

**MINUTES  
BEECH MOUNTAIN TOWN COUNCIL  
SPECIAL MEETING  
June 7, 2005**

***CALL TO ORDER***

Mayor Rick Owen called the meeting to order at 6:00 p.m. in the Council Chamber at Town Hall. Other Council Members present were Gil Adams, Pete Chamberlin, Paul Piquet and Dr. Ed Waligroski. Town Manager Seth Lawless, Director of Public Works Riley Hatch and Police Chief Jay Hefner were also present. There were a number of interested parties in the audience.

Mayor Owen announced to the Council and audience that the meeting was a workshop for the Council to review the proposed 2005-2006 Budget and Capital Improvement Plan. Mayor Owen noted that the Council would accept comments from the public on June 14<sup>th</sup> at the Public Hearing scheduled to start at 6:00 p.m.

Mr. Lawless gave an overview to the Proposed 2005/2006 Budget:

1. **General Fund Revenue-** Mr. Lawless stated that the valorem taxes were recommended at \$2,164,160.00. Mr. Lawless noted that tax rate was recommended to remain at \$ 625 per \$100 of assess value. Mr. Lawless indicated that the occupancy tax income had declined \$38,000 for this fiscal year; the budget amount for the 05/06 year is \$246,400. Mr. Lawless continued by highlighting certain items: Miscellaneous Revenue which includes road sanding and income from park benches and tree donations; Hold Harmless Funds are monies the General Assembly had dedicated to Towns whose additional sales tax is less than 100% of the value of their repealed reimbursements. Fund Balance Appropriation is up due to hurricane damage repairs being done over two fiscal years.
2. **Administration Department** – Mr. Lawless noted that the Administration Department had no new positions or programs proposed, however the Town was looking at upgrading the software for taxes, accounting and utilities which would be \$10,000 to \$15,000 for the initial purchase.
3. **Tax Collection Dept.** - Mr. Lawless noted that Ms. Norwood had requested out sourcing the tax billing, however he had recommended the process stay in house.
4. **Public Safety Department-** Mr. Lawless reported that the drug task force contribution for the upcoming year would be \$3,200 and that the contribution to the volunteer fire department was \$35,000. Mr. Lawless noted that the Town street lights were paid out of the utilities line item.
5. **Building Inspections Department** - Mr. Lawless noted that the capital outlay of \$19,000 was to purchase a new four wheel drive vehicle; the one currently used by Mr. Cook had to have a rebuilt transmission to get through the current fiscal year.
6. **Vehicle Maintenance Department-** Mr. Lawless noted that this department repaired all Town vehicles and purchased fuel. In addition, the line item included two mechanics to repair the vehicles. Mr. Lawless also indicated that labor, parts, gasoline and fuel oil were charged against the appropriate line items in other departments.
7. **Road Maintenance Department** - Mr. Lawless pointed out that the cost of sand and gravel was up, resulting in an increase in supplies and maintenance. Mr. Lawless noted that he had



estimated the cost of a leaf vacuum at \$25,000, this figure was high and Mr. Lawless felt the balance could be directed toward the purchase of a new copy machine for Town Hall. Mr. Lawless indicated that the resurfacing line item was to cover the cost of the resurfacing a portion of Beech Mtn. Pkwy. from the entrance of Ski Beech to Lake Road and the paved portion of Hornbeam Road.

Mr. Lawless noted that the Capital Outlay would be used to purchase a new 4 wheel drive truck for the Public Works Director, Mr. Hatch; Mr. Hatch's vehicle would be passed on to the Recreation Department for Sean McNay to use.

**8. Right-of-way Clearing Department** - Mr. Lawless reported that the right-of-way-clearing department was temporary employees working from April through October trimming trees and brush from along the sides of the roads.

**9. Outdoor Recreation Department** - Mr. Lawless noted that the Outdoor Recreation department consists of only one employee whose responsibilities include the maintenance of the hiking trails, parks and flowers.

**10. Recreation Center Department** - Mr. Lawless noted that the Recreation Committee would be submitting the policy issues to the Town Council for their approval of the hours of operation and fees to be charged for the use of the facility at Buckeye Lake. The recreation director position is currently being advertised with the deadline for applications on June 17<sup>th</sup>.

**11. Water and Sewer Fund** - Mr. Lawless recommended a 3% increase in the water and sewer rates and a 20% increase in availability fees are proposed effective July 1<sup>st</sup>. Mr. Lawless also noted that availability fees were recommended to increase from 50¢ to 60¢ per sq. ft. Mr. Lawless indicated that the administration department for the w & s fund included the billing department, Carolyn Smith, noting that Mrs. Smith was retiring in December.

**12. Water Treatment Department** - Mr. Lawless noted that the sludge tank repairs had been completed. The capital outlay was for a 4 wheel drive truck.

**13. Wastewater Treatment Department** - - Mr. Lawless noted that the Town's Grassy Gap Treatment Plant and the Pond Creek Treatment Plant were included in this department with two operators to oversee the plants operations. The repairs and maintenance line item includes \$12,000 for lift pump replacements. Mr. Lawless indicated that the necessary forms were being filed with the state to secure the low interest loan for the upgrades to begin on the Pond Creek Treatment Plant.

**14. Taps and System Maintenance Department** - Mr. Lawless reported that this department connects new customers and makes repairs to both the water and sewer systems with the assistance of the Road Maintenance Department. The Department also covers the expense of replacing fire hydrants.

**15. Sanitation Fund** - Mr. Lawless noted that the dumpster fees would increase \$6.00 per month, the container fee would go up \$1.00 per month and the budget proposed a 3% rate increase in water/sewer rates. The total sanitation expenses were recommended to be \$258,430. Mr. Chamberlin asked if the Town had approached the Town of Banner Elk with the proposal of a joint purchase on the vacuum truck and jetter. Mr. Hatch noted that when the Town was in need of that type of equipment that it was an emergency situation.



**16. E-911 Fund Revenue & Expenditures** – Mr. Lawless noted that the revenue for the E-911 Fund was from a subscription fee on standard phone accounts within the Town limits, as well as taxes levied on wireless accounts within the State that were distributed by the State. State Statute limits the use of these funds to equipment, supplies and training cost. Excess funds are placed in reserve for future appropriation.

**17. Debt Summery** – Mr. Lawless gave a brief overview of the debt summary noting that the total debt with principle and interest requirements are \$3,532,721.

**18. Capital Improvement Plan** – Mr. Lawless talked about the Capital Improvement Plan which includes the years 2005/06 through 2008/09.

Mayor Owen thanked Mr. Lawless and Mrs. Rominger for the efficient job in putting together the budget. Mayor Owen then asked that the web site be reviewed by a professional to help to help improve the Town's overall image. Mr. Piquet recommended that Sergeant Jerry Turbyfill, currently in charge of the web page updates, be given the opportunity to be included in the process.

### **ADJOURN**

There being no further business to come before the Council, the meeting was adjourned at 7:30 p.m. upon a motion by Mr. Piquet seconded by Mr. Adams, the motion and it passed unanimously.


Respectfully submitted,

Reba G. Greene  
Town Clerk

Minutes approved by Town Council on July 11, 2005.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk



**MINUTES**  
**BEECH MOUNTAIN TOWN COUNCIL**  
**June 14, 2005**

***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 Town Hall Council Chambers. Other Council Members present were Gil Adams, Pete Chamberlin, Paul Piquet and Dr. Ed Waligroski. Also present were Town Manager Seth Lawless, Police Captain Dana Crawford, Public Works Director Riley Hatch, Building Inspector Keith Cook, Town Engineer Ed Powell and Town Attorney David Paletta. There were a number of interested parties in the audience.

***Invocation*** – Charlie Burleson opened the meeting with scripture reading and prayer.

***Pledge of Allegiance*** – All present joined in the Pledge of Allegiance to the flag.

***1. Adoption of Agenda*** – Mayor Owen added #7, Executive Session, N.C.G.S. 143-318-11 (6), for the discussion of a personnel matter. The Agenda was adopted as amended.

***2. Consent Agenda – Minutes of May 10<sup>th</sup> Regular Meeting & May 31<sup>st</sup> Special Meeting*** – Mr. Piquet moved to adopt the minutes of May 10<sup>th</sup> Regular Meeting and May 31<sup>st</sup> Budget Meeting as submitted. Mr. Chamberlin seconded the motion and it passed unanimously.

***3. Public Hearing*** –

***A. Proposed 2005/2006 Budget Ordinance*** – Mayor Owen opened the public hearing at 6:04 p.m. on the proposed 2005-06 budget. Mr. Dale Waterhouse of 131 Raven Road asked about the line item for ‘resurfacing’ noting that 85 mile was scheduled to be resurfaced and Mr. Waterhouse was not sure that was a sufficient amount to keep up with the necessary road maintenance. Mr. Waterhouse also asked about the paving of Pinnacle Ridge Road and Grassy Gap Creek Road to Pine Ridge Road. Mr. Lawless responded that the new paving of Pinnacle Ridge Road and Grassy Gap Creek Road was a 50/50 split with the Town and the property owners and also included the replacing of water lines when Pine Ridge Road was repaved. Mr. Waterhouse then asked about the ‘recreation center department’ asking the total cost of the project. Mr. Lawless responded that it was \$2,791,000. Mr. Waterhouse indicated that he felt the landscaping should be added into the total figure. Mr. Waterhouse also asked about the proposed transfer of \$124,000 in the General Fund to the Recreation Center. Mr. Waterhouse pointed out that the Recreation Department was 10.77% of Town revenues. The Recreation Department would cost 16% of the Town Taxes. The Recreation Center debt is 67% of the Town’s total debt. Mr. Waterhouse felt the TDA should give 50% of the total occupancy taxes collected. Mayor Owen indicated that the occupancy tax collected was regulated by the state and only 1/3% could be used for recreation.

Mr. Waterhouse then asked for some of the Council’s time to discuss wants and needs. Mr. Waterhouse felt the majority of the property owners did not want the new recreation center, but were overruled by the voters who felt they needed the recreation center. Mr. Waterhouse noted that the operational cost of the facility would not be met by the user fees proposed.

Mr. Waterhouse questioned the water and sewer fund and the fact that monies were transferred from the General Fund to balance the operations and the income from availability fees were not used to balance the budget but were going into a reserve for improvements to the system. Mayor Owen thanked Mr. Waterhouse for his comments. Mr. Chamberlin moved to close the public hearing at 6:23 p.m.

**B. Brian Barnes – Rezoning Request for Clubhouse Rd. Tract; Beech Mountain Club –** Mayor Owen opened the public hearing at 6:25 p.m. on the rezoning request from the Beech Mountain Club to rezone a 0.75 acre tract of land on Club House Road. The property is currently zoned R-2 (single family). The Club requested that a PS (public service) designation be given to the property. Mr. Brian Barnes, Beech Mountain Club General Manager, addressed the Council and audience showing a map with the property indicated. The property is currently being used as a parking lot for the Club; however, the zoning is incorrect for that purpose. Mr. Jack Davis and Mrs. Nancy Raymond both spoke in opposition to the rezoning of the property. Mr. Barnes indicated that the request was just to clear up a zoning error. Hearing no further comments from the public Mayor Owen closed the public hearing upon a motion by Mr. Piquet, seconded by Dr. Waligroski at 6:37 p.m.

#### **4. New Business –**

**A. Consider Club House Road Tract Rezoning Request –** Mayor Owen opened the discussion of the Club House Road rezoning request noting that he was not in favor of the rezoning of the property. Mr. Piquet and Mr. Adams spoke in agreement with Mayor Owen. Mrs. Nancy Raymond indicated that the property owners had concern over the possibility of a structure being erected on the lot. Mr. Barnes responded that the intent of the Club was to keep the property as a parking lot, not to build any type of structure. After much discussion, Mr. Piquet moved to reject the request by the Beech Mountain Club to change the zoning of the 0.75 acre lot. Dr. Waligroski seconded the motion and it passed unanimously.

**B. Resolution 05-06-01 – Approving Financing Terms w/BB&T –** Mr. Lawless stated that Resolution 05-06-01 for the financed amount not to exceed \$94,712 with interest not to exceed 3.42% was for the purchase of a new rear loading sanitation truck for the sanitation department. After a brief discussion, Mr. Chamberlin moved to approve Resolution 05-06-01. Mr. Piquet seconded the motion and it passed unanimously.

**C. Proposed Budget Amendment –** Mr. Lawless reported that the Budget Amendment for fiscal year 2004/05 was to transfer FEMA Funds received for road, utilities and trail repairs due to hurricane damage from Ivan and Frances. Mr. Lawless noted that the funds would be expended in both fiscal years 04/05 and 05/06. Mr. Piquet moved to adopt the proposed budget amendment. Mr. Chamberlin seconded the motion and it passed unanimously.

**D. Consider Changing July and August Regular Meeting Dates –** Dr. Ed Waligroski moved to change the July and August 2005 Council Meetings to the 2<sup>nd</sup> Monday of the month. Mr. Piquet seconded the motion and it passed unanimously.

**E. Review Proposed Fee Schedule and Operating Hours for the Recreation Center –** Mr. Lawless reported that the Recreation Center Committee had recommended Fees and Hours of Operation for the Recreation Center building at Buckeye Lake. After a brief discussion, Mr. Piquet moved to adopt the proposed Fees and Hours of Operation for the Recreation Center building as presented. Mr. Chamberlin seconded the motion and it passed unanimously.



**F. Review Ed Dahl Letter** – Mr. Lawless noted that Mr. Ed Dahl of 134 Hawthorn Road had requested permission to drive his golf cart down Hawthorn Road, cross Pine Ridge Road onto the golf course. After a brief discussion, noting that Beech Mountain Parkway to the entrance of Ski Beech is a state maintained road, Mr. Chamberlin moved to extend the permitted use area for golf carts to include all Town maintained roads. Dr. Waligroski seconded the motion and it passed unanimously.

## **5. Staff/Consultant Reports**

**A. Town Engineer's Report – Ed Powell** – Mr. Powell reported that the plans for the Pond Creek Wastewater Treatment Plant were complete and all necessary steps were in place for the loan application. Work was on schedule to begin this fall. Mr. Powell's report was accepted as submitted.

**B. Public Works Director's Report – Riley Hatch** – Mr. Hatch reported: 1) A new bridge has been put in place on the Pond Creek hiking trail. 2) The Town crews have put down 2,800 ton of ABC gravel on the various gravel roads in the Town. 3) The right of way crews are busy clearing the road sides. 4) The W.A.M.Y. volunteers are back working with Mr. McNay on the various hiking trail repairs. Mr. Hatch's report is on file with the Town Clerk.

Mr. Clint Iles, 105 Skiway Road, asked that the Town look at pot holes on Skiway Road. Mr. Hatch indicated that he would drive by and see what could be done. Mr. Marvin Rash, 117 W. Blueberry, also asked that his road to be looked at.

**C. Town Attorney's Report – David Paletta** – Mr. Paletta had no report.

**D. Captain Dana Crawford** – Captain Crawford reported that the new E-911 system had been installed and the training had been completed. Captain Crawford noted that the second address and phone number listings needed further work. Captain Crawford also reported that there had been 1 burglary of hand tools at a house under construction. The report is on file with the Town Clerk.

**E. Town Manager's Report – Seth Lawless** – Mr. Lawless reported: 1) NC Department of Transportation replaced the culvert by the Beech Alpen Inn. Mr. Lawless also noted that the DOI planned to do a 'micro flash' patching on the Parkway. 3) The Chamber of Commerce is sponsoring a volunteer appreciation dinner on Saturday, June 25<sup>th</sup>. 4) All-Tech Security is installing the cameras and after-hours access to the fitness room at the Recreation Center Building. 5) The Recreation Center telephone number will be 387-3003. A recording will be available shortly to announce the opening date and promote the sale of annual passes. 6) Sally Rominger, Finance Officer, is reviewing banking services from the various other banks in Banner Elk. Council will be kept informed of her progress. 7) The GIS information in Town Hall has recently been updated from the county records. 8) At the Chamber of Commerce meeting earlier today, Director, Barry Schorr, resigned his position effective July 31, 2005. 9) The Chamber of Commerce is investigating the possibility of having a wireless access area between the Visitor Center and Town Hall for visitors lap top internet access.

**F. Tax Collection Report – Melissa Norwood** – The report is on file with the Town Clerk.

**G. Building Inspection Report – Keith Cook** – The report is on file with the Town Clerk.

6. **Other Business** – There was no other business for the Council to discuss, Mr. Chamberlin moved to go into Executive Session at 7:40 p.m. Mr. Piquet seconded the motion and it passed unanimously.

7. **Executive Session** – The Town Council came out of Executive Session at 8:30 p.m. As a result of the Executive Session, upon a motion by Mr. Adams seconded by Mr. Piquet, the Beech Mountain Town Council accepted the resignation of Town Manager, Seth Lawless effective Friday, July 29<sup>th</sup>. The Council established procedures for finding a replacement for Mr. Lawless.

8. **Adjournment** – Upon a motion by Mr. Chamberlin the meeting recessed at 10:00 p.m. until Thursday June 16<sup>th</sup>. Mr. Piquet seconded the motion and it passed unanimously.

### **CALL TO ORDER**

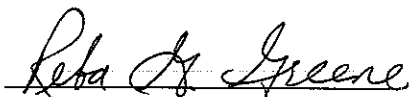
Mayor Rick Owen reconvened the regular meeting of the Beech Mountain Town Council's meeting of June 16, 2005 at 10:00 a.m. in the Town Hall Council Chambers. Other Council Members present were Gil Adams, Pete Chamberlin, Paul Piquet and Dr. Ed Waligroski.

Upon a motion by Mr. Chamberlin, seconded by Mr. Piquet the Council entered into Executive Session at 10:20 a.m. The Council came out of Executive Session at 11:10 a.m. and took no action. Upon a motion by Mr. Piquet, seconded by Dr. Waligroski, the meeting adjourned at 11:11 a.m.

Minutes approved by Town Council on July 11, 2005

  
Mayor

ATTEST:

  
Town Clerk

**MINUTES  
BEECH MOUNTAIN TOWN COUNCIL  
SPECIAL MEETING  
June 21, 2005**

***CALL TO ORDER***

Mayor Rick Owen called the Budget Workshop meeting to order at 6:00 p.m. in the Council Chamber at Town Hall. Other Council Members present were Gil Adams, Pete Chamberlin, Paul Piquet and Dr. Ed Waligroski. Town Manager Seth Lawless, Director of Public Works Riley Hatch and Police Chief Jay Hefner were also present. There were a number of interested parties in the audience.

Mayor Owen announced to the Council and audience that the meeting was a workshop for the Council to consider adoption of the 2005-2006 Budget and Capital Improvement Plan as well as to appoint an Interim Town Manager and consider a Budget Amendment.

Mr. Lawless gave an overview to the Proposed 05/06 Budget:

1. **2005-2006 Budget Ordinance Adoption** - Mr. Lawless noted that the proposed changes to the Ordinance had been made, a reduction in cost of vacuum truck in the road maintenance line item of \$15,000, with the funds being transferred to administration for the purchase of a copy machine and web page design. Mr. Piquet moved to adopt the 2005-2006 Budget Ordinance, Dr. Waligroski seconded the motion and it passed unanimously.
2. **Interim Town Manager** - Mr. Gil Adams made a motion, seconded by Mr. Chamberlin to appoint Mr. Joe Perry as Interim Town Manager on July 27, 2005. The motion passed unanimously. Mayor Owen asked that Mr. Lawless send out a press release regarding the appointment of Mr. Joe Perry as Interim Town Manager.
3. **Budget Amendment** - Mr. Lawless reported that the Budget Amendment would transfer FEMA Funds and appropriate Fund Balance monies totaling \$33,060 into administration salaries, FICA and 401 (k) to cover the terms of his contract with the Town. Mr. Piquet moved to pass the Budget Amendment transferring the aforementioned funds. Dr. Waligroski seconded the motion and it passed unanimously.
4. **Staff Meeting** - Mayor Owen noted to the Council that the minutes passed out were from the staff meeting on June 20<sup>th</sup> to update each other on current projects and happenings. Mr. Lawless indicated that a weekly meeting would be held until his departure. The next meeting was scheduled for Monday, June 27<sup>th</sup> at 3:00 p.m.
5. **Recreation Center Director** - Mayor Owen reported that the upcoming interviews for the Recreation Center Director position would not be open to the public. Interviews would take place June 27<sup>th</sup> and 28<sup>th</sup> with Mr. Lawless and the Recreation Center Committee members. Mayor Owen

noted that 12 individuals had been selected to interview. Mr. Lawless indicated that the Council could be involved in the final screening process and that the Committee would make their final decision prior to his departure.

6. **ADJOURN**

There being no further business to come before the Council, the meeting was adjourned upon a motion by Pete Chamberlin seconded by Mr. Piquet. The motion passed unanimously. The meeting ended at 6:20 p.m.

Respectfully submitted,

Reba G. Greene  
Town Clerk

Minutes approved by Town Council on July 11, 2005



Mayor

ATTEST:

  
Town Clerk