

MINUTES  
BEECH MOUNTAIN TOWN COUNCIL  
May 16, 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 Gil Adams, Jim Herbert, Reub Mooradian and Rick Owen. Also present were Town Manager Seth Lawless, Town Attorney David Paletta, Police Chief Jay Hefner, Town Engineer Ed Powell, Public Works Director Riley Hatch and Code Enforcement Officer Don Fulkerson. There were a number of interested parties in the audience.

***Invocation – 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 item 8-a, Hiring of an Intern. All agreed to accept the agenda as amended.

***2. Approval of Minutes***

Reub Mooradian moved to accept the minutes of the April 10<sup>th</sup> Regular Council Meeting, April 12<sup>th</sup> Planning Retreat and the April 20<sup>th</sup> and 27<sup>th</sup> Recessed Council Meeting. Gil Adams seconded the motion and it passed unanimously.

***3. Committee Reports***

There were no committee reports.

***4. Persons wishing to Address the Council – Dr. Miller***

Dr. Murray Miller gave an update on the ambulance service. A contract has been signed with Avery County and the ambulance has been purchased and will be in service on July 1<sup>st</sup>. Arrangements have been made to house the ambulance at the Elk River airport. Their contract calls for some renovations to an existing building as well as an addition to provide housing for the employees. After the expenses for the first 2 years, it will cost \$40,000 per year for the following three years. The ambulance is scheduled to be replaced after 5 years of use.

Dr. Miller requested that the Town make a donation of \$5,000 per year to help support the ambulance service. He also noted that the towns of Banner Elk and Sugar Mountain

would be approached for a donation as well as a private grant. Mr. Owen requested to see a copy of the contract between the Foundation and Avery County.

Dr. Miller noted a social was in the planning stages to welcome the crew, hopefully in June. The Council will be notified when the date is set.

Mr. Hatch suggested inviting the ambulance and crew to the annual 4<sup>th</sup> of July pig roast as a welcome to the area.

**5. Old Business – Buckeye Tennis Court/Parking Lot Contract**

Seth Lawless gave an update on the building of the tennis courts at the Buckeye Lake Recreation area. At a meeting on April 27<sup>th</sup> the Council authorized Mr. Lawless to execute the contract with Court One on the tennis court, parking lot and drainage work. The Town Attorney, David Paletta has reviewed the contract, making a few minor changes that were acceptable with the Court One group. The cost for the tennis courts, basketball court and the parking lot is \$111,600.00, however the cost for the drainage work is still unknown. The architect, Steven Overcash, and Ed Powell are still contacting contractors to get bids. Mr. Overcash suggested awarding the contract to Court One, let them go ahead and get started on the tennis court, and the drainage work can be done after that work is started. Should an acceptable price not be found from a private contractor the Town would be faced with the possibility of doing the work. Mr. Powell estimated the cost to do the drainage would be in the neighborhood of \$12,000 to \$14,000, if done by a private contractor.

Rick Owen moved to accept the Court One bid for \$111,600.00. Reub Mooradian seconded the motion and it passed unanimously.

**6. New Business**

**a. Tax Releases**

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

**b. Consider Offer to Donate CR-154**

Rick Owen moved to accept the donation of CR-154. Gil Adams seconded the motion and it passed unanimously.

**c. Consideration of Budget Amendment/Capital Project Ordinance-Visitor's Center**

Mr. Lawless gave a brief history on the new Chamber of Commerce building project. The estimated cost of the building is now \$105,000; this is due to a few changes in the original design. A bid opening date is set for June 19<sup>th</sup>. The architect, Joe Pavelchak, is in charge of overseeing the project.

Mr. Lawless informed the Council that a Capital Projects Fund would have to be set up in order to proceed with the plans. After the transfer of the \$105,000 to the Capital Projects Fund for the building, the Fund Balance in the Occupancy Tax Reserve would drop to \$116,000.

Reub Mooradian moved to approve the Budget Amendment/Capital Project Ordinance. Gil Adams seconded the motion and it passed unanimously.

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

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

Ed Powell reported on the May 8<sup>th</sup> meeting with the Department of Environment and Natural Resources (D.E.N.R.), in Winston-Salem. Mr. Powell was accompanied by Mr. Lawless, Mr. Hatch and representatives from Hobbs & Upchurch. Mr. Larry Coble, Water Quality Supervisor, was pleased with the progress the Town had made with the wastewater study and was receptive to the idea of separating the two plants in the moratorium. Separating the plants would give the Pond Creek plant a good opportunity, although no promises were made, to be released from the moratorium due to the compliance record it has shown. The Pond Creek plant has had no violations since early January. Mr. Coble requested the Town provide him with a map showing the division of the two areas serviced by the wastewater treatment facilities.

Mr. Powell also reported that DENR was receptive to the idea of having the Town make a commitment to the improvements at the Grassy Gap facility in order to have the moratorium lifted. However, the Town would have to agree to stipulated penalties if it did not accomplish what was agreed on. This plan is referred to as a Special Order by Consent (S.O.C.).

Mr. Powell reported that the North Pinnacle Ridge water project was in the final stages.

Fieldwork has been done for 2001 paving projects, which includes Oz Road, Oz Circle and Tamarack Road. Bids will be received in June.

**b. Public Works Director's Report.**

Riley Hatch reported on the following: 1) The striping project is over halfway finished. Mechanical difficulties forced the crew to take an unscheduled break, but work will resume one day the week of May 21<sup>st</sup>. 2) The MountainEar had the residential construction waste collection day as Thursday. It should have read Wednesday. 3) The recycled paper and plastic were again rejected. 4) Hobbs and Upchurch are in the 1400 manhole range. They are working in the Spring Branch area and will move over to the Slopes area when Charter Hills is completed. The flow meters have been pulled and the data will be available shortly.

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

**d. Police Report.**

Police Chief Jay Hefner reviewed the submitted report noting that the ongoing credit card fraud case had been closed. The Police Department had also been involved with a drug arrest with the Banner Elk, Seven Devils and Newland Departments. A total of \$17,000 in cash, along with LSD, crank and a 2 pound block of marijuana had been confiscated. There is a story in the newspaper regarding the activities.

Chief Hefner also noted that they were all set for the upcoming Hill Climb scheduled for this weekend. The 'Click It Or Ticket' program went very well, the department did not issue any violations. The upcoming dates for the continuation of the program are Thursday, May 24<sup>th</sup> and Monday, May 28<sup>th</sup>. This information is posted in numerous places around the Mountain.

Mr. Owen requested that the officers keep a check on the directional signs for the race detour and post slow/caution signs for the Slopes Road to give people as much warning as possible that it is a narrow road and difficult to pass other vehicles.

Mr. Mooradian, making reference to a letter written to the Council by Mr. Fred Pfohl, asked if any action had been taken. Mr. Larry Miller, Chamber of Commerce Director responded by saying that the letter had been recognized, however the outcome was that nothing had been changed with regards to the Hill Climb because of time restraints. Mr. Miller noted that the race officials had been made aware that there have been some complaints.

- e. Town Manager's Report. Seth Lawless reported on the following: 1) The Planning Board is working on a number of items that will come before the Council including some Zoning Ordinance changes. Two other items will be the green space issue and the Parade Permits Ordinance. 2) Steven Overcash of Overcash and Demmitt will be presenting his final report on the recreational study at next month's Council meeting. 3) Channel 2 is back on the air thanks to the cable company, Charter Communications. Unfortunately the weather system we have is not compatible with the new system, therefore we can not display the temperature like we could on the old system. We are attempting to get the cable company to up grade the system for us. We are also experiencing some static on the radio station, but it will be checked. 4) The information on Town Hall Day is located in the back of the agenda packets. Please notify the Clerk if you wish to attend.

Mr. Owen asked if attending Town Hall Day would be advantageous to the Town's efforts to secure the increase in occupancy tax. Mr. Lawless felt that enough time had passed and perhaps it was time to start contacting the representatives again so a trip to Raleigh might be in order. He also noted that he checks the Internet on a regular basis and the bill has not had any changes in status.

The Tax Report and the Building Inspections Report were accepted as submitted.

## **8. Other Business**

- a. Mr. Lawless informed the Council that he had an intern who was ready to start work in June, with the Council's consent. Projects would vary starting with a week of work with the sanitation crew and time down at the water plant followed by work in the office updating the web site. Reub moved that the Town hire the intern to start in June. Jim Herbert seconded the motion and it passed unanimously.

**9. Adjournment**

There being no further business to come before the Council, the meeting was adjourned at 7:15 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 June 12, 2001.

  
Mayor

ATTEST:

  
Town Clerk

MINUTES  
BEECH MOUNTAIN TOWN COUNCIL  
SPECIAL MEETING  
May 30, 2001

***CALL TO ORDER***

Mayor Tim Holland called the Special meeting 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. Town Manager Seth Lawless was also present.

***Budget***

Seth Lawless presented the Council with the 2001-2002 fiscal year budget for the Town. Mr. Lawless reported that the tax levy of \$1, 581,110 was based on the assessed property value of \$210,234,649 with a tax rate of \$.76 per \$100 of value and a 99% collection rate.

Mr. Lawless also pointed out the recommended 5% across the board increase in water and sewer rates. Gil Adams asked whether or not a cap would ever be placed on the increases noting that there had been an increase last year. Mr. Lawless felt that utility fees will be based on the cost of operating and maintaining the systems.

Reub Mooradian asked Mr. Lawless to clarify the 401(k) proposal for employees. Mr. Lawless explained that it was different from the proposal last year in that the cost of living increase of 2% was proposed for all employees, and a 1 % 401(k) contribution for non law enforcement employees, who already receive a mandated 5% 401 (k) contribution.

Mr. Lawless directed the Council's attention to a few other items such as the part time employees for the recycling center, the question of additional parking in the back of the Town Hall, and fill work at the ball field at Buckeye Lake. Mayor Holland stated that all of these issues will be given further attention at the Budget Workshop on Thursday, June 7<sup>th</sup> at 6:00 P.M.

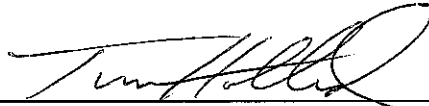
***ADJOURN***

There being no further business to come before the Council, the meeting was adjourned at 6:35 PM.

Respectfully submitted,

Reba G. Greene  
Town Clerk

Minutes approved by Town Council on June 12, 2001.



Mayor

ATTEST:



Town Clerk