

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
June 5, 2000

CALL TO ORDER

Mayor Tim Holland called the regular meeting of the Beech Mountain Town Council to order at 6:00 PM 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, Police Chief Jay Hefner, Town Engineer Ed Powell, Public Works Director Joe Perry, and Code Enforcement Officer Don Fulkerson. There were a number of interested parties in the audience.

Invocation – Chief Jay Hefner.

Chief Hefner opened the meeting in prayer.

Pledge of Allegiance

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

Public Hearing

Mayor Holland called for a public hearing to discuss the closeout of the Community Development Block Grant. Seth Lawless gave a review of the Block Grant stating it was a direct result of the 1995 hurricane Opal. The Urgent Needs Grant by the state allowed the Town to make repairs to roads and businesses affected by the hurricane. Also, at this time the Town had asked our Engineer to look at storm water drainage areas. Three area businesses were repaired and improvements were made to storm drainage systems along with repairs to the roads that were washed out. Mr. Lawless then introduced Rebecca Bloomquist from Region D Council of Governments, the agency that administered the funds for the Town. Ms. Bloomquist informed the Council the Grant has to be closed out by July 31, 2000. The purpose of the public hearing is to hear the input from the public. She gave an update on the repairs the Town had been able to make with the grant money. The Town had installed 6 flood and drainage areas and 3 area businesses had been able to do repairs. The total of grant fund monies received was \$91,030. Mayor Holland asked the public for questions. There being no questions the public hearing was closed.

1. Adoption of Agenda

Mayor Holland called for the following changes in the Agenda: Item #4 will be changed to allow persons wishing to address the Council, i.e. Mr. Jim Reed and Mr. Roger Bullock.

2. Approval of Minutes

Mayor Holland asked for changes on the Council minutes of May 9th and Budget Presentation minutes of May 24th. Gil Adams noted page 6, item b, the word officially should be official;

and on page 2 of the May 24th minutes line 3 has 402, it should be 401 Motion to accept minutes as amended was made by Reub Mooradian. Rick Owen seconded the motion and it passed unanimously.

3 *Committee Reports*

Seth Lawless reported to the Council that he would make a presentation to the Watauga County Recreation Committee at their regular meeting in August regarding the work going on at Buckeye Lake and their director, Deborah Wynn will come and visit our project site. Last year Watauga County began appropriating money to give \$10,000 grants for recreation projects to various communities and we hope to get one of the grants. ✓

Kakii Handley noted the Town was still in need of a soccer field.

4. *Individuals addressing the Council*

- a. Jim Reed, Dick Davis, Charles Perry and Bruce Abernethy all addressed the Council with regard to Mariah Circle. The property owners who live in the Mariah North unit on Mariah Circle feel they are not getting a fair share of tax money spent on their road. 6 photographs of the gravel road with the various widths indicated on each were shown. 14'2" was the narrow point in the road and the consensus of the individuals who live at Mariah felt it was an unsafe width, especially in fog. They appealed to the Council to improve the road, if not by paving, by repairing the ditch and widening the road. The only way Mayor Holland could see for the circle to be paved would be for a 2/3 majority to agree on it. In order to get paving all the owners would have to be contacted and a 2/3 majority to agree to the paving. Mr. Lawless reported that due to the density of the area, it would cost less than \$2000 per family to get the area paved if the cost were incurred by the families living in that Mariah North Condominium. Mayor Holland pointed out that the Council would still have to give final approval, even with a 2/3 majority.

Reub Mooradian questioned the water run off problem and where it would go if the area were paved. Mr. Perry indicated that some of the grant money that was spent made the necessary improvements to catch the water run off from this area.

After much discussion Mayor Holland requested that Joe Perry and Ed Powell take a look at the road and make recommendations. Mr. Perry felt if the Town could get permission to cut back some trees the road could be widened and Mr. Powell said to stabilize the ditches would help control the run-off.

- b. Roger Bullock addressed the Council with regard to the need for a cemetery for Beech Mountain. The issue has been brought up in the past and perhaps we should begin to look for a piece of property. Mr. Bullock felt the Town had all the makings of any other town with the exception of a cemetery. He was not asking the Council to take any action at this time, only to consider the suggestion and look into the various ways it could be done, and perhaps form a citizens committee sometime in the future. ✓

Mr. Bullock continued with another topic, that being the lease of property to build a chapel for non-denominational services.

Mr. Lawless noted the first task in either endeavor would be to find suitable property.

Mr. Bullock noted a meeting of the Long Range Planning Committee was planned for Monday, June 26th, at which time a sub committee could be formed. The sub committee could then look into the plans and report back to the Long Range Planning Committee. Mayor Holland asked Mr. Bullock to get started and keep the Council informed of the progress.

5. *New Business*

a. Request to Sell AA-313

Mayor Holland requested to be excused from the discussion because his office was involved in the Offer to Purchase being presented. Reub Mooradian made the motion to remove Mayor Holland from the discussion. Rick Owen seconded the motion and it passed unanimously.

Vice-Mayor Rick Owen proceeded with the discussion. The request to purchase the Town owned lot was being made by an individual buying a lot next to AA-313. The reasoning was to make the two lots into one, thus giving a larger area to build a house. The Town had been holding onto acquired property for green space, thus not putting any of the property the Town received as gifts or tax foreclosures up for sale.

After some discussion Vice-Mayor Owen recommended the Council table the discussion and requested Mr. Lawless to research the circumstances of the Town acquiring the lot and the amount of money invested in that acquisition.

Vice-Mayor Owen moved to allow Mayor Holland to return to the meeting. Reub Mooradian seconded the motion and it passed unanimously.

b. Review Wastewater Violation

Mayor Holland informed the audience of the violation received at the wastewater treatment plant and Mr. Lawless made note that a second violation had only been received today, June 5th. Both of the violations were for the month of February. The Grassy Gap Creek plant was fined \$1,000 and the Pond Creek violation was for \$1,500.

Mr. Lawless noted to the Council that another town in the state had received a fine of this nature and the NCDENR allowed them to make a contribution to a non-profit environmental agency, as opposed to giving the money to the state. We have 30 days to appeal the fines and he would have ample time to investigate the possibility and report back to the Council.

Rick Owen made a motion to investigate making a donation to a non-profit agency and if that is not acceptable to the NCDENR the Town will pay the fines. Gil Adams seconded the motion and it passed unanimously.

c *Request to Reduce Water and Sewer Bill*

Mayor Holland gave an overview of the request to reduce a water and sewer bill. Mr. Lawless gave further input, indicating that there was no one in the house during the time covered by the bill in question. After some discussion Mayor Holland made a motion to reduce the water bill by ½. Jim Herbert seconded the motion and it passed unanimously.

d *Consider request for Paving*

A homeowner living at the end of the new pavement on Grouse Ridge Road has requested permission from the Council to pave in front of his house to the end of his property line. The paving company did not end the asphalt in a neat manner when they stopped the paving. After some discussion, with input from Mr. Powell, Rick Owen moved to allow the property owner to proceed with the paving in front of his property, at his own expense. Reub Mooradian seconded the motion and it passed unanimously.

e. *Consider Resolution 00-06-01*

Resolution 00-06-01 would allow retirees from the Town to continue with the health insurance coverage they had as employees, paying the group health insurance rate. Reub Mooradian moved that all the retirees be able to purchase health insurance at the group rate. Jim Herbert seconded the motion and it passed unanimously.

f *Consider Resolution 00-06-02*

This resolution is to adopt the Watauga County Solid Waste Management Plan Update. After a brief discussion Rick Owen moved to pass Resolution 00-06-02. Reub Mooradian seconded the motion and it passed unanimously.

g *Consider Resolution 00-06-03*

A resolution authorizing the private sale of a retiring police officer's service pistol was requested to allow the Town to give Officer King her handgun upon retirement on July 1, 2000. Reub Mooradian made the motion to allow for the sale of the retiring officer's handgun. Gil Adams seconded the motion and it passed unanimously.

h *NC Highway Patrol Request to Erect Antenna*

The North Carolina State Highway Patrol has requested to put up an antenna in the Town. Mr. Mooradian pointed out the department making the request had misspelled the name of the Town 6 times. Rick Owen made the motion to approve the request to put up an antenna upon receipt of a request spelling the name of the Town correctly. Jim Herbert seconded the motion and it passed unanimously.

i *Request for change of July Regular Meeting Date*

Mayor Holland noted the request to change the meeting date was due to the fact that Mr. Lawless would be in Chapel Hill attending a meeting. Council agreed to change the meeting to the 2nd Monday of the month, July 10th.

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

- a. ***Town Engineer's Report.*** Ed Powell anticipates that Smith & Sons will have completed all the paving within the next two weeks. The field work has also been completed on the North Pinnacle Ridge Water project and they plan to come back in July with some cost estimates and recommendations.
- c. ***Public Works Director's Report.*** Joe Perry had no report.
- d. ***Town Attorney's Report.*** David Paletta had no report.
- e. ***Chief of Police's Report.*** Chief Hefner went over the report submitted. The Town is in receipt of a check for the vandalism at the Mill Pond pump station.

A vacancy in the police department has been filled by Ben Townsend who has started training. Applications have been closed for the vacancy that will occur when Officer Kings retires.

- f. ***Town Manager's Report.*** Seth Lawless reported that Town Hall Day was scheduled for June 21st in Raleigh. This is a day set aside by the League of Municipalities to give communities and towns an opportunity to talk to Representatives and discuss issues they feel are important. There is a bill tentatively under consideration regarding the occupancy tax, it has not made it to committee yet, however it has been assigned to the House Rules Committee. Mr. Lawless requested that anyone interested in attending let him know.

The state has ended the requirement to monitor lead and copper in our water supply due to the fact that we have met the requirement.

The Department of Transportation has repaired the guardrails on Beech Mountain Parkway by Kat's and High South Wrecker Service.

Mr. Lawless has set up a meeting with a representative from BB&I to discuss the 401-K contribution proposal with the Town employees on Friday, June 16th at 11 AM.

Mr. Lawless hired Bill Hoffman to spray the evergreen trees for \$650.00.

The next Inter Municipal Association meeting will take place on June 15th at 1:00 in the Banner Elk Police Department.

Mr. Lawless reported that he and Chief Hefner had been working on the Police Department Survey discussed at the Planning Retreat in April. It was originally planned to do a sample of a percentage of permanent residences and some on the street surveys of people staying in the hotels. The Council had asked that the survey be expanded and a cost to do so will be available at the next budget meeting on the 23rd of June.

A letter was received from Murray Miller indicating that preliminary approval had been given to the Mountain Ambulance Foundations application for non-profit status. This will allow donations to be tax deductible. A 90-day probationary period is required before they can become a Non-Profit Corporation.

Mr. Lawless asked that the Council review the budget transfers found in the packets.

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

7. ***Other Business.*** Gil Adams inquired about the status of the tree replacement by the TVA on Beech Mountain Parkway by the power station. Mr. Lawless reported that he had written a letter and had made a phone call. As of today's date he has not received a reply.

Upon a motion by Reub Mooradian, seconded by Gil Adams, the Council entered into Executive Session.

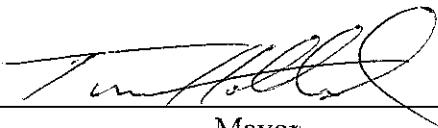
ADJOURN

There being no further business to come before the Council, the meeting was adjourned upon a motion by Rick Owen, seconded by Reub Mooradian. Motion passed. The meeting ended at 8:00 PM.

Respectfully submitted,

Reba G. Greene
Town Clerk

Minutes approved by Town Council on July 10, 2000.



Mayor

ATTEST:



Town Clerk

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
SPECIAL MEETING BUDGET HEARING
June 23, 2000

CALL TO ORDER

Mayor Tim Holland called the Special meeting to order at 6:10 PM in the Council Chamber at Town Hall. Other Council Members present were Gil Adams, Jim Herbert, Rick Owen, Reub Mooradian, and Town Manager Seth Lawless. There were a number of interested employees present Joe Perry, Riley Hatch, Missy Norwood, Jay Hefner, Kevin Frye and Shirley Ray.

Mayor Holland stated that the purpose of the meeting was to conduct a public hearing on the proposed 2000-2001 Town budget, and potentially to vote on the budget ordinance.

Mayor Holland called for public comments. Hearing none, the public hearing was closed.

Seth Lawless gave a brief update of the 401(k) meeting with Shana Smith, a representative from BB & T. Ms. Smith had met with about 20 interested employees on Friday June 16th to go over the benefits of a 401(k) plan. Mr. Lawless indicated he had received letters from 8 employees stating their position on the proposed 401(k). Mayor Holland looked over the letters and noting there were none from the public works employees, he asked Joe Perry how they felt about the issue. Mr. Perry said some were for it and some were against it.

Reub Mooradian took the opportunity to reiterate his position. He felt with the increase of insurance and the cost of gas, which everyone has to deal with, that a cost of living raise was appropriate, even though it would cost the Town more. He also indicated that the police department, which receives a state mandated 5% 401(k) contribution, should not be treated any differently than any other Town employees.

Rick Owen indicated that he applauded Mr. Lawless' intent but had to agree with Mr. Mooradian and he was in favor of an across the board cost of living raise. He added that he felt employees should not expect a cost of living raise every year.

Gil Adams echoed Mr. Owen's opinion. Jim Herbert felt the 401(k) was up to the employees.

Missy Norwood informed the Council that not all the employees expected a cost of living raise, and any money received was greatly appreciated.

Mr. Lawless noted that a 2.5% contribution into a 401(k) was equal to a 3% COLA because of the tax advantage to the Town. He also indicated that the group medical increase was equal to a 2¢ increase in the property tax rate. If the Council decides on the 2.5% COLA across the board for the employees it will cost an extra \$10,000, approximately. He pointed out that the COLA is not the only way Town employees can receive a raise. Merit money is given out in January, the Town gives a bonus at Christmas and there are a number of employees who receive the 3-5% longevity pay.

Mayor Holland felt the 401(k) was a great idea and that we should work for that in the future, giving more time before having to make a decision. After further discussion and noting that the tax valuation would increase in 2002, it was suggested that the matter be brought up again in the future.

Mr. Owen made a motion that the extra money needed to give the employees 2½% across the board come from the Fund Balance. Mr. Mooradian seconded the motion and it passed unanimously.

Mr. Lawless was asked to put together the necessary ordinance.

Mr. Mooradian moved to adopt the 2000-2001 Budget as amended. Rick Owen seconded the motion and it passed unanimously.

Mr. Lawless reported to the Council that Bill Sposato, General Manager of the Beech Mountain Club, had written him requesting that he serve on the Beech Mountain Club Plan Growth Committee. The Council approved and asked that he keep them informed.

Mr. Mooradian asked for further clarification of the Emerald Opportunities water extension. It was clarified that the Town would pay nothing up front and as the property is sold and individuals hook up to Town water, Emerald Opportunities would be reimbursed up to 25% of the cost for the initial installation.

ADJOURN

There being no further business to come before the Council, the meeting was adjourned upon a motion by Rick Owen, seconded by Gil Adams. Motion passed. The meeting ended at 6:50 PM.

Respectfully submitted,

Reba G. Greene
Town Clerk

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Minutes approved by Town Council on July 10, 2000.



Mayor

ATTEST:



Town Clerk