

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
July 10, 2000

CALL TO ORDER

have agreed to house the ambulance in the old hospital, which is currently under contract. The funds to purchase the ambulance are escrowed, however they are not going to purchase it until the contract is signed with the county. At that time they will gift the ambulance to the county. The county will then hire two employees, using Foundation funds, to operate the service.

5. Old Business

a. Request to Sell AA-313 ✓

Mayor Holland requested to be excused from the discussion as his office is involved with the Offer to Purchase on AA-313. Rick Owen made the motion to remove Mayor Holland from the discussion. Reub Mooradian seconded the motion and it passed unanimously. Vice Mayor Owen proceeded with the discussion. He noted the property was received by foreclosure for \$804.00 and the appraised value was \$3,000. The question before the Council was whether or not they would sell the lot. The proposed buyer addressed the Council; Mr. Dennis C. Garman indicated that he had no intentions of building on the property and he did plan to keep it as 'green space' to be used by his family, mainly as access between his residence and that of his daughter. He also indicated he would be willing to sign any papers the Town required to this effect. Reub Mooradian moved to approve the sale. Gil Adams seconded the motion and it passed unanimously. Reub Mooradian moved to allow Mayor Holland to return to the meeting. Vice-Mayor Owen seconded the motion and it passed unanimously. Attorney Paletta noted that the property would have to be advertised for sale.

b. Gottfried Nuisance Abatement ✓

Mayor Holland informed the public of the situation regarding Mr. Robert W. Gottfried and a pond he had built a number of years ago. The pond had been declared a nuisance and the Town had asked that it be removed. The Town had set a deadline of March 31, 2000. After a brief discussion Mayor Holland called for a motion to enforce. Mr. Owen moved to enforce the abatement order. Mr. Adams seconded the motion and it passed unanimously. Mayor Holland requested that Mr. Lawless keep the Council posted on the progress.

c. Recycling Center Options ✓

Chief Hefner went over the bids presented in the agenda packets to install a security camera system at the recycling center to help reduce the misuse of the site. Attorney Paletta reported that surveillance tapes were admissible in court and it would be of greater value if the system were color as opposed to black and white. Mr. Lawless pointed out that the material submitted was to give the Council an idea of the cost involved and suggested that Chief Hefner, Joe Perry and he meet with the companies and discuss the options. Mr. Owen indicated that he would like to participate in the process.

Mr. Lawless pointed out that the amount of trash the Town collects has doubled in the last 5 years in terms of tonnage. He believed this was partly due to the fact that the center was closed in Banner Elk. A site has recently been opened in Banner Elk and he is hopeful that will help our situation. Mayor Holland reiterated that a committee consisting of Mr. Lawless,

Mr. Hefner, Mr. Perry and Mr. Owen look into the various camera options. The Planning Board would then look over the ordinance and recommendations.

d. Proposed Water System Improvements – North Pinnacle Ridge Road

Mayor Holland reported that a problem exists in the North Pinnacle Ridge area due to a lack of water pressure. Town Engineer Ed Powell went over the proposal submitted to improve the water pressure. The proposal was broken into 2 phases. The first phase involved removing a booster pump near Mariah and installing a pressure reducing station near Sunset Park. The water storage tank at the park could then be abandoned, and the several houses immediately below the tank would feed off of the tank at Emerald Mountain. The second phase involved running a new main down the Ridge through the woods from N. Pinnacle Ridge Road to Slopeside Road. Jim Brooks questioned whether or not it would be more convenient to go through the Grubb's property, by Slopeside Road over to the Summer Road, noting that it would be longer, but perhaps cheaper. Mr. Powell agreed that that could be an option and would be worth doing a comparison. Mr. Hardwick questioned whether or not fire hydrants could be installed with the new system being discussed. Mr. Powell reported it could be done. Phase 1 has a total estimate of \$42,000 and is not part of the current year budget. Mr. Lawless stated that the Council could begin by asking Mr. Powell to proceed with the engineering and design of Phase 1, the North Pinnacle Ridge part of the job. Mr. Lawless then gave the Council the figures in the Water & Sewer Fund unrestricted as of June 30th of \$320,000 and the Capital Reserve fund was \$92,000. It would be possible to use monies from either of these funds. Mayor Holland suggested the Council ask for more options on the Phase 2 portion of the proposal. Mr. Lawless asked if there could be any recouping of monies with the sale of the water tank that would be eliminated. Mr. Powell recommended that the Town keep the tank for possible use in the future. Mayor Holland called for a motion. Rick Owen made a motion to proceed with engineering for Phase 1 of the project. Reub Mooradian seconded the motion and it passed unanimously. Mr. Powell indicated that he could have the project ready for permits and informal price bids in 30 days. He also indicated this Phase 1 of the project could be completed, if all goes according to plan, before winter.

6. New Business

a. Review Bids for Turbidity Meter

Mr. Powell informed the Council that the State would soon require the monitoring of turbidity at all water treatment plants. We now monitor, but do not record the turbidity and it must be done on a continual basis. We also must monitor and record the chlorine residual of the water leaving the treatment plants. Informal pricing has been received and Mr. Powell recommended, due to budget restraints, that we look at the analytical equipment and circular charts to satisfy the State requirements. He also recommended that Piedmont Automation, Inc. be awarded the bid in the amount of \$18,166.00 for the installation of the instruments and chart recorders. Mr. Powell indicated that the company would be willing to negotiate with the Town, allowing the Town to install the floor drain and waterlines for the chlorine residual analyzer, and possibly perform the electrical work. Mr. Owen moved to accept the bid from Piedmont Automation, Inc., providing the Town negotiate to have it done as inexpensively as possible and asked Mr. Lawless to present a budget amendment. Reub Mooradian seconded

the motion and it passed unanimously. Mr. Powell indicated that he would negotiate with Piedmont Automation, Inc. and work with Mr. Perry and Mr. Hatch in order to come up with a price to present to Mr. Lawless.

b. Staghorn Paving Request ✓

Mayor Holland informed the public that the paving project at Upper Grouse Ridge and Spring Branch was being completed. The Town has been approached by Mr. & Mrs. Beckmann and Mr. & Mrs. Buzzelli to extend the paving in front of their property at their expense. This would add an additional 301' of asphalt onto Staghorn Hollow Road. Mr. Lawless pointed out to the Council that even though the Town would not be paying for the additional asphalt, they would be required to maintain it in the future i.e. repave and patching as needed. Reub Mooradian made the motion to approve the additional paving. Mayor Holland seconded the motion and it passed unanimously. Mr. Buzzelli will contract the job personally; however, the Town Engineer will be required to inspect the project. A separate bill will be presented to Mr. Buzzelli for the engineering and inspection of the work.

c. Call for Public Hearings ✓

Mayor Holland reported that the preliminary assessment roll for Grassy Gap Creek Road and Grouse Ridge Road were ready for approval. Mr. Lawless presented resolution 00-07-01 and 00-07-02 that stated the project cost of each paving project, announced that the preliminary assessment rolls had been prepared, set public hearings for August 8th and directed the Town Clerk to mail notices of the hearing and preliminary assessment to each affected property owner. Upon a motion by Councilman Owen, seconded by Mr. Mooradian, the resolutions were passed unanimously. (reported that in addition to setting a hearing date we would also present a resolution presenting the cost of the project along with a preliminary assessment rolls with the amount each property owner would pay. This information would also be sent to each affected property owner. Mr. Lawless indicated an August hearing would be a good idea. Mr. Lawless will prepare the resolution when Mr. Powell furnished a final cost. A public hearing was set for 6:00 PM, August 8th for the preliminary assessment roll hearing on Grassy Gap Creek and Grouse Ridge Road.)

d. Request Permission to Wave Sewer Connection

Evagelia Eustathiou requested permission to not connect to the Town sewer. Her home has an operating septic tank. Ms. Eustathiou paid the tap fee, has been paying the monthly sewer charges and knows the home must be connected to sewer if the septic system fails. Reub Mooradian made the motion to waive the sewer connection for Evagelia Eustathiou at 104 Whippoorwill Way Road (PA 43). Rick Owen seconded the motion and it passed unanimously.

e. Request for Reimbursement ✓

Mayor Holland reviewed a request from Buchanan Real Estate for reimbursement to Arnold & Karen Ramos for plumbing expenditures. Mr. & Mrs. Ramos own a home at 102 Bent Creek Road. The property started having sewer problems in October of 1998 continued into

1999. It was determined to be a Town problem and the Town repaired the break in the sewer line. After much discussion, Mr. Adams moved to reimburse the Ramos' for the last plumbing bill of \$636.00, being approximately ½ of the amount spent to correct the problem. Mr. Mooradian was in favor of the Town reimbursing the full amount \$1,234.50. Mr. Owen seconded the motion. The motion passed 3 to 1 with Mr. Mooradian being the dissenting vote.

f. Proposed Budget Amendments

Mr. Lawless reported that the two budget amendments were both in the General Fund. The first for an additional \$1,250 for flowers and \$5,000 for flags. Mr. Mooradian moved to approve the amendment to add additional monies for flowers and flags. Mr. Owen seconded the motion. There was discussion before a vote was taken. Mr. Adams was not opposed to the use of the Occupancy Tax money being spent of flowers and flags, however he would prefer to see the money used for recreation. After the discussion concluded, the motion passed unanimously.

The second budget amendment was to connect the Public Works Department to the Citipak Data Processing program at Town Hall. Mr. Mooradian made a motion to pass the budget amendment. Mr. Adams seconded the motion. The motion passed unanimously.

g. Consider Emergency Phone – Lake Coffey

Mayor Holland reported to the Council and audience the necessity of an emergency telephone at the Lake Coffee area. He pointed out that it would be the same system that was already in use at the Buckeye Lake site. Mr. Mooradian made a motion to install the telephone system. Mr. Owen seconded the motion and it passed unanimously. Mr. Hatch recommended the telephone be put in a metal box as opposed to the plastic.

h. Consider Application for Membership – Beech Mountain Chamber of Commerce

The Town is currently an associate member of the Beech Mountain Chamber of Commerce. The associate membership does not allow voting privileges, however with full membership the Town would be able to vote on the various issues. Mr. Owen made a motion that the Town become a full member in the Chamber designating the Town's vote to the Town Manager. Mr. Adams seconded the motion and it passed unanimously.

i. Consider Resolution 00-07-01 – High Country Municipal Association

Mayor Holland gave an overview of the High County Municipal Association, which consists of 5 towns, Beech Mountain, Sugar Mountain, Banner Elk, Seven Devils, and Grandfather Village. Their goal is to work together on issues to improve the associated Towns. Mr. Lawless then reported on the 4 strategies that have been formulated. The first being a regional land use plan. Strategy number two is to encourage inter-departmental cooperation or the sharing of Town equipment. Number three would be to establish the group as a new association with regular meetings. The Town of Beech Mountain has been charged with this endeavor. Beech Mountain is to host the 1st meeting in September with the Mayor putting the agenda together. The fourth strategy would be to obtain funding for regional advertising.

These are not binding issues but for the first couple of years they are what the association hopes to deal with. Mr. Mooradian moved to pass Resolution 00-07-01. Mr. Adams seconded the motion and it passed unanimously.

Dr. Murray Miller asked the Council if the Town would be willing to accept a clock and thermometer to be placed at the entrance of the town limits. Mr. Mooradian indicated that he would want to see what it would look like prior to making a decision and the Council agreed.

7. *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 had no report.
- d. ***Chief of Police's Report.*** Chief Hefner went over the report submitted. He reported an awning was stolen from a home on Dogwood Lane, valued at \$1,600. The case is still open. A purse was stolen from 111 Club House Road containing \$86. There is nothing to go on and the case is still open. A purse was stolen or misplaced from 113 St. Andrews Road containing \$85. We have nothing to go on and the case is still open. He reported a flip phone was stolen someplace between Boone and Beech Mountain. We have nothing to go on and the case is still open. A city ordinance violation of illegal dumping occurred. The violator was identified and they came and picked up the debris at the recycling center. A dog bite was reported, the victim was not injured and chose not to prosecute. The owner of the dog replaced the pants damaged by the dog. The arrest shown on the report was a failure to appear in court; the suspect was taken to jail. The Town has two new officers, Bob Johnson who is experienced and is out on his own and Officer Ben Townsend who is currently in training and doing well. Mr. Owen thanked the police department for their assistance in the disposition of a felony that took place at the Ski Beech this past season. The case was recently finalized.
- e. ***Town Manager's Report.*** Seth Lawless reported that he would be in Chapel Hill July 11th for a Parks & Recreation Trust Fund Meeting.

The Long Range Planning Committee met on June 26th and recommended that a search for a Land Planner or Architect be initiated to give ideas for the proposed building at the Buckeye Lake Recreation area prior to construction of the tennis courts. That was expanded to look at the entire Buckeye area and the neighborhood park. Proposals have been prepared and mailed out to four firms. One of those firms will be in Monday to visit the site and gather more information.

The grading at Buckeye is nearing completion. There may be a need for some fill dirt before the hydro seeding is done. We should know Wednesday about the grant monies. The Council will be informed as progress is made.

Reba Greene will be attending a Municipal Clerks Conference on August 10th, 11th and 12th.

The Avery County Commissioners approved the renaming of Beech Mountain Parkway outside the Town limits to South Beech Mountain Parkway. It has been submitted to the 911 Committee to work out the details.

The 1999 Quality Water Report is available at the Town Hall.

The quarterly publication, The Beech Mountain Ear will be printed in a week or so.

Miller Industries has been contracted to do some repairs to the guttering at Town Hall.

The Town may be receiving a Waste Water Violation for May. If so, the amount of the fine is not yet known, but we were advised that we were 9 over the limit. The Town also had a flow violation in April for 1/100th over the limit, but we will not receive a fine for it.

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

7. ***Other Business.***

- a. Don Fulkerson requested approval from the Council to assist Seven Devils, on his own time, with their building inspections when their inspector goes on vacation. Mr. Owen made the motion to allow Mr. Fulkerson to assist Seven Devils on his own time. Mr. Mooradian seconded the motion and it passed unanimously.
- b. Mr. Fulkerson informed the Council that on Wednesday the Board of Adjustment had denied the appeal from Mr. S. Nick Wilson. Mr. Wilson was in violation of a zoning ordinance prohibiting the cutting down trees without a permit. Mr. Paletta would need Council approval prior to attempting to collect the \$3,600 fine levied against him. Mr. Fulkerson did anticipate difficulties; he has sent a certified letter informing Mr. Wilson of the Board of Adjustments decision. The letter gives him 72 hours to pay the fine. Mr. Fulkerson will send another letter, uncertified, and forward all material to Mr. Paletta. Mr. Mooradian made a motion to allow Mr. Paletta to proceed with enforcement. Mr. Owen seconded the motion and it passed unanimously.

ADJOURN

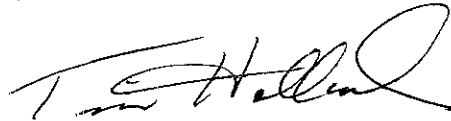
There being no further business to come before the Council, the meeting was adjourned upon a motion by Reub Mooradian. Rick Owen seconded the motion and it passed unanimously. The meeting ended at 8:45 PM

Respectfully submitted,

Reba G. Greene
Town Clerk

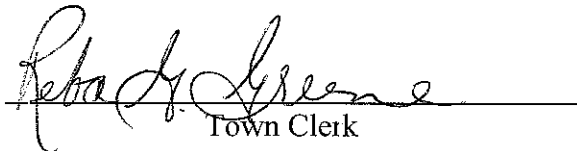
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Minutes approved by Town Council on August 8, 2000.



Mayor

ATTEST:


Town Clerk