

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
December 10, 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 Engineer Ed Powell, Police Chief Jay Hefner, Public Works Director Riley Hatch, Town Attorney David Paletta and Building Inspector Keith Cook. There were a number of interested parties in the audience.

Invocation – Dominick Simon opened the meeting with prayer.

Pledge of Allegiance

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

1. *Adoption of Agenda*

The agenda was adopted as presented.

2. *Public Hearings – Thoroughfare Plan*

Mayor Owen opened the public hearing on the Thoroughfare Plan at 6:05 p.m. Ms. Lydia McCoy from the Department of Transportation gave an overview of the proposed plan for Beech Mountain Parkway. The plan consists of the extension of the two passing lanes and the addition of a turning lane into Ski Beech. After a brief discussion Ms. McCoy indicated that the Department of Engineers could look at two of the switchbacks, Deer Creek Falls and the area by Kats Overlook Pub, to see how best to improve the sharp turns.

Hearing no further comments from the public Mayor Owen closed the hearing at 6:20 p.m. upon a motion by Mr. Holland. Mr. Chamberlin seconded the motion and it passed unanimously.

3. *Consent Agenda*

Mr. Holland moved to accept the minutes of the November 5th Regular Meeting as submitted. Mr. Chamberlin seconded the motion and it passed unanimously.

4. *Persons Wishing to Address Council – Phillip Byrd re: Water Charges*

Mr. Byrd was not in attendance.

5. *Old Business – Proposed Water and Sewer Availability Fee Increases*

Mr. Lawless noted that the Building Inspector, Keith Cook, had written to the local contractors who work on the Mountain asking for their input on the rate increase. The over-all sentiment was for the cost of improvements to be shared by those already here and those building in the future. Mayor Owen and Mr. Holland felt that a fee based on square footage would be a fair way to set the cost. Further discussion resulted in the Council recommending that Mr. Lawless work with Mr. Cook to put together a proposal based on the square footage of the building.

6. *New Business –*

a. Consider Resolution 02-12-01 – Support of Thoroughfare Plan

Ms. McCoy explained to the Council that the state General Statute required the passing of a resolution in support of a thoroughfare plan before steps are taken to actually lobby for the plan. After a reading of the resolution Mr. Holland moved to adopt Resolution 02-11-01 in support of the Thoroughfare Plan. Dr. Waligroski seconded the motion.

Mr. Adams asked how the Resolution would affect Banner Elk's portion of the Thoroughfare Plan. Ms. McCoy reported that even though Banner Elk did not adopt the plan because of the widening of Highway 184 through the Town, Beech Mountain's passing of the Resolution was only for the purpose of asking for the Town portion of the improvements. Mr. Lawless reiterated that the Town was not trying to support an issue that the Town of Banner Elk did not endorse and when the Town contacts the Division Engineer it will only be in regards to the Beech Mountain portion of the plan.

The motion passed unanimously.

b. Board Appointments

Mr. Chamberlin moved to reappoint Clint Iles and John Hoffman to the Planning Board, reappoint Paul Piquet to the Board of Adjustments and reappoint Charlie Burleson as an Alternate to the Board of Adjustment and appoint alternates Jim Weaver and George Buesser. The motion further included reappointment of Candi Catoe, Charlie Burleson and Brian Barnes to two year terms on the Tourism Development Authority. Mr. Holland seconded the motion and it passed unanimously.

c. Consider Proposed Budget Amendment

Mr. Lawless informed the Council that the amendment was to pay a pre-payment penalty for the Water and Sewer Bond refinancing, to be taken out of tap fees. Mr. Chamberlin moved for approval of Water & Sewer Fund Budget Amendment. Mr. Holland seconded the motion and it passed unanimously.

d. Police Department Proposal – P2P Grant Application

Chief Hefner informed the Council and audience that the P2P was a Police to Police internet program that allows police departments to share data. Two software developers, Open

Software Solutions, Inc. and Southern Software have joined forces to make the technology available.

Mayor Owen indicated that he was a bit hesitant about getting in on a new program of this nature and also felt the use may be minimal.

Chief Hefner indicated that the grant for the P2P was not a sure thing and the request was only for permission to send a letter of intent, not commit money.

Mr. Chamberlin made a motion to allow Chief Hefner to send a letter. Mr. Holland seconded the motion and it passed unanimously.

e. Tax Matters – Release and Refund for EM-17

Mr. Chamberlin made a motion for a tax release of \$75.00 and a refund of \$37.24 for Emerald Mountain #17. Mr. Holland seconded the motion and it passed unanimously.

f. Request for Stop Signs

- Intersection of Lakeledge and Lakeledge Circle

Mr. Lawless noted that one of the residents in the Lakeledge Circle area had requested that a stop sign be put up at the intersection of Lakeledge Road and Lakeledge Circle for traffic coming off the Circle onto Lakeledge Road at the southern end, closer to Lake Coffey.

After a brief discussion Mr. Holland moved to place a stop sign at the intersection of Lakeledge Road and Lakeledge Circle. Dr. Waligroski seconded the motion and it passed unanimously.

- Intersection of Pinnacle Inn Road and Elderberry Ridge Road

Mr. Lawless reported that the Pinnacle Inn had once again requested that a stop sign be erected at the intersection of Pinnacle Inn Road and Elderberry Ridge Road stopping traffic coming down Elderberry Ridge Road from the direction of Southcrest. After a brief discussion the Council agreed not to take any action on the request.

g. Consider Offers to Donate Lots

- WH-82, BHW-196 and BHW-5 from Fred and Margie Pfohl

Mr. Chamberlin moved to accept lots WH-82, BHW-196 and BHW-5. Mr. Holland seconded the motion and it passed unanimously.

- LG-173 from Bert Sherman

Mr. Chamberlin moved to accept lot LG-173. Dr. Waligroski seconded the motion and it passed unanimously.

h. Recreation Committee Recommendations

Proposed Rules for Beech Mountain Town Parks

Mr. Lawless reported that the proposed rules had gone before the Recreation Committee prior to being presented to the Council, Mr. Chamberlin moved to accept the rules as presented. Mr. Holland seconded the motion and it passed unanimously.

Discussion of Contracting for Architectural Design and Construction

Mr. Lawless gave a brief overview of the Buckeye Creek Recreation Area which included an indoor recreational building. The original plan was to start the building in 2004, however the additional occupancy tax was in place and interest rates are at a very good rate, prompting the Committee to look into starting the building earlier.

Mr. Lawless presented a draft of a letter to Mr. Steven Overcash of Overcash-Demmitt Architects, who assisted in the original design for the recreation area to see if they were interest in bidding on the project as well as the related inspection services. Mr. Adams made a motion for Mr. Lawless to send a letter to Overcash-Demmitt Architects. Mr. Holland seconded the motion and it passed unanimously.

7. *Staff/Consultant Reports*

a. Town Engineer's Report.

Mr. Powell reported that his firm was still waiting for approval of the plans for the Grassy Gap discharge relocation. The S.O.C. request for additional discharge for the two wastewater plans is expected by January 15, 2003. Mr. Powell's report was accepted as submitted.

b. Public Works Director's Report.

Riley Hatch reported 1) he and his crew had been patching utility cuts and, weather permitting, should finish up this coming week. 2) Buckeye Construction hit a water line on Jack Pine Road resulting in a water loss of approximately 30,000 gallons, services were restored to the area by 7:00 p.m. that same evening. 3) The trash pick up schedule for Christmas will be Tuesday and Wednesday schedule being picked up on Tuesday, off Wednesday and Thursday and resume regular schedule on Friday. Mr. Hatch's report was accepted as submitted.

c. Town Attorney's Report.

Mr. Paletta reported that a foreclosure sale would take place on Thursday, December 12th at the Watauga County Courthouse, another sale would take place in three months and another in 5 or 6 months. The letters send out to Occupancy Tax offenders has had a good response, only 1 individual has not responded, another letter will be send out. Mr. Paletta's report was accepted as submitted.

d. Police Report.

Chief Jay Hefner gave an overview of the report noting that the golf cart stolen from Dr. Waligroski was recovered undamaged.

Dr. Waligroski asked if the residence checks were by request to which Chief Hefner indicated that they were done on a random basis. Chief Hefner's report was accepted as submitted.

e. Town Manager's Report.

Mr. Lawless reported the following: 1) The recreation surveys were mailed out to 500 random water customers and anyone who wishes to fill one out can stop by the clerk's desk and pick one up. 2) The Council has a training opportunity on December 18th. 3) Some revisions have been requested on the S.O.C. by D.E.N.R. 4) The Visitors Center has required some repairs to the wiring, \$200.00 has been approved for the work.

f. The Tax Collectors was accepted as submitted.

g. The Building Inspections Report was accepted as submitted.

8. Other Business

Mr. Holland reported to the audience that the Golf Cart Committee would meet December 19th at 10:00 a.m. in the Council Chamber at Town Hall.

9. Adjournment

Dr. Waligroski moved for adjournment at 7:45 p.m. Mr. Adams seconded the motion and it passed unanimously.

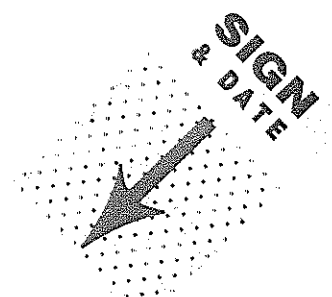
Respectfully submitted,

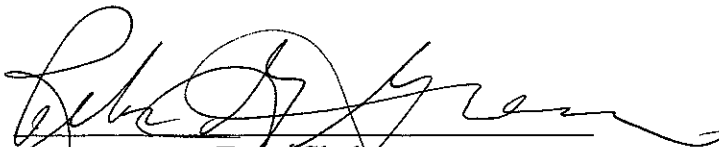
Reba G. Greene
Town Clerk

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Minutes approved by Town Council on 1-14-, 2003.

ATTEST:


Richard H. Ave
Mayor



Town Clerk