

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
PLANNING RETREAT
APRIL 7, 2000

CALL TO ORDER

Mayor Tim Holland called the Planning Retreat of the Beech Mountain Town Council to order at 9:20 AM in the Amber Conference Room of the Broyhill Center in Boone. Other Council Members present were Gil Adams, Rick Owen and Reub Mooradian. Also present were Town Manager Seth Lawless, Police Chief Jay Hefner, Town Engineer Ed Powell, Public Works Director Joe Perry, Riley Hatch, Roger Bullock and Cindy Keller. Jim Herbert arrived at 1:15

I. Emerald Opportunities Water Line Extension Proposal.

Cindy Keller, representing Emerald Opportunities, submitted a request to the Council for water to be supplied to 10 lots adjacent to the Town. Public Works Director Perry submitted a break down of materials and labor for the Town to do the job. Cost for 2500' of 6" water line would cost \$19,842.98 plus \$12,568 for equipment and labor, the cost for 2500' of 8" water line would cost \$26,342.96 plus the \$12,568 for equipment and labor. Town Manager Lawless obtained a bid from Iron Mountain Construction Co., Inc., the firm that did the water line replacement down Pine Ridge Road. Their bid to do the job would run \$49,761. The Construction Company indicated they could start the job upon approval, if received in the near future.

Cindy Keller question whether or not Emerald Opportunities could buy the materials and the Town provide the equipment and labor, as they had done for the Frisbee/Wakeman project. Ms. Keller also reminded the Council that Emerald Mountain installed a new water tank and paid 100% of the cost, giving the Town a much-needed increase in the storage capacity for the Ski Loft area, 5 or 6 years ago. She also noted that her development only used 5% of the water. Councilman Owen asked for some background on the Frisbee/Wakeman situation. Councilman Mooradian indicated it was a fire safety situation that prompted the Town to extend water services to the properties out Elderberry Ridge Road for the Frisbees, down to Sunset Ridge and Fox Run II. He also noted a fire hydrant was installed by the Southcrest Condominiums. Town Manager Lawless added that the Town had received a much needed easement from the Frisbees when they agreed to extend the water line. The Town had a limited right of way, which allowed maintenance and emergency vehicles to cross the Frisbee property. Town Engineer Ed Powell reminded the Council that the Town did incur expenses in the installation of the Emerald Mountain water tank. Councilman Owen then asked if the lots Emerald Opportunities wanted service for would be in a gated area, Ms. Keller indicated that they would be.

Mayor Holland clarified the questions before the Council:

1. Whether or not the Council would agree to extend the water line. Councilman Adams made the motion to extend the water line. Rick Owen seconded the motion and it passed unanimously.
2. Who would pay for the water line?
3. If the Council agrees, who would install the water line?

Roger Bullock questioned if there would be any other recovery from the water line installation, Mayor Holland indicated that the water bill would be the only means. Ms. Keller was then asked if the lots would be annexed, she indicated it was not financially possible. At this time she showed a plat with 3.59 acres located above the 10 lots which could be added to the water line sometime in the future. The plans for this property are duplex housing units, possibly 3.

Mayor Holland called for a vote. The vote was 3 to 1 in favor of providing water services.

VOIE: Aye – Gil Adams, Rick Owen & Tim Holland

Nay - Reub Mooradian

Absent- Jim Herbert

Town Manager Lawless proposed the Town extend water line with the developer paying 75% of the cost and the Town paying for the 25%. Mr. Lawless quoted from the CODE OF ORDINANCES for the Town, Section 4-1 (d) "Extensions of utilities to properties located within the corporate limits for which subdivision approval has been granted prior to the date of this amendment shall be financed partly by the Town of Beech Mountain and the owners of benefited property. The Town shall contribute 25% of the cost of such extensions, the remainder of the cost of the water or sanitary sewer extension or both shall be assessed against owners of benefited property."

Councilman Mooradian is not opposed to the Town providing water, however he is opposed to the Town paying any part of the installation cost.

Roger Bullock suggested that Emerald Opportunities pay 100% of the cost of the water line extension then the Town could reimburse Emerald Opportunities 25% of that cost. The Town would do this as they receive the tap on and availability fees from the lot owners as they get ready to build their houses.

Councilman Mooradian would also like for an outside contractor to do the work, thus not tying up the Town employees on the project. He also requested that the Town Engineer, Ed Powell, do the inspections on the work. Ed Powell indicated a licensed contractor would have to do the installation of the water line. Seth Lawless requested Emerald Opportunities to obtain 2 bids, from licensed contractors, and the Town have final approval on the contractor.

Councilman Mooradian made a motion that the project have an 8" water line. Mayor Holland seconded the motion. Mayor Holland later withdrew the second to the motion due to the Town Engineers analysis that a 6" line would be adequate.

Councilman Mooradian made the motion that Emerald Opportunities pay 100% of the cost of the water line extension then the Town could reimburse Emerald Opportunities 25% of that cost. The Town would reimburse the 25% as they receive the tap on and availability fees from the lot owners as they get ready to build their houses. Gil Adams seconded the motion and it passed unanimously.

II. *Proposed Capital Improvement Plan 2000/2001 – 2004/2005.*

Seth Lawless went over the administrative expenses. New chairs for the Councilmen were requested for the 2000-01 year and a new table for the 2001-02 budget. The GIS Equipment, which has a three-year expenditure, would allow individuals easy computer access to mapping and property owner information. The Network Server was proposed for the 2002-03 fiscal year as well as the computer workstations and software package for payroll, accounting and the utilities department. The Furniture

would be a new desk and shelves or cabinets in the entrance office. This would be in the 2001-02 budget year. Channel 2 improvements would be over the next 2 years allowing an upgrade to Windows followed by the purchase of a video camera, stand and microphones to record the Council meetings and air them on Channel 2. The last item, Lots at foreclosure should decline annually due to aggressive enforcement.

Mr. Lawless then went over the General Fund which covered the replacement of the Tax Administrators desk and a stool for use in the computer room for 2000-01 and a new chair for the 2001-02 year.

Mr. Lawless indicated the Inspections Department was experiencing some problems with its 1990 Toyota truck and would need replacement in the 2001-02 budget year.

Chief Hefner went over the Police Departments budget covering the replacement of vehicles, updating radios and the mandatory DCI (drivers license information) upgrade. Discussion was given to the line item of defibrillators, Mr. Lawless indicated this was not really a Town responsibility. The blue lights have met their life expectancy, Chief Hefner indicated they were 9 years old, and will need to be replaced in the 2001-02 budget year. Two of the chairs used by the department are in need of replacement and the counter top in the dispatch office needs to be replaced, each of these requests are in the 2001-02 budget year.

The Vehicle Maintenance was discussed with input from Joe Perry. Each of the five years lists hand tools that will be in need of replacement. The 2000-01 budget asks for a floor crane for vehicle repairs, an air compressor, lights and a pickup truck. The 2001-02 has allocations for a wire welder and battery charger. A space heater for use in the shop is requested in the 2111-01 and 2001-02 budget. The 2001-04 budget allocation calls for a 40-ton jack.

Seth Lawless went over the Recreation Fund which shows the 2000-01 year expenses with maintenance and upkeep for Upper and Lower Pond Creek Trail and the Grassy Gap Creek Trail remaining constant for the next five years. The purchase of a weed eater will be required in 2001-01 and the 2003-04 budget. A major expenditure for the 2000-01 budget will be the tennis courts and the Neighborhood Parks, the parks are already budgeted. The Falls Trail at Buckeye is part of a grant request. The recreation center is slated for the 2003-04 and 2004-05 budget years.

The Road Maintenance Dept. for 2000-01 asks for a new dump truck costing \$79,500. Mr. Lawless felt a used truck would suffice and pointed out that Dolan Carpenter had found a used one for \$16,000. Mr. Lawless indicated he would submit a budget amendment to the Council for the purchase of the used truck. The 2000-01 budget also called for resurfacing and stabilization monies, which are required throughout the five-year plan. The roof is in need of replacement at the public works building and some equipment will need to be purchased, i.e. a bush hog, weed eater, computer and chair for the Public Works Director. The 2001-02 year is slated for a new motor grader, a lowboy and a mower. However, Dolan Carpenter has found a mower that could be acquired for \$600 or by trading an old truck. The truck is Army surplus and has a blown motor.

The W & S Fund for the water treatment plant has to purchase testing equipment, mandated by the State. This is slated for the 2000-01 budget. Each of the five years has a request for lab equipment. Other expenditures for this year will be a heater, weed eater, surge valve, sludge tank repairs along with hazard mitigation, which is wiring the plant and pump stations for a generator. The 2001-02 budget has a telemetry system used to monitor tank elevations and pump performance. This system

had data gathered via phone lines and displayed on a computer monitor. Pumps can also be automatically turned off and on from the water plant. Additional hazard mitigation and a weed eater are also requested. The 2002-03 budget calls for more telemetry equipment. A new pickup is budgeted for the 2004-05 budget year.

The Wastewater budget calls for lab equipment each of the five years. The next four years call for modifications to the Pond Creek Plant, paid for with long term debt. The 2000-01 budget requests an air blower and new pick up. Hazard mitigation is called for in the 2001-02 budget. A Samplee is slated for the 2001-02 and 2004-05 budget years.

The System Maintenance Fund calls for meter replacement, hydrants and I & I (manholes and broken collection pipe repair) for each of the five years. The 2000-01 and 2001-02 budget slates tank painting at the Spruce Hollow, Mill Pond and Ashwood tanks. The 2000-01 budget will replace the radio equipment and the TV cable will be replaced in the 2001-02 and 2002-02 budget years.

The Sanitation Fund will require dumpsters and recycling containers for each of the next five years. 2000-01 will require a new 1 ton dump truck and the 2004-05 budget lists a rear loader.

The E-911 system update in the 2000-01 budget would merge all the administrative phones and 911 system. It would also add voice mail and cordless connections. The 2001-02 budget would upgrade the base radio system allowing the ability to monitor the mutual aid channel and Watauga County Sheriff's Department. 2003-04 would slate a laser printer.

III. *Engineers Update.*

Ed Powell went over the status of the paving projects currently underway. Smith & Sons continues to resurface the Pinnacle Ridge and Pine Ridge roads. They are also planning on doing full width patching on the area of Pine Ridge Road previously paved. The Skiway job will also be completed. Mr. Powell reported that petroleum prices are going up 10%, this will effect the cost of asphalt. Smith & Sons will accept a change order on the Grouse Ridge project allowing a significant saving for the property owners. Mr. Powell recommends we accept the offer, eliminating the bid process and the chance of paying an inflated price. Smith & Sons would probably be the low bidder and they would raise their rates the 10%. Seth Lawless will check with the Town attorney, David Paletta, to see if we will be allowed to follow Mr. Powell's recommendation.

Mayor Holland asked for an update on the pavement striping. Mr. Lawless reported he had contacted a company out of Gastonia who could do the work, as well as the previous contractor from Georgia. Mr. Lawless indicated additional funds would be needed to stripe all the existing and new pavement.

Mr. Powell talked about the plans to upgrade the water plant as required by the state. He felt the computer monitoring system would be a great asset. The state has a program that allows areas to borrow funds to up date systems at a rate of 2.5%. He will check into the program for the Town.

IV. Census Update.

Nicole Pope gave an update on the census project on Beech Mountain. She indicated a person who lives in the area for a period of 6 months and 1 day can be counted as a resident. A census worker must visit a residence 6 times before declaring it a summer home or vacant and that a neighbor can offer assistance to a worker regarding this matter. It was determined that the Town should come up with a list of full time residence in order to assist the census workers.

V. Public Works Summer Work Plan.

Public Works Director Joe Perry went over the Summer Projects 2000 sheet included in the work packet.

The water line construction will be contracted rather than Town employees doing the work. The hiking trail repairs will require 2 individuals working all summer. Mr. Perry also pointed out the right-of-way clearing project will take a long time to complete.

VI. Position Classification Proposal.

Seth Lawless reported that a serious look needed to be given to the current position classifications and that he had done so by using a standard 'KSA' scale. Mr. Lawless explained the scale and went over the various jobs noting job grade increases and decreases. The Council will be asked to make a decision regarding the changes at the regular meeting in May.

VII. Community Policing/Survey Proposal.

Police Chief Hefner went over the C.O.P. Survey (Community Oriented Policing) he would like to use. The mailing would not go to every residence, only a random sample. It would cost approximately \$70 to \$100 to do the mailing. Chief Hefner indicated the survey was not one that he had formulated, rather it was a state tested survey. After much discussion Mayor Holland and the Council agreed the survey was a worthy endeavor and should be sent to all the Town homeowners, providing them with self-addressed stamped envelopes to encourage the return of the survey.

VIII. Public Works Summer Work Recommended Fee Increases for FY 2000/2001.

Seth Lawless presented a comparison of area water and sewer rates, tap fees and availability charges. After much discussion Reub Mooradian moved to accept the Town Managers proposed increase in the water and sewer rates, the availability fee and the building permit fees. Councilman Mooradian suggested alternate #2 on tap fees. All increased will take affect on July 1, 2000.

IX. Recreation Update.

Seth Lawless reported that the master plan for the Buckeye Lake Recreation Complex Site Plan called for 4 tennis courts. Due to the position agreed upon by the Tennis Court Committee this would infringe upon the ball field. Mr. Lawless felt 2 courts would be sufficient.

The Recreation Center was still in the planning stages. Items being discussed are a wellness center, volleyball court, weight room and indoor walking track. Joe Perry reminded the Council that it was important not to get too close to Buckeye Creek, due to the permits and regulation.

Mr. Lawless reported that the Town had applied for 2 grants, to date one has been denied. The other grant is still under consideration. It is for \$89,000 to build the tennis courts. We should have an answer sometime next month.

The Neighborhood Parks concept is still strong. However, it should not be close to any homes. The Town is on the lookout for the right properties for this idea.

X. Establish Budget Consideration Meeting Dates.

Mayor Holland called for a motion to move the June Council meeting date to June 6th and set aside May 24th and 30th as the Budget Workshops. June 23rd would be the date to adopt the budget.

ADJOURN

There being no further business the meeting was adjourned upon a motion by Reub Mooradian. The motion was seconded by Rick Owen and it passed unanimously. The meeting ended at 4:00 PM.

Respectfully submitted,

Reba G. Greene
Town Clerk

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Minutes approved by Town Council on May 9, 2000.



Mayor

ATTEST:



Town Clerk

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
April 11, 2000

CALL TO ORDER

Mayor Tim Holland called the regular meeting of the Beech Mountain Town Council to order at 6:05 PM in the Council Chamber at Town Hall. Other Council Members present were Gil Adams, Jim Herbert and Reub Mooradian. Also present were Town Manager Seth Lawless, Town Attorney David Paletta, Police Chief Jay Hefner, Public Works Director Joe Perry, Code Enforcement Officer Don Fulkerson and Tax Administrator Missy Norwood. There were a number of interested parties in the audience.

Invocation – Charlie Burleson.

Charlie Burleson 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 added item 'h' to the agenda under New Business, Resolution 00-04-01. Reub Mooradian moved the agenda be approved as amended. Gil Adams seconded the motion and it passed unanimously.

2. ***Approval of Minutes***

Reub Mooradian made the motion to approve the March 14th minutes. Gil Adams seconded the motion and it passed unanimously.

3. ***Committee Reports***

There were no committee reports.

4. ***Old Business***

- a. ***Appointments to Joint Municipal Study Committee.*** No additional nominees were submitted to fill the one remaining position.
- b. ***5 Year Plan.*** The 5-year Plan for the Town was discussed at the planning retreat held on Friday, the 7th. Seth Lawless asked the council members if they had any

additions or changes to the proposed plan. A public hearing is scheduled for May 9th to receive input from the Council and the public. A copy of the Capital Improvement Plan is available to any interested parties.

- c. ***Tree Committee.*** The Committee Members have looked at the trees that were in need of replacement and agreed for David Powell to do the work. He will be using Norway Blue Spruce, 4' to 5' tall at a cost of \$50.00 per tree. This does not include taking out the old trees. The town will be responsible for that. The Town will also provide Mr. Powell with 1 man and a backhoe to help him plant the trees. He plans to start the work on Monday, April 17th. For the trees located at the entrance of the Town it was suggested they be replaced in stages, perhaps over a 3 year time period. Mr. Lawless felt the replacement of all the trees in this area would not look good due to the size of the replacement trees. The Council had no objections to this suggestion. The budget for the tree replacement project is \$2,500 from the Beautification Fund. This will cover the cost of 50 trees.

5. ***New Business***

- a. ***Consider Budget Amendment, Road Maintenance Department.*** Mr. Lawless went over the amendment to transfer \$32,500. Replacement of 50 trees at a cost of \$2,500 will be taken out of the Beautification Reserve. The \$30,000 transfer from the Fund Balance will be used to cover the cost of the pavement striping, which is \$14,000. The remaining \$16,000 will be used to purchase a used tandem dump truck from Brown Brothers. Jim Herbert moved the amendment for all three items be approved. Gil Adams seconded the motion and it passed unanimously.
- b. ***Consider Budget Amendment, Grassy Gap Creek Road Paving.*** Seth Lawless reviewed the change order, which would amend the budget to add the addition of Spring Branch and Grouse Ridge Road to the original contract with Smith & Sons Paving. Town Engineer, Ed Powell, indicated this would eliminate the chance of a price increase, saving the property owners approximately 10% on the cost of paving. If the two roads are opened up for bid, chances are that Smith & Sons Paving would be the low bidder and the cost would reflect the petroleum price increase. Mr. Powell felt it was in the best interest of the Town to go with the change order. Town attorney, David Paletta asked about the addition of a "Liquidation Damage Clause" asking for a September deadline. Mr. Powell felt a \$2,500 a day penalty would not go over with the contractor. Reub Mooradian brought up the delay in 1998 on the Village Road Project even though weather was good and he would like a deadline of September 1st. Mr. Powell said the Town would not have that problem because the contractor does not have a lot of work backed up like last year and that they would complete all the paving before they left Beech Mountain. Mayor Holland called for a motion to accept the change order. Reub Mooradian moved that the change order be accepted. Jim Herbert seconded the motion and it passed unanimously.
- c. ***Consider Proposed Capital Project Ordinance – Grouse Ridge Paving.*** The Council considered the Ordinance to establish a capital project ordinance for Grouse Ridge

Road in the amount of \$208,162. Reub Mooradian moved to accept the project ordinance. Gil Adams seconded the motion and it passed unanimously.

- d. ***Review Flower Maintenance Contract Bids.*** Mayor Holland called for a motion to award the flower contract to the lowest bidder, who was the contractor last year. Gil Adams moved to accept the bid by 'The Landsman Forrest, Lawn and Garden' service in the amount of \$3,500. Reub Mooradian seconded the motion and it passed unanimously.
- e. ***Ricky Holcombe Proposal.*** Seth Lawless received a request from Ricky Holcombe requesting the area at the intersection of Beech Mountain Parkway and North Pinnacle Ridge Road be dedicated to the memory of Mac MacDonald (Malcolm D. MacDonald owned a home on Pinnacle Ridge Road). After a brief discussion, Gil Adams moved the proposal be approved. Reub Mooradian seconded the motion and it passed unanimously.
- f. ***Consider Offer to Donate CR-319.*** David Paletta reported that the current owner of CR-319 wished to donate the lot to the Town. However, the property has already gone into foreclosure and it has two liens against it. After much discussion it was agreed that Mr. Paletta would attempt to acquire Title Insurance and give the Council an update at the next meeting.
- g. ***Proposal to Move June regular Meeting date, Set Special Meeting Dates for Budget Workshop.***
Mayor Holland called for a motion to move the next Council meeting date to June 6th and set aside May 24th and 30th as the Budget Workshops to discuss the budget. June 23rd would be the date on which the Council would meet to adopt the budget. Reub Mooradian moved the proposed dates be accepted. Jim Herbert seconded the motion and it passed unanimously.
- h. ***Resolution of Support for proposed 2001 Community Development Block Grant Action Plan.*** Region D Council of Governments has asked the Town of Beech Mountain for their support with the 2001 Community Development Block Grant Action Plan. The resolutions will not in any way affect the Town, but would even out the disparity between disbursement of CDBG funds across all regions of the State. Gil Adams moved the Resolution be accepted. Reub Mooradian seconded the motion and it passed unanimously.

6. ***Staff/Consultant Reports.***

- a. ***Town Engineer's Report.*** Ed Powell had no report.
- b. ***Public Works Director's Report.*** Joe Perry had no report.
- c. ***Town Attorney's Report.*** David Paletta reported on two items. He gave an update

on the Community Development Block Grant recapture on Rascal's. Attorney Allen Moseley, representing Jim Lindquist, has been in contact with the North Carolina Department of Commerce in hopes of getting the matter resolved. Mr. Paletta will keep the Council posted. The other matter is regarding property purchased from the Town by Charles Emmett. The Watauga County tax office neglected to collect back taxes on the property when the Town obtained the lot. Mr. Emmett has been contacted by the county and asked to pay back taxes. Mr. Paletta informed the Council they had given Mr. Emmett a non-warranty deed that states the grantor makes no warranty to the title of the property. This leaves the Town under no obligation to pay the back taxes. Discussion was given to the various options on dealing with the payment or non-payment of taxes. Mr. Paletta suggested Missy write to Mr. Emmett indicating that the Town would pay half of the taxes due in the interest of good stewardship. Reub Mooradian moved the proposal be accepted. Gil Adams seconded the motion and it passed unanimously.

- d. **Chief of Police's Report.** Chief Hefner went over the report submitted to Council.
- e. **Town Manager's Report.** Seth Lawless reported to the Council that he would be out of the office on Thursday, April 13th and Friday, April 14th.

Further, Mr. Lawless reported the improvements at the Recycling Center are now complete. He would like for the Council to consider making a commercial to air on channel 2 telling people about the recycling center and encouraging the proper usage.

Mr. Lawless also proposed the use of e-mail for individuals wanting to receive the agenda and minutes of the Beech Mountain Town Council. Mayor Holland proposed a \$5.00 charge for the service. The Council agreed.

The next edition of the MountainEar will be mailed out around July 4th. Anyone wishing to contribute to the paper should have his or her articles in by the end of June.

Mr. Lawless thanked everyone for contributing to the Little League fund and announced that a sign would be put up by the ball field listing those individuals.

Spring clean up is scheduled for Saturday 29th.

The Census employees are working in the Town. The staff is putting together a list of individuals who live on the mountain year round to assist them.

The Town has an opportunity to obtain a lawn mower that is pulled behind a tractor in exchange for a truck the Town has. The truck has a blown motor. The Council thought the trade would be acceptable.

- f. ***Quarterly Financial Report, Tax Report and Building Inspections Report.*** The Financial, Tax and Building Inspections Reports were accepted as submitted.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned upon a motion by Reub Mooradian, seconded by Gil Adams. Motion passed. The meeting ended at 7:45 PM.

Respectfully submitted,

Reba G. Greene
Town Clerk

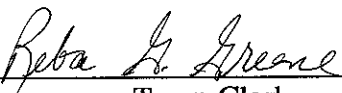
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Minutes approved by Town Council on May 9, 2000.



Mayor

ATTEST:



Town Clerk