

MINUTES  
BEECH MOUNTAIN TOWN COUNCIL  
December 12, 2000

***CALL TO ORDER***

Mayor Tim Holland called the regular meeting of the Beech Mountain Town Council to order at 6:00 P.M. in the Council Chamber at Town Hall. Other Council Members present were Gil Adams, Jim Herbert, Rick Owen and Reub Mooradian. Also present were Town Manager Seth Lawless, Town Attorney David Paletta, Police Chief Jay Hefner, Town Engineer Ed Powell, Public Works Director Riley Hatch and Code Enforcement Officer Don Fulkerson. There were a number of interested parties in the audience.

***Invocation – Hayst Harrold***

Hayst Harrold opened the meeting in prayer.

***Pledge of Allegiance***

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

***1. Adoption of Agenda***

Mayor Holland called for additions to the agenda. A discussion of a model for the Buckeye Recreation Area was added to New Business as item f. Mayor Holland called for the agenda to stand as amended.

***2. Approval of Minutes***

Reub Mooradian moved for approval of the consent agenda, which included the minutes of the November 14, 2000 regular meeting and Resolution approving the release of Region D funds. Rick Owen seconded the motion and it passed unanimously.

***3. Committee Reports***

There were no committee reports. Mayor Holland took the opportunity to introduce Larry Miller, the new Chamber of Commerce Executive Director.

***4. Persons Wishing to Address the Council***

***a. Sam Francis/Water Bill Complaint.***

Mr. Lawless reported that he had received further correspondence regarding the bill Mr. Francis felt was appealing. After a brief discussion the Council determined that Mr. Francis was responsible for the water bill and directed Mr. Lawless to write Mr. Francis requesting payment.

5. **Old Business**

a. Solid Waste Staffing Recommendation ✓

Seth Lawless reported to the Council that the Planning Board recommended the Recycling Center be staffed at least Saturdays, Sundays and Mondays during peak seasons. After a brief discussion the Council requested that the proposed 2001-2002 budget proposal include several options for staffing the Recycling Center. All agreed

b. Resolution 00-12-02 Requesting Authority to Establish ETJ ✓

Mayor Holland gave a brief history of the Town's incorporation, which restricted establishment of extra territorial zoning in the charter. Mr. Lawless reported that the Town has studied the issue several times in the past, but has never been successful in gaining State authority. The most recent effort included a joint effort with the Town of Banner Elk to protect the Hwy 184 corridor. The attempt was abandoned when the two towns could not agree on a final proposal. A number of concerns were noted for the Town's desire for ETJ including the western boundary of the Town by Buckeye Lake for water supply watershed purposes and the corridor along 184 between the Town and Banner Elk. The Council agreed that the Town of Banner Elk should be informed of the Town's desires regarding the 184 corridor and also instructed Mr. Lawless to rework the resolution and present it at the next meeting on January 9<sup>th</sup>.

6. **New Business**

a. Request to Purchase Town Owned Lot ✓

Mr. Larry Parent recently purchased a home on 231 Charter Hills Road (A-18). In order to maintain the view Mr. Parent made a proposal to the Council to purchase the lot for \$3,000. His proposal included deed restrictions that combined the property into one building lot. Several Council members stated that the intention was to preserve the lot as green space as opposed to combining two lots into one. There was some discussion as to the definition of 'green space' with Gil Adams feeling that green space was area not cleared of underbrush and Mayor Holland viewing it as cleared underbrush and no building allowed. Mayor Holland called for a motion for David Paletta to present restrictive language that would be included on the deed. The Council could review the language and vote on the request to sell A-18 at the January meeting. Reub Mooradian made a motion that the Town directs Mr. Paletta to draw up the necessary paperwork to sell the lot to Mr. Parent with restriction on development of the lot and the Town maintaining an easement. The sale would be conditioned upon approval at the next meeting. Mayor Holland seconded the motion and it passed with Councilman Adams dissenting.

b. Consider Offer to Donate LG-170

Mayor Holland called for a discussion regarding the donation of lot LG-170. Mr. Lawless reported that the property had a road assessment that amounted to \$2,153, including penalties. Reub Mooradian made a motion to accept LG-170 for the road assessment. Rick Owen seconded the amendment and it passed unanimously.

c. Consideration of Budget Amendment

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Rick Owen moved to accept the Budget Amendment to account for the recent Law Enforcement Block Grant received by the Police Department. \$9,900 was received to purchase capital items, such as light bars and radar equipment. Reub Mooradian seconded the motion and it passed unanimously.

d. Proposed Water and Sewer Use Ordinance Amendment

Rick Owen moved to accept the proposed Water and Sewer Use Ordinance amendment based on the discussion at the December meeting. The amendment allows septic systems for new structures where sewer is available but restricted by the moratorium. All such buildings, as well as those previously granted waivers with the extension of the Bear Branch outfall line will be required to connect to the sewer no later than five years following the moratorium being lifted. Gil Adams seconded the motion and it passed unanimously. The Council asked that Mr. Lawless write to the individuals from the Bear Branch project who had received a waiver.

e. Committee Appointments – Planning Board, Board of Adjustment and EDC

Mayor Holland opened the discussion by nominating Roger Bullock for another three-year term on the Planning Board. There were no other nominations and Mr. Bullock was approved unanimously.

Mayor Holland nominated Bill Hagna and Alan Holcombe for three-year terms on the Board of Adjustment. No other nominations were submitted and Mr. Hagna and Mr. Holcombe were accepted unanimously. Mayor Holland nominated Kakii Handley, Charlie Burleson and Dennis Garman as alternates to the Board of Adjustment. Mayor Holland noted that Deborah Connelly could no longer serve. Hearing no other nominations, Handley, Burleson and Garman were approved to serve one year terms as Board of Adjustment alternates with all agreed.

The Economic Development Committee had one member who's term expired and Mayor Holland nominated Ricky Holcombe for another three years. Mayor Holland then called for other nominations. Rick Owen nominated Paula Smart and gave a brief background on her qualifications. A vote gave the nomination to Paula Smart with Rick Owen, Gil Adams and Mayor Holland voting. Reub Mooradian voted for Ricky Holcombe. Jim Herbert abstained from voting. Rick Owen noted that Ricky Holcombe had worked on the Committee for 7 years with the EDC and her contribution was greatly appreciated.

f. Buckeye Lake Recreation Area

Mr. Lawless reported that the Long Range Planning Committee had requested that he look into getting a 3-D scale model of the Buckeye Lake project to display in the entrance of the Town Hall. After presenting an estimate of \$4,000 from Steven Overcash, the Council asked that he continue with a follow up to the NC State, which has an architectural design department.

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

a. ***Town Engineer's Report***

Ed Powell reported that a company had been awarded the contract to provide some monitoring equipment at the water treatment plant. The equipment has been ordered and will be installed in the near future. The North Pinnacle Ridge Project is in the pricing stages. They are in the process of working on 2001 paving project; the Oz circle is the only one on the schedule at this time, however, other roads may be added by the spring. The tests for the Grassy Gap and Pond Creek water treatment plants for October & November were in compliance with state regulations. Mr. Powell went on to recommend that the Town utilize a quick fix for the treatment plants by switching the Pond Creek facility from the ultra violet treatment over to a chlorine treatment facility. This would have to be approved by the state, but it could help shorten the moratorium time. The state requires that the Town be in compliance for three months, between April and October. The Town will still have to continue with the research on how to alleviate the problem. Mr. Lawless requested that Mr. Powell provide the Town with an estimate on what it will cost to switch the plant over on a temporary basis as quickly as possible.

- b. ***Public Works Director's Report.*** Riley Hatch reported that Infiltration & Inflow had slowed down due to the winter mode of maintaining the roads. The winter flags and Christmas lights had been put up. Mr. Lawless requested that Mr. Hatch order an extra dumpster at the recycling center for the holidays.

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

- d. ***Chief of Police's Report.*** Chief Hefner went over the monthly activity report included in the packet. He also reported that one of the officers, Mr. Townsend, had quit with no notice to the Town. Part time Officer Barry Fehl had been moved up to full time status and that they were looking for another part time employee.

- e. ***Town Manager's Report.*** Seth Lawless gave a report on various issues he is dealing with. The Town's request for a recreation grant from Watauga County for \$10,000 was approved. Special thanks to Kakii Handley for all her assistance in obtaining the grant. The Town has received 5 RFP Engineering Proposals. Mayor Holland suggested that two Council members assist in the selection of the engineering firm. Mayor Holland indicated that he wished to participate and Vice-Mayor Owen also volunteered. Mr. Mooradian requested that he be informed of the meeting dates and times. Mr. Lawless recommended that Joe Perry's experience put to use in locating the manholes. Mr. Perry had indicated that he would work for a very reasonable fee.

- f. ***Tax Report and Building Inspections Report.***

The Tax Report was not available due to Ms. Norwood's limited work schedule. Mr. Lawless indicated that he would make it available as soon as he had it.

Don Fulkerson indicated that 22 building permits had been issued since November 17<sup>th</sup>, which is much higher than normal. This activity is directly due to the upcoming moratorium. He anticipated that a few more would be requested tomorrow since the 14<sup>th</sup> was the deadline. Mr. Lawless reported that the Town had already met its budget for availability fees for the year.

8. *Other Business*

Mayor Holland asked Mr. Paletta if anything could be done about a commercial vehicle being parked along the parkway. Mr. Fulkerson reported that he had spoken with the owner of the vehicle and they assured him that it would be moved. Mayor Holland instructed Mr. Fulkerson to verify with the state that a proper permit had been issued to build the parking space on the Parkway.

Mr. Herbert asked to review the voting on the EDC appointment, indicating that he had not had sufficient time to prepare and he wanted to take the time in the next day or to talk to the two candidates. Mayor Holland responded by saying that the vote had been completed and it would not be appropriate to revisit the issue. Mr. Herbert asked that the record indicate he abstained from the vote.

**ADJOURN**

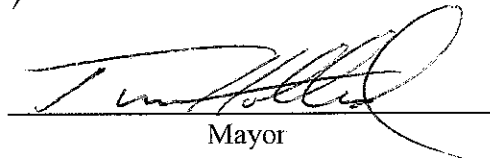
There being no further business to come before the Council, the meeting was adjourned upon a motion by Reub Mooradian. Rick Owen seconded the motion and it passed unanimously. The meeting ended at 7:30 P.M.

Respectfully submitted,

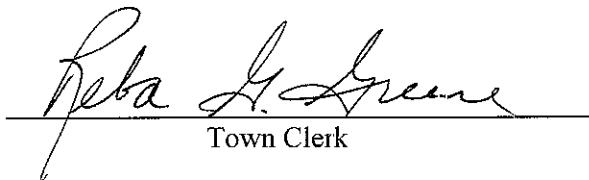
Reba G. Greene  
Town Clerk

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Minutes approved by Town Council on January 9, 2001

  
Mayor

ATTEST:

  
Town Clerk