

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
April 10, 2001

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 Rick Owen and Reub Mooradian. Also present were Town Manager Seth Lawless, Town Attorney David Paletta, Police Captain R.L. Dunn, 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 – Pastor 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 the addition of items 6-d Flower Maintenance Agreement and 6-e May Council meeting date change. All agreed to accept the agenda as amended.

2. Approval of Minutes

Reub Mooradian moved to accept the minutes of March 13, 2001 and the special meeting of March 22, 2001 as submitted. Rick Owen seconded the motion and it passed unanimously.

3. Committee Reports

There were no committee reports.

4. Persons wishing to Address the Council – Mrs. Flora

Mrs. Dolores Flora, who has a home at 313 N. Pinnacle Ridge Road and is a permanent resident of the Town, addressed the Council with her concerns with the lack of water pressure for the homes in her area. Mrs. Flora noted that this had been an ongoing problem for the past two years. Town Engineer Ed Powell responded by letting Mrs. Flora know that his firm had prepared plans to correct the problem. Plans are out to contractors for bid and the problem will be corrected and a fire hydrant will also be installed in the area. The bids were originally scheduled to come before the Council tonight, but had to be extended to the 18th.

Mayor Holland called for this Council meeting to be reconvened on Friday, April 20th at 10:30 A.M. to allow the Town Council to look at the proposals from Mr. Powell.

Mr. Powell anticipated the upgrades to take approximately 45 days after the project start date.

5. Old Business – North Pinnacle Ridge Water Pressure

Mr. Powell's report was given during item #4 above.

6. New Business

a. Buckeye Tennis Court/Parking Lot Bid Summary

Mayor Holland reported that the bid opening for the tennis courts had to be postponed. The bid request will be re-advertised with a deadline set for Friday 20th.

b. Tax Releases

Reub Mooradian moved to approve the tax releases. Rick Owen seconded the motion and it passed unanimously.

c. Consideration of Budget Amendment

Seth Lawless briefly reported that the Town and the Beech Mountain Club had a common need for a basketball court. The Club had proposed sharing of the cost for a court behind the Lake Coffee water plant. It was noted that the court would be open to the public, not just the club members and would not have lights for night time use. Mr. Lawless was looking at June for completion. The first person that will be asked to do the asphalt work will be the company who is awarded the bid for the tennis courts at Buckeye Lake. Rick Owen moved to approve the Budget Amendment. Reub Mooradian seconded the motion and it passed unanimously.

d. Flower Barrel Contract – The Landsman

Riley Hatch indicated that he would check the conditions of the barrels to see how many would have to be replaced. Rick Owen moved to adopt the contract with the Landsman for summer flower maintenance. Reub Mooradian seconded the motion and it passed unanimously.

e. May Meeting Date

Mayor Holland called for the meeting for the month of May to be held on Wednesday the 16th at 6:00 P.M. All agreed.

7. Staff/Consultant Reports.

a. Town Engineer's Report. Mr. Powell had no report.

b. Public Works Director's Report. Riley Hatch reported that Hobbs and Upchurch continue to work on the manhole identification project. They brought in two

representatives from the Trojan Company in Canada to look over the ultra violet light system used at the Pond Creek plant. The flow meters have been in for two weeks and they are being moved around to collect data from different areas. Mr. Hatch did note that the most severe problem that had been discovered to date was a manhole on Thistle Ln. not connected to the system. Most of the problems that have been detected have been minor.

Mr. Mooradian questioned why more warning signs had not been placed in the construction areas when a manhole was dug up. Mr. Hatch reported that the crew had gotten ahead of the workers putting out the markers in addition to the fact that we were short on markers. Mr. Lawless noted that he would contact the shop class at Watauga High, who had made some barriers for us in the past. Roger Bullock asked what percentage of the project had been completed to date. Mr. Hatch estimated that it was 50 % complete.

Mr. Hatch also reported that the recycled paper had been rejected once again.

- c. Town Attorney's Report. Mr. Paletta had no report.
- d. Police Report. Captain R.L. Dunn went over the report submitted to the Council. Captain Dunn started by pointing out that the incidents were down from last month due to the end of ski season.
- e. Town Manager's Report. Seth Lawless reported on the following: 1) The centerline and edgeline painting is scheduled for later in April. 2) The MountainEar will go out in early May. Article ideas can be submitted within the next week. 3) There is a meeting on April 19th at the Cooperative Extension Building in Boone for the Watauga River Conservation Partners. It will be held from 5:30 to 6:30 P.M. with the focus on Watauga River conservation. 4) The Planning Board will hold a meeting tomorrow, Wednesday the 11th, and they have invited the Board of Adjustment. The topic will be the variance procedures. 5) The Planning Session is this Thursday, April 12th, at the Broyhill Center. 6) The Spring Cleanup is April 21st. 7) The Municipal Association will be meeting on April 26th here in the Town Hall. 8) The Beech Mountain Club has offered to host a covered dish dinner in honor of the Town's 20th Anniversary on May 1st at 6:00 P.M. at the Pavilion. Ray Russell has been confirmed to speak at this event. It is requested that people make reservations in order to help prepare for the event.

Mr. Lawless gave an update to the sewer study that is in progress noting that the large plant, Pond Creek, has been in compliance with the state regulations since October '00. The Town has an outstanding sample for the month of March and we believe it will be in compliance as well. Mr. Lawless reported that he had written a letter to Mr. Larry Coble with the Department of Environment and Natural Resources asking him to consider lifting the moratorium. Mr. Coble has responded to the request by setting up a meeting for Tuesday, May 8th in Winston-Salem. Staff and the project engineering team plan on attending the meeting.

The Grassy Gap Plant will have a violation in February and perhaps one in March, so the Town is not in position to make a request for that facility.

Mr. Mooradian asked about the article in the Watauga paper in regards to the wastewater spill. Mr. Lawless reported that they were not that uncommon. This spill was due to the rain and melting snow and was an overflow from a manhole. This was reported in conjunction to the new ruling by the state that a manhole spill must be reported to the news media and to the state. The Town has set up a procedure in which this is done. The spill had no environmental impact on the area.

Tax Report, Finance Report and the Building Inspections Report were accepted as submitted.

8. Other Business

There was no other business to discuss at this time.

9. Adjournment

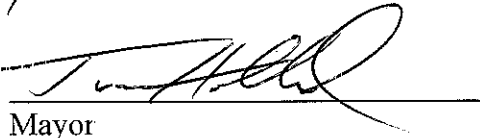
There being no further business to come before the Council at this time, the meeting was recessed until 10:30 A.M., April 20th upon a motion by Reub Mooradian, seconded by Rick Owen. All agreed.

Respectfully submitted,


Reba G. Greene
Town Clerk

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Minutes approved by Town Council on MAY 16, 2001.


Mayor

ATTEST:


Town Clerk

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Special Meeting, April 12, 2001

I. CALL TO ORDER

Mayor Tim Holland called a special meeting of the Beech Mountain Town Council to order at 9:20 A.M. on Thursday, April 12, 2001, at the Broyhill Conference Center in Boone. Other Council Members present were Gil Adams, Jim Herbert, Rick Owen and Reub Mooradian. Also present were Town Manager Seth Lawless, Town Engineer Ed Powell, Hobbs & Upchurch Engineers Ed Staley and Ben Chewning, Chief of Police Jay Hefner, Public Works Director Riley Hatch and Planning Board Chairman Roger Bullock.

II. Set Dates for Budget Presentation, Public Hearing and Adoption

After a brief discussion the following dates were set for the 2001/2002 Town Budget:

Wednesday, May 30 th at 6:00 P.M.	Budget Presentation
Thursday, June 7 th at 6:00 P.M.	Budget Workshop
Tuesday, June 12 th at 6:00 P.M.	Budget Hearing
Tuesday, June 19 th at 2:00 P.M.	Budget Adoption

Mr. Lawless informed the Council that the budget had to be approved by July 1, 2001 and that the budget would be a bit tight this year due to the increase in health insurance and the funding of the remaining cost of the wastewater study.

III. Wastewater Study Update – Davis, Martin, Powell & Associates, Inc.

Engineer Ed Powell gave an overview and update on the analysis of the existing wastewater treatment facility. On February 13th he and Mike Slusher met with the Town staff and representatives from Hobbs & Upchurch to determine the direction everyone would be working in and to coordinate the two firms. Representatives from Trojan Technologies visited the Town on March 30th to look over the Pond Creek plants' ultra violet treatment system to help determine how best to improve it. Their concern centered on the film that was quickly developing on the sleeves of the ultra violet tubes which effects their ability to properly do the necessary sterilization. One of the sleeves was taken back for testing resulting in a revised cleaning procedure using a stronger chemical. The possibilities of installing a cleansing bath and having another rack of tubes is under consideration. We will also be looking at some sludge handling facilities to speed up the process of removing solids from the plant. On April 5th Gary Johnson of Environmental Management Services (EMS) and the staff met again to go over some flow monitoring problems at the plant and also installed some flow monitors ahead of the plant to confirm the rate of flow received during the rainy seasons. Prior to that, Hobbs & Upchurch had placed some flow monitoring devices throughout the system that allows us to coordinate their information with the information collected by Mr. Powell's staff. To date several items of

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concern have arisen. At the Grassy Gap treatment plant the existing flow equalization on that treatment plant is giving problems because when we get into periods of low flow we lose the ability to nitrify. In addition to that, the flow meter is also giving us trouble. At this point in the study a large portion of the Grassy Gap problem appears to be coming from the Bear Branch area where a large number of holes have been found in the collection system.

The findings that the studies produce will be compiled for a 201 Amendment that will be submitted to the state in an effort to obtain a revolving loan to assist in the necessary upgrades that must be made to wastewater system.

A meeting with DENR representative Larry Coble has been set up for May 8th to discuss the moratorium. In an effort to get the moratorium lifted on the Pond Creek plant, it will be pointed out to Mr. Coble that the problems of infiltration are limited to the Grassy Gap plant.

Reub Mooradian asked about the repair process. Riley Hatch responded by saying that a 5-man crew is working on identifying the manholes. He splits up the crew when a problem is identified that requires immediate attention. Mr. Hatch noted that the most severe problem was a manhole that was not tied into the system on Thistle Lane.

IV. Wastewater Study Update –Hobbs, Upchurch & Associates

Engineers Ed Staley and Ben Chewning presented a GIS, Geographic Information System, presentation which pinpointed the manholes that have been identified. Mr. Stanley gave the presentation showing the GIS information compiled when a manhole is located. Four photographs are taken; one showing the ground conditions around the manhole, one looking straight down and always facing north, the other two showing the pipes. The data associated with that manhole along with an assessment of the manhole is also provided.

The main portion of the Grassy Gap system has almost all been located. There were two reasons for putting their focus on that system, the first being that it was the plant having the most problems and secondly the emerging tree cover affecting the satellite systems.

Mr. Staley presented a chart showing the amount of rain in relation to the amount of inflow into the wastewater systems. Rain events show an immediate increase in the inflow, which indicates to them there are separated joints and pipes in the system. It was estimated the Town probably had 300 defective manholes and estimated 50 would have to be replaced at an estimated cost of \$2,000 each. This is long term and the numbers are only an estimate. Some of the manholes could be repaired, and the staff is indeed doing repair to the ones that are showing the greatest need. This is not as expensive.

Mr. Lawless requested that the Town be notified prior to the removal of the flow meters.

Roger Bullock asked if his perception was correct in that it was a \$500,000 problem to get Grassy Gap off of the moratorium. Mr. Staley indicated that it was too early in the study to

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provide a reliable cost estimate, however his feeling was that the state would lift the moratorium when they saw the steps the Town had already taken.

Mr. Lawless requested that Mr. Powell include the back up power for both facilities in the 201 Facilities Plan.

Mr. Staley took the opportunity to recognize the Public Works crew for all their assistance during the past 5 weeks.

V. Underground Power Lines

Mr. Lawless read a letter from Mr. Joe Thacker of Mountain Electric in which he quoted a price for putting in underground lines along Elderberry Ridge Road and along Beech Mountain Parkway from Elderberry Ridge Road intersection to the substation. These are rough estimates only. Due to high maintenance cost, Mountain Electric proposed to share the cost putting in underground utilities for Elderberry Ridge Road. They would provide the material, installing risers and cable terminations, installing pad-mounted equipment and removing the overhead facilities. The Town would be responsible for opening the ditch, installing the cable within the ditch, providing concrete pads and closing the ditch. An underground right-of-way easement would be required. This would cost the Town approximately \$30,000.

The Beech Mountain Parkway project would cost approximately \$878,000, with no participation from Mountain Electric. Mountain Electric did not have any interest in participating in any other project area.

Reub Mooradian was opposed to spend any money on the Elderberry Ridge Road area. As far as the Beech Mountain Parkway project, he felt it should be looked at as a long-term project. He felt it was one of the most visible improvements that could be made for the Town.

It was pointed out that new developments within the Town must install underground utilities. Mr. Lawless was asked to find out the price difference of putting up a pole as opposed to having the cable put underground.

VI. Cemetery Issue

Mr. Lawless brought everyone up to date on the issue of a cemetery for the Town, which started about 5 years ago. A subcommittee of the Long Range Planning Committee was appointed to identify locations for a potential cemetery. Their finding identified 8 lots off Pinnacle Ridge Road, between Sassafra and Deergrass Road that would be suitable.

Mr. Lawless wrote letters to the property owners telling them that the Town was interested, and asked for a donation of the property, or reply if they were interested in selling to the Town. The only response was from Mr. Vernon Kelly, who owns three of the eight lots, said he would donate one if others would donate one. There is nothing budgeted for land acquisition and there has been no further attempt to contact the owners. Mr. Lawless suggested if the issue was

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something that the Town wanted to pursue then we should budget some money for it and continue to pursue the property.

Roger Bullock spoke in favor of the cemetery noting that he walked the property and felt it would be suitable and would not be expensive to acquire. He also indicated that it was time the Town made a decision.

Rick Owen asked if all the owners had paid their road paving assessments. Mr. Lawless replied that they had all been paid. Mr. Owen indicated he was in favor of the cemetery and hoped the Town could put some money aside at budget time to buy the property. He suggested looking for a foundation or organization that supports such plans and ask for their help.

Reub Mooradian asked to be put on record as being in support of the cemetery as did Gil Adams and Jim Herbert. Mayor Holland indicated that he did not support the idea of a cemetery, but would not actively work against it.

Mr. Lawless said the issue would be addressed in the upcoming budget and he would get an appraisal on the property.

Mr. Mooradian suggested offering the property owners a Town owned lot for the property in question. Mayor Holland questioned whether or not the Town would be willing to give up the 'good lots' in a trade.

It was the consensus of the Council is to proceed.

VII Public Works Summer Program

Riley Hatch outlined the projects his crew will be concentrating on during the summer. The Infiltration and Inflow project with the Hobbs and Upchurch crew was at the top of the list. He indicated that the unexpected projects that are directed to his department will be worked on.

Mayor Holland asked how Mr. Hatch came up with the list of roads that needed work. He indicated he had continued with the list Joe Perry had created.

Mayor Holland asked about getting a prison work crew to assist the employees. It was felt that the property owners would not want prisoners working in the Town.

Mr. Lawless said he would look into the issue and see if he could find some trail-building volunteers.

The water meter replacement issue was addressed and Mr. Hatch noted that it was a time consuming project averaging 2½ to 3 hours to replace a meter. Mr. Hatch was asked to get some prices on the new electronic meters and the equipment required to read them.

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A brief discussion followed about the resurfacing of roads in Town. Oz Road was scheduled along with Tamarack to the water plant for summer, 2001.

Mr. Adams asked about having a full time trail maintenance employee. Mr. Hatch reported one is already on board and doing the work.

Mr. Lawless noted that the Lake Coffee area needed some attention

Mr. Bullock asked about property owners extending the pavement in front of their homes if they were willing to pay for the paving. Mr. Powell indicated that it was not a good idea to do paving a section at a time, from an engineering standpoint. An extension should be from intersection to intersection.

VII. Sledding Hill Operations

Mr. Lawless went over the sheet included in the packet that showed the expenses for the sledding hill. A log of hours of operation was kept as well as the amount of water used to make snow. It was noted that 2/3 of the water was from Ski Beech. The Town water would retail at approximately \$573. The operation of the sledding hill so far, including capital outlay, was estimated at \$4,329.

Mr. Lawless indicated that another type of fence would be looked at in the coming years budget

Parking was discussed in regards to crossing the Elder property to get to Accardi's property where the sledding hill parking is designated. Mr. Hatch suggested a gravel path to show cars where to go. The idea of putting up a sign indicating pedestrians crossing was also discussed for wintertime use. All were in agreement.

It was decided that the Town should thank Mr. Hoilman for all his assistance by sending a basket of fruit.

XI. Review Police Department Citizen Survey

Chief Jay Hefner reported that the survey discussed at last years retreat had been completed by the Center for Urban Affairs at North Carolina State University. The performance segment of the report was enclosed in the agenda packet. Fifteen hundred surveys were mailed out and over 600 were returned, or 40%. The survey was mailed out to individuals who received water bills from the Town.

Mr. Hefner indicated that he would like to put together some work groups after the summer residents return in May to evaluate the situation and see if any improvements could be made.

The only real surprise Mr. Hefner found in the survey was that individuals did not feel there was a drug problem in the Town. Over all the survey was very positive.

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Mr. Lawless thought it was interesting that most people felt we did not have a parking problem. He felt the homeowners would comment about the inadequate parking, especially in the wintertime. He suggested that the Council go to the Police Department and read the various comments that are listed in the report.

X. Occupancy Tax Update

Mr. Lawless gave an update on the occupancy tax issue noting that we started off the year with the intentions of asking for a 3% increase to fund the Buckeye Lake Recreation Center. Not long after the Town had starting working on this goal, Avery County decided to reinstate their occupancy tax, however this time they wanted to include areas in the county that already had a tax. This would mean that the Avery County portion of Beech Mountain would be subject to their tax. Due to their decision, the Town modified the original plan. The new plan asked for a 3% increase on the Watauga County portion of the Town and 1% increase on the Avery County side of the town. Mr. Lawless explained that if a person were to rent in the Town on the Watauga County side, all the occupancy tax they paid would be submitted to the Town. If a renter stayed in the Avery County portion of the Town 4% of the occupancy tax would be paid to the Town and 2% would go to Avery County.

The bill would change the make up of the Economic Development Committee, to a Tourism Development Authority (TDA). The IDA would be given total discretion on how they spend their money; it would not have to be approved by the Council as it is now. The Council would appoint the members of the IDA which reports to the Council quarterly.

If the bill passes the Town would receive approximately \$210,000 or \$220,000 per year. The law will require the Town to spend around \$70,000 on advertising, \$140,00 on other tourism related activities.

One portion of the bill that may prove troublesome for the Town is the 'Sunset Clause' which means the distribution method of 1/3 – 2/3, will sunset and expire in 7 years.

Mr. Lawless went over the various scenarios for the passing or non-passing of the bills, noting that the worse case is that we end up keeping exactly what we have now.

XI. Banner Elk/Beech Mountain Proposed Thoroughfare Plan

Mr. Lawless reported that the Town had an opportunity to join with Banner Elk on a joint thoroughfare plan. The North Carolina Department of Transportation would consider a request from the Town for safety improvements. After some discussion it was agreed that Mr. Lawless should ask for a turning lane into Ski Beech and to extend the passing lanes that exist on NC 184, along with creating a passing lane on the down side

XII. Other

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The budget was briefly discussed noting that the Town would have to pay more for health insurance in the coming year. The 401(k) issue was brought up with Mr. Owen noting that it would provide an opportunity for the Town to save money and he was open to looking at it again.

Mr. Lawless reminded the Council that the regular meeting of April 10th had been recessed until Friday, April 20th at 10:30 A.M.

ADJOURN

There being no further business to come before the group, the meeting was adjourned at 2:10 P.M.

Respectfully submitted,

Reba G. Greene
Town Clerk

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Minutes approved by Town Council on May 16, 2001.


Mayor

ATTEST:


Town Clerk

MINUTES - BEECH MOUNTAIN TOWN COUNCIL

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
April 20, 2001

CALL TO ORDER

Mayor Tim Holland reconvened the recessed regular meeting from April 10th at 10:30 A.M. in the Council Chamber at Town Hall. Other Council Members present were Rick Owen and Reub Mooradian. Also present were Town Manager Seth Lawless, Town Engineer Ed Powell, Stephen Overcash of the architect firm of Overcash Demmitt and Public Works Director Riley Hatch.

1. North Pinnacle Ridge Water Improvements

Ed Powell reported that he had received informal bids for the water improvements from Iron Mountain Construction Company, Inc. and R & G Construction Company. R & G would be working with Eggers Construction Company.

The bid from R & G was for \$32,085.00; the Iron Mountain proposal was \$47,000.00 with a price difference of \$14,915.00. Based upon this information, Mr. Powell recommended that the project be awarded to R & G Construction. He further recommended that a formal contract not be executed and that purchase orders be issued and payment be made for each phase only upon completion and acceptance.

This project would take care of the pressure problems the Town has experienced on North Pinnacle Ridge as well as the Slopeside area. The project will take approximately 45 days to complete.

Upon approval by the Council, Mr. Powell indicated that his company would issue the Notice to Proceed and move ahead accordingly.

Upon a motion by Reub Mooradian the project was awarded to R & G Construction for \$32,085.00. Rick Owen seconded the motion and it passed unanimously.

2. Buckeye Tennis Court/Parking Lot Bid Summary

Steven Overcash of the architectural firm of Overcash and Demmitt, reported to the Council that they had received 3 bids on the Buckeye Lake Recreation Area tennis courts and parking area. The three quotes were:

Court One	\$ 97,344.00
Baseline Sports Construction	197,120.00
R & G Construction	184,775.00

The low bidder, Court One, had excluded the paving for the entrance drive and the two drainage structures. Court One has been asked to submit this information.

The Council instructed Mr. Lawless to contact Mr. Paletta, Town attorney, and talk to him about the options available to the Town and the Council would not take any action today.

Recessed

There being no further business to come before the council at this time, the meeting was recessed until 10:00 A.M., April 27th upon a motion by Rick Owen, seconded by Reub Mooradian.

Reconvened – 4-27, 10:00 a.m.

Mayor Holland reconvened the regular meeting, recessed until April 17th and again until April 27th, at 10:15 a.m. Present was Mayor Holland, Vice Mayor Rick Owen and Council member Reub Mooradian. Also present were town manager Seth Lawless, Public Works Director Riley Hatch and Assistant Director Dolin Carpenter, and Steven Overcash.

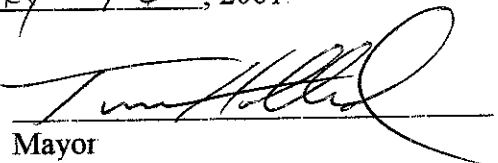
Mr. Overcash reported that Court One submitted a price of \$11,600 for paving the driveway, but did not have an estimate for the drainage work. Upon a motion by Council member Mooradian, seconded by Rick Owen, the Council voted unanimously to have the town manager negotiate with the low bidder, Court One, and have the Town Attorney review the contract documents. There being no further business, the meeting was adjourned at 10:35 a.m.

Respectfully submitted,

Reba G. Greene
Town Clerk

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Minutes approved by Town Council on May 16, 2001.


Mayor

ATTEST:


Town Clerk