

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
March 10, 1998

CALL TO ORDER

Mayor Tim Holland called the regular meeting of the Beech Mountain Town Council to order at 6:00 PM. Other Council Members present were Rick Owen, Jim Herbert, Reub Mooradian and Ed Waligroski. Also present were Town Manager Seth Lawless, Town Attorney David Paletta, Town Engineer Ed Powell, and Public Works Director Joe Perry. There were a number of interested parties in the audience

Invocation - Hayst Harrold.

The meeting was opened in prayer by Pastor Hayst Harrold

Pledge of Allegiance to the Flag.

Those present joined in the pledge of allegiance to the flag.

Public Hearing, Proposed Paving of Skiway Circle.

Pursuant to due advertisement in the February 27, 1998 edition of The Watauga Democrat and the February 26, 1998 edition of The Avery Journal, Mayor Holland called a Public Hearing to order. Seth Lawless outlined the events which had already taken place with regard to the proposed paving of Skiway Circle, and Mayor Holland opened the meeting to public comments. Mayor Holland said that several individuals had spoken about the project at the meeting of February 10, 1998, and their comments would be included with the record of this Public Hearing

Chris Sharpe, SW-19, spoke of his entire family's opposition to the paving of the road. He said they all liked the rustic nature of the gravel road, and feared paving would increase the speed of travel on the road. He said one of his main objections was the paving of Skiway Circle without paving Skiway Road, noting drivers would leave pavement for a short distance on Skiway Road, then rejoin pavement on the Circle. He asked how long the pavement could be expected to last, and Mr. Perry replied ten to twelve years. Mr. Sharpe asked how much would be assessed against each property, and Mr. Powell said he estimated the total cost of the project would be between \$70,000 and \$75,000, so divided by 33 lots, the cost per lot might be \$2,272. It was pointed out again that this was simply an estimate done on the basis of a visual inspection of the roadway.

Mr. Johnson, SW-51, spoke at length against the paving proposal. He said that he already has a good deal of water problems on his lot from drainage, and that paving would simply dump more water on him. He said he felt the owners on Skiway Lane should be assessed if the Circle is paved, since they will use the Circle to get to their property on Skiway Lane. He, too, felt that paving would increase the speed of travel on the Circle. He also feared he would be assessed three times, if the Town later paved Skiway Road or Skiway Lane, since his property fronts on all three roadways. Mayor Holland explained that the State Statutes do not permit individuals not owning property which abuts the improvement to be assessed.

Robert Gasko, SW-33, spoke in favor of the proposal. He complained about the dust, potholes, muddy conditions after rains, and so forth. He said he felt more people were in favor of the paving than against it. Mr. Sharpe commented that Wedling Weg is dusty in the summer, and it is paved. Mr. Gasko said he had never seen a rooster tail behind a car on Wedling Weg, but he has seen it on Skiway Circle. He urged Council to approve the project, and if they felt they needed additional petitions, to make the approval contingent upon the three additional petitions

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which have been received being perfected.

Gil Adams asked a number of questions about paving, even though he does not live on Skiway Circle. He said paving was not a cure-all, and expressed concern that the Town might decide to pave his road and assess he and his neighbors without their presenting a petition. He asked about the cost of maintaining pavement vs. a graveled surface, and Mr. Powell replied that on Beech Mountain it was less expensive to maintain pavement than the gravel roads. Mr. Powell also expressed his opinion that no paving has ever been done at Beech Mountain that has not been properly thought out and that all the pavement designs have met or exceeded DOT specifications.

Mr. Johnson urged the Council, should it decide to proceed with the project, arbitrarily include the pavement (and assessment) of Skiway Lane, since it has the authority to do so.

There being no further comments or questions from the public, Reub Mooradian moved the Public Hearing be closed. Rick Owen seconded the motion and the Public Hearing was closed at 6:50 PM

1. *Adoption of Agenda.*

Reub Mooradian moved the Agenda be approved as presented. Rick Owen seconded the motion and it passed unanimously.

2. *Consider Approval of Minutes, February 10, 1998.*

Rick Owen moved the minutes of the regular meeting of February 10, 1998 be approved as submitted. Ed Waligroski seconded the motion, which passed unanimously.

3. *Persons Wishing to Address the Council:*

- a. *Jim Higinbotham, Mountain Electric and Cleston Jones, TVA.* Mr. Higinbotham said Mountain Electric cooperative was very honored to be able to provide electric service to the Town of Beech Mountain. As everyone knows, El Niño has produced a very abnormal winter. The big transmission line from the TVA loop into our substation has encountered problems due to icing, and Mr. Jones from the TVA would like to explain to the Town the problems, and the solutions which the TVA proposes to correct them.

Mr. Cleston Jones explained that, while the specifications for installation of the large transmission line exceeded both TVA and Federal standards, they did not, unfortunately, exceed the severity of a Beech Mountain winter. At times heavy ice, six to eight inches in diameter, formed around the lines causing them to sag close enough to the ground to arc and trip out. Other problems were encountered when the ice dropped off the lines, causing to now free line to rebound up into the air where it touched the static conductor, again arcing. The short term solution has been to remove the static conductor lines at the top of the ridge and down across the parking lots; re-tension all the guy wires that support the structures, adding additional guys where the static conductor lines have been removed; add another structure; and install lightning arresters to compensate where the static conductors were removed. During the summer TVA will do a complete engineering evaluation of the transmission line to come up with a long-term solution.

Jim Herbert asked what happens if lightning hits the line without the static conductor being present, and Mr. Jones said that it would trip out a switch at the substation, much like a circuit

breaker in a private home. Reub Mooradian asked if the Council would be presented with the results of the engineering evaluation once it is complete, and Mr. Jones said he would be happy to return. Mr. Jones commended Mountain Electric for working with the IVA and being able to transfer the power source to the Banner Elk substation. Mayor Holland asked if the Town was still receiving power from Banner Elk, and he replied that the main transmission line is back in use.

Mr. Johnson led the group in a round of applause for the good work both Mountain Electric and the IVA have done.

- b. ***Leslie Hayhurst, Avery County Animal Control Proposal.*** Ms. Hayhurst said she not only was representing her sanctuary for wild animals, but also an anonymous donor who is willing to pay to build another shelter. Since Avery County has declined to take the initiative in providing animal control for the area, Ms. Hayhurst is approaching the towns in the area to join in planning for an animal shelter. The Town Manager in Banner Elk is very enthusiastic about the program, and are going to help contact all towns in the area, asking that they commit one person to be on the board to help in planning for a shelter. The board would take steps to put a budget together, after which towns in the area would be approached to help fund the maintenance and operation of the shelter. Two sites in Banner Elk have been proposed for construction of the facility.

Rick Owen asked if animals from the Watauga side of the Town would be accepted at the shelter, and Reub Mooradian said he felt it was imperative for this to be the case if the Town were to expend tax monies. Mayor Holland asked for a volunteer to serve on the planning board for the project, and Mr. Mooradian volunteered. Mr. Lawless said he would like to attend the first couple of meetings to get a feel for what is planned.

4. ***Committee Reports.***

There were no committee reports.

5. ***Old Business:***

- a ***Consider Proposal for Right-of-Way Clearing Crew and Budget Amendment.*** Mr. Lawless reminded the Council that this subject had been broached at the last Council meeting. While most of Beech Mountain had power restored within 24 hours during the big storm in January, there were areas who were out five to six days. The Town's water plant was out of power, and within two to three hours of being out of water when it was restored.

Rick Miller was very concerned about those isolated pockets of the Town where trees went down. Mountain Electric says that 90% of the power outage problems Beech Mountain encounters are due to trees. Mr. Miller recommended a crew to clear power and road rights-of-way of trees and limbs that could damage lines. Mr. Perry has done a proposal which would involve a three man crew, plus a supervisor, to work from April through September of this year, then April through June of 1999. The budget amendment proposed would pay for the crew, materials, training, etc., for this fiscal year, and the budget for 1998-99 would include a request for that fiscal year.

Mr. Perry said the supervisor would act as a liaison between the Town and property owners, to insure trees on private property are treated carefully. The first areas which would be cleared

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would be those roads where a three-phase line exists. Mr. Gasko asked about Town liability, if it damaged electric lines, and Mr. Paletta said he felt all those possibilities are covered by the Town's insurance. Ed Waligroski asked if the project was to be a two-year one, but Mr. Perry said it would probably be continuous. Mr. Lawless pointed out that monies for the project would be requested each year at budget time, where the Council could approve continuing the project or not.

After some further discussion Reub Mooradian moved the budget amendment be approved for FY 97-98. Ed Waligroski seconded the motion and it passed unanimously.

- b. ***Consider Resolution 98-03-01, Directing that the Paving of Skiway Circle be Undertaken.*** Reub Mooradian suggested that the Council hold off in voting on this resolution, not because he was against it, but he would like to see additional petitions received, making the percentage of owners in favor higher. He would also like to see Skiway Road from the pavement to the Circle paved as part of the same project. Ed Waligroski said he felt the Council should wait for validation of three additional petitions which have been received. Mayor Holland said his personal feeling is that the road should be paved, but he would prefer to see a little bit more strength in favor of the project than the petitions currently indicate. Rick Owen said he agreed that the stretch of unpaved road on Skiway Road should be included. The matter was tabled until the April meeting.

6. ***New Business:***

- a. ***Consider Appointments to Board of Adjustment.*** Mr. Lawless noted that Sherry Garris had moved outside of the Town limits, and cannot serve on the Board anymore. Mrs. Buchanan, the Chairman of the Board, had suggested that Nancy Hoffman be appointed to complete Mrs. Garris' term, and that Alan Holcombe and Deborah Connelly be appointed to complete the Alternate roster. Reub Mooradian moved those appointments be made. Ed Waligroski seconded the motion and it passed unanimously.
- b. ***Consider Flower and Lawn Maintenance Agreement for 1998.*** Mayor Holland announced that Larry Parent, with whom the Town had contracted for these services in the past, felt he was too busy to accept a contract for this year. After general discussion, Mr. Lawless was asked to investigate finding another garden maintenance firm with whom to contract, and to report to the Council at the next meeting.
- c. ***Call for Public Hearing on Proposed Zoning Ordinance Amendments.*** Mayor Holland noted that the Planning Board had been working on a telecommunications tower ordinance and should have the proposed amendment to the Zoning Ordinance for the next meeting. Reub Mooradian moved the Public Hearing be held at 6:00 PM on April 14 before the regular meeting. Rick Owen seconded the motion and it passed unanimously.

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

- a. ***Town Engineer's Report.*** Ed Powell noted several projects which would be upcoming: the repainting of water storage facilities (large tank in meadows and large tank at water treatment plant); a plan to address inflow and infiltration which will involve a mapping of the system, flow monitoring, etc. He anticipates that our environmental regulations are going to become more and more stringent and more and more enforced. He indicated he hoped to have some information

for the Council to digest at their Planning Retreat to be held on Friday, April 3rd in Glendale Springs.

- 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 was absent, but his written report was included in the agenda packet
- e. **Town Manager's Report.** Mr. Lawless reported that the spring Hillclimb will be expanded to include an event on Friday, so it will be a three-day event. Paul Piquet indicated the Chamber of Commerce hoped this expansion would bring in more lodging business. The Chamber has voted not to have a Hillclimb in the autumn.

Watauga County will be celebrating its sesquicentennial in 1999 and has asked for two individuals to serve on their steering committee. They are asking that each Town bring some of the sesquicentennial theme into their events. Please let Mr. Lawless know if you are interested in serving on the steering committee.

Mr. Lawless reported that Jim Duffy had been promoted to full time on the Police Department. Reub Mooradian asked if there had been a vacancy, and Mr. Lawless indicated Officer Case had been terminated.

Mr. Lawless said the Town anticipates, thanks to the work of Joe Perry, a FEMA reimbursement to the Town for expenditures due to the January storm of \$8,579.00. This may be a little more than half of what the Town actually spent on storm cleanup. The Town has applied for an \$18,000 grant from FEMA to retrofit the water plant and pumping stations for a three-phase generator.

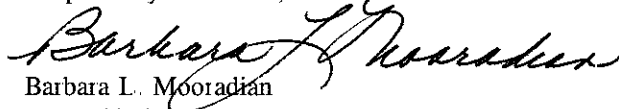
Roger Bullock and Joe Pavelchak have been reelected Chairman and Vice Chairman of the Planning Board.

- 8. **Closed Session, N.C.G.S. 143-318.11(a)(3) and (6).** Rick Owen moved the Council to into Closed Session to discuss a personnel matter and consult with the Town Attorney. Ed Waligroski seconded the motion and the Council went into closed session at 8:35.

ADJOURN

The Council came out of closed session at 9:00 PM. There being no further business to come before the Council, Ed Waligroski moved the meeting be adjourned. Reub Mooradian seconded the motion and the meeting was adjourned at 9:01 PM

Respectfully submitted,


Barbara L. Mooradian
Town Clerk

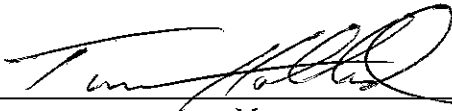
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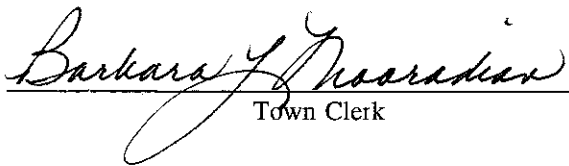
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Minutes approved by Town Council on April 14, 1998.

ATTEST:



Mayor



Town Clerk