

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
March 12, 2002

CALL TO ORDER

Mayor Rick Owen 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, Pete Chamberlin, Tim Holland, and Dr. Ed Waligroski. Also present were Town Manager Seth Lawless, Town Attorney David Paletta, Town Engineer Ed Powell, Police Chief Jay Hefner, Public Works Director Riley Hatch and Building Inspector Keith Cook. There were a number of interested parties in the audience.

Invocation – Charlie Burluson

Charlie Burluson opened the meeting in prayer.

Pledge of Allegiance

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

Special Presentation

Mayor Owen presented Rick Miller, Economic Development Committee Member from 1994 – 2001, with a plaque in appreciation for his service.

1. Adoption of Agenda

Mayor Owen called for the adoption of the agenda. Mr. Lawless requested the addition of a discussion on the Chamber of Commerce Volunteer Kick-Off Dinner under Other Business. Mr. Chamberlin made a motion to accept the Agenda as amended. Dr. Waligroski seconded the motion and it passed unanimously.

2. Consent Agenda

Mr. Holland made a motion to accept the minutes of February 12th. Mr. Adams seconded the motion and it passed unanimously.

3. Old Business

a. Region D Memorandum of Understanding for RPO - Amendment

After a brief discussion Mr. Adams made a motion to sign the Memorandum of Understanding for the establishment of the High Country Rural Transportation Planning Organization. Mr. Chamberlin seconded the motion and it passed unanimously.

4. *New Business*

a. Request for Reduction in Water Charges – Robert Welch

Wilson King, representing Robert Welch, addressed the Council requesting relief in the water bill received for 492 St. Andrews Rd in the amount of \$1,854.90. Mr. Welch is not hooked onto the Town sewer system. Mr. King gave an overview of the action taken by the Town in the 1970's requiring every homeowner to install a water cut-off valve on the owner's side of the Town meter. Following the water cut-off Ordinance many maintenance companies installed what is called stop & bleed valves. This valve was designed to allow the water to drain from the pipes inside the house, thus reducing the chance of pipes freezing and the resulting high water loss. Mr. King went on to explain that due to the fact that the valve was in the ground, it was subject to trash collecting making it difficult to know if the valve was completely open or closed. The Town had mandated that this type of valve be replaced, and Mr. King thought that they had indeed all been replaced. Using this justification, Mr. King, felt that the homeowner should not be held liable for the large water bill.

After much discussion Mr. Chamberlin made a motion to reduce the water bill by 50% based on the facts that the Town reads the meters on a quarterly basis, that it was a faulty valve and he felt it a large burden on Mr. Welch. Dr. Waligroski seconded the motion. Mr. Holland asked that the motion be amended to indicate that one of the factors for the 50% reduction was because of the type of valve that remained on the homeowners' property. The motion passed unanimously.

b. Consideration of Resolution 02-03-01 Occupancy Tax

Mr. Lawless reported to the Council and audience on the efforts of the Town to have an overall 6% Occupancy Tax, noting that Rep. Monroe Buchanan had pledged to help the Town in this endeavor. Mr. Holland made a motion to approve Resolution 02-03-01. Dr. Waligroski seconded the motion and it passed unanimously.

c. Consideration of Resolution 02-03-02 Wilderness Designation

Mr. Lawless reported that the purpose for the Resolution was to support an effort to make Lost Cove and Harper Creek a federal wilderness area. Mr. Adams made a motion to approve Resolution 02-03-02. Mr. Chamberlin seconded the motion and it passed unanimously.

d. Proposed Budget Amendment – Advertising Department

Mr. Chamberlin made a motion to approve the Proposed Budget Amendment. Mr. Holland seconded the motion and it passed unanimously.

e. Request for Funds - TDA

After a lengthy discussion, Mr. Chamberlin moved to transfer the Economic Development Committee Reserve balance to the Tourism Development Authority's account. Dr. Waligroski seconded the motion and it passed unanimously.

f. Request to Extend Water or Waive Ordinance Requirements – Curtis Varnado

Mr. Lawless informed the Council and audience that the request was for the extension of a waterline that currently exists down West Blueberry Lane. The 6" line would have to be extended 800' to 1,500'. Mr. Varnado owns lots D-118, D-134, D-135, D-138, D-139, D-140 and D-141. A building permit was issued for D-139. The Town Ordinance, Article IV, Section 4-1, that deals with this issue states that the Town will pay 25% of the cost for extending the water and the owners will be responsible for the other 75%.

Mr. Powell noted that the quote for a previous request for water to these same lots had been at/or approximately \$30,000. Mr. Varnado agreed, should the Council approve the request, to pay his part of the assessments.

After a lengthy discussion the Council directed the Town Attorney, David Paletta, to research the issue to see if a petition would be necessary in order for the Town to commit to the project and to investigate any other necessary legalities securing payment of the 75% portion.

g. Consideration of Resolution 02-03-03 Preliminary Assessment for Golfview Drive

Mr. Lawless indicated that the clerk had certified the signatures and the property owners had met the necessary 2/3 requirements for signature and linear footage. The next step was to set a public hearing and notify the property owners of the hearing.

Mr. Holland moved to approve Resolution 02-03-02. Mr. Chamberlin seconded the motion for discussion. After a brief discussion Mr. Chamberlin rescinded his second. Mayor Owen called for a second, hearing none, the motion died for lack of a second.

h. Proposed Town Hall Improvements

Mr. Lawless informed the Council that the quote enclosed in the agenda packet would be for 2 windows, which would allow for ventilation in the entryway. The windows would match the windows that are already in the building. The windows and all necessary labor would cost \$1,150.00 and the funds are available within the department budget. Mr. Holland made a motion to approve the improvements. Mr. Chamberlin seconded the motion and it passed unanimously.

i. Offer to Donate WH-81

Mr Chamberlin made a motion to accept WH-81 from Mr Billy J Leathers. Mr Adams seconded the motion and it passed unanimously

j Select Date for Spring Clean Up

After a brief discussion, Mr. Holland recommended April 27th for the Town clean up day. All agreed

k Direct Tax Administrator to Advertise Liens

Mr Holland made a motion to direct the Tax Administrator to advertise the tax liens in the Watauga Democrat on April 17, 2002. Mr. Adams seconded the motion and it passed unanimously.

5. *Staff/Consultant Reports.*

a. Town Engineer's Report.

Ed Powell reported the paving contractor would be starting work in the near future and the work continues on the wastewater treatment improvements.

Mayor Owen asked for an update on the tennis courts noting that the nets were up. Mr. Powell indicated the project was down to the punch list.

Mr. Chamberlin asked if the outfall lines for the Grassy Gap Plant going downstream to Buckeye Creek would be gravity. Mr. Powell indicated that it would be pumped because it is easier, less expensive and more environmentally friendly. A draft of the plans for the project will be available at the planning retreat.

Dr. Waligroski asked about padding on the basketball post to which Mr. Lawless indicated that he had information relating to that issue.

b. Public Works Director's Report.

Riley Hatch reported the landfill had accepted the mixed paper, 2300 pounds. He further responded that arrangements were being made to hire the temporary labor crews for roadside brush cutting and Infiltration and Inflow investigation.

Mrs. Varnado asked how often the gravel roads were scraped to which Mr. Hatch responded four times a year and the weather conditions must be conducive to grading.

Mrs. Varnado then asked about the moratorium to which Mr. Lawless indicated that he would give an update during his report.

Mr Hatch's report was accepted as submitted.

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

d Police Report

Chief Hefner gave a brief overview of the written report submitted indicating: 1) The vandalism case was still under investigation; someone scraped a driveway that was not supposed to be scraped. 2) The deck case from a few months ago had been solved. 3) The department was working with the Blowing Rock and Boone Departments on a credit card/identity theft case that would be complete for next month's report. Chief Hefner's report was accepted as submitted.

e Town Manager's Report.

Mr. Lawless reported the following: 1) There is no news on the moratorium. It is still in place. The Rural Center is holding their meeting tonight and the Town will have an answer regarding the grant that would help finance the necessary repairs to the collection lines in the two sub-basins in most need of repair. Mr. Lawless reported if the grant was not received that the Town would reapply and go ahead with the work on one of the basins. With the assistance of Mr. Powell's firm, an application has also been submitted for a low interest loan. The moratorium is one of the agenda items to be discussed at the Planning Retreat, which has been confirmed for April 5th at the Broyhill Inn and Conference Center. 2) Mr. Lawless reported that the 10,000-gallon per day allocation for the Pond Creek facility awarded by DENR has not been entirely distributed due to applicants not following through with obtaining their building permits. The Town has issued permits for 53 bedrooms and the Visitors Center will have to be added to that total. A report will be sent to DENR in a few days that identifies the location of the 53 bedrooms permitted. There may be some additional permits to be issued, however, Mr. Lawless recommended that the Council wait until DENR responds to the report. 3) Mr. Lawless reported that Ms. Norwood, the Tax Administrator, and Mrs. Rominger, the Finance Officer, would be attending a workshop dealing with insurance coverage in Hickory, which the Council is also invited to attend. 4) Mr. Lawless also pointed out that a copy of the appeal for the most recent wastewater violation was enclosed in the packet. Mr. Lawless' report was accepted as submitted.

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

6. *Other Business*

a Chamber of Commerce Kick-Off Dinner

Mr. Lawless reported that the Chamber of Commerce was having a Kick-Off Dinner on April 22nd to show appreciation for the volunteers who have helped in the past as well as try to get them to commit to helping out with future events. The Town was invited to participate and invitations were scheduled to go out in two days with a RSVP by April 1st. The cost has not yet been determined, but the dinner will be held at the Club. Mayor Owen felt that would be a good thing for

the Town to participate in and asked that Mr. Lawless get the Town's list of names to the Chamber. All agreed. There was no other business for discussion.

7. *Adjournment*

Mr. Holland moved for adjournment at 8:25 p.m. Mr. Adams seconded the motion and it passed unanimously.

Respectfully submitted,

Reba G. Greene
Town Clerk


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Minutes approved by Town Council on April 9, 2002



Mayor

ATTEST:



Town Clerk