into May for the Hill Climb. Shiela Fletcher moved the resolution be adopted, with May 2 and 3, 1998 as the dates for the Spring Hill Climb. Rick Owen seconded the motion and it passed unanimously.

c. *Consider Resolution 97-05-02, To Reclassify Pond Creek Watershed.* Mr. Lawless gave a brief overview of the watershed classification issue: Originally the Pond Creek Watershed was classified WS-II. In 1991 and again in 1994 the Town council supported that classification. However, based upon resolutions passed by the Watauga and Avery County Commissioners requesting that it be classified as WS III the State decided to take a look at the watershed. The Division of Water Quality made the recommendation to divide the watershed into West Pond Creek and East Pond Creek, with West Pond Creek remaining WS-II and East Pond Creek being reclassified to WS-V. The next step will be to have a public hearing, which will take place at Beech Mountain, tentatively scheduled for September 16th in the Club Recreation Activity Room. Some time after that they will make a final decision. The proposed resolution is a compromise by the Town to support the recommendation of the Watauga and Avery County Commissioners, while asking the State to be more restrictive than WS-V on East Pond Creek.

Mayor Pfohl pointed out that the State and Federal governments both dictate a lot of rules which the Town must follow. The Town council has tried to take everything into consideration on this reclassification issue, and to do the best it perceives for all residents. Shiela Fletcher moved resolution 97-05-02 be adopted as presented. Rick Owen seconded the motion and it passed unanimously.

d. *Consider Budget Amendment(s).*

(1) *General Fund, Purchase of Flags.* Mr. Lawless indicated this had been a recommendation of the Economic Development Committee for the purchase of spring/summer flags. Reub Mooradian moved the amendment be approved. Shiela Fletcher seconded the motion and it passed unanimously.

(2) *Water and Sewer Fund.* Mr. Lawless explained this amendment was to adjust for the drop in metered sales which has been experienced. Since the first payment on the loan for the Grassy Gap Wastewater Treatment Plant Expansion Project will not come due until the next fiscal year, but the payment was budgeted for this fiscal year, it was proposed that these funds be used to offset the shortfall, as well as several small line item

deviations in the Water and Sewer Fund. Shiela Fletcher moved the amendment be approved as submitted. Ed Waligroski seconded the motion and it passed unanimously.

- e. **Consider Resolution 97-05-03, Authorizing the Exchange of Property.** Mr. Lawless stated that an arrangement to exchange a 51 acre tract it owns for a more usable 44 acre tract owned by Warren Wakeman and others had been agreed to in principle, this resolution is necessary to finalize the exchange. Reub Mooradian moved resolution 97-05-03 be approved as submitted. Ed Waligroski seconded the motion and it passed unanimously.
 - f. **Consider Resolution 97-05-04, To Dispose of '93 Blazer through Private Sale.** Mr. Lawless explained that while the Council had surplussed the vehicle and had approved its sale through sealed bids, no bids had been received. However, several individuals had offered to purchase the car, even though the frame was previously cracked. The resolution is required to allow Mr. Lawless to sell the Blazer to the highest offeror. Shiela Fletcher moved Council approve resolution 97-05-04 as presented. Rick Owen seconded the motion and it passed unanimously.
 - g. **Consider Date for Special Meeting for Budget Presentation.** After discussion 5:00 PM May 29th was selected as the date and time for a special meeting to receive the FY 1997-98 proposed budget. Council also set 5:00 PM June 5th as the date and time for the first budget workshop.
 - h. **Set Date for Public Hearing on the Budget.** After discussion Shiela Fletcher moved that 6:00 PM June 10th be the date and time for the Public Hearing on the budget. Reub Mooradian seconded the motion and it passed unanimously.
 - i. **Set Date for Public Hearing on the Solid Waste Management Plan.** Mr. Lawless indicated that the Town wished to participate in the Watauga County Waste Management Plan, and that it would be ready no later than the end of May. Although it is not strictly necessary for the Town to hold a public hearing, Mr. Lawless suggested it as a good idea. Shiela Fletcher moved that the public hearing be held at 6:00 PM June 10th. Reub Mooradian seconded the motion and it passed unanimously.
 - j. **Consider Awarding of Bid for Paving Christie Way.** Mr. Lawless stated three bids had been received: \$37,315.00 from Brown Brothers; \$26,477.50 from High Country Paving and Sealing; and \$29,617.40 from Smith and Sons Paving. All three have a 90 day completion date. Reub Mooradian moved the Town accept the bid of High Country Paving and Sealing. Rick Owen seconded the motion and it passed unanimously.
6. **Staff/Consultant Reports.**
- a. **Town Engineer's Report.** Ed Powell reported that the Grassy Gap project was moving ahead and on time. It should be completed in October.
 - b. **Public Works Director's Report.** Joe Perry had no report. Mayor Pfohl complimented Mr. Perry for his staff's work at Lake Coffey and the old water plant at Tamarack Road. Reub Mooradian asked about the pieces of trees which Mountain Electric had left on private property, wanting to know if Public Works could remove them. Mr. Perry said the trees belong to the property owners, even though Mountain Electric cut them down, and the property owners would have to indicate they don't want the trees after which Public Works would be happy to remove them.

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- c. **Town Attorney's Report.** David Paletta had no report.
- d. **Chief of Police's Report.** Mr. Lawless said Chief Hefner had the night off, but reported that the Chief and Sergeant Crawford had been working on an awareness campaign on the theft of building materials and equipment from construction sites throughout the county
- e. **Town Manager's Report.** Mr. Lawless referred to a memorandum from David Paletta regarding grandfathering of garbage receptacles and above-ground tanks. The Town can require compliance with the current regulations so long as the ordinance is changed and a one-year grace period is granted. The Planning Board was asked to make a recommendation on this as well as the possibility of requiring underground cans and further requirements for dumpster users. The staff was asked to provide proposed wording for a change to the Zoning Ordinance regarding above-ground storage tanks to the Planning Board. Reub Mooradian moved the Council hold a public hearing on proposed Zoning Ordinance changes at 6:00 PM June 10, 1997. Shiela Fletcher seconded the motion and it passed unanimously

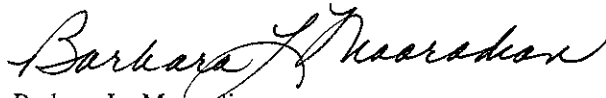
Mr. Lawless said he would be attending a few workshops during the month: On May 21st, May 28th and May 30th. He reported that the Town Clerk had attended the first part of a class on home page creation and will be going to the second part later in the month.

- 7 **Closed Session, N.C.G.S. 143-318.11(a)(6).** Shiela Fletcher moved the Council go into closed session to discuss a personnel matter. Reub Mooradian seconded the motion and it passed unanimously. The Council went into closed session at 7:10 PM. The Council came out of closed session at 7:59 PM.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 8:00 PM.

Respectfully submitted,



Barbara L. Mooradian
Town Clerk

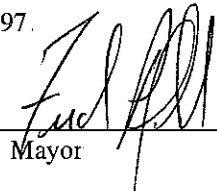
BLM/hs

Minutes approved by Town Council on June 10, 1997.

ATTEST:



Town Clerk



Mayor

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
May 29, 1997

CALL TO ORDER

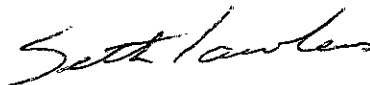
Mayor Pfohl called a Special Meeting of the Beech Mountain Town Council to order at 5:00 PM on May 29, 1997 in the Council Chamber at Town Hall. Other Council Members present were Shiela Fletcher, Reub Mooradian, Rick Owen and Ed Waligroski. Also present were Town Manager Seth Lawless and Public Works Director Joe Perry

Mr. Lawless handed out copies of the proposed FY 1997/98 Budget and read the Budget Message to the Members of the Council. The Council complimented the staff on the presentation of the documents and asked some questions clarifying information regarding property values and the tax rate

ADJOURN

Upon a motion by Reub Mooradian, seconded by Ed Waligroski, the meeting was adjourned at 5:20 PM.

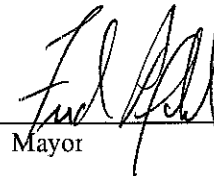
Respectfully submitted,



Seth Lawless
Town Manager

SL/blm

Minutes approved by Council on June 10, 1997.



Mayor

ATTEST:



Town Clerk